

## Awakening the American Political Debate on Palestine and Israel



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To the average American, much of what this volume covers on the Middle East may seem new, strange, or unusual. That is because what we learn from the mainstream media about this part of the world, and America's involvement therein, is usually quite deficient and shallow. The insufficient reporting on the Middle East is a key issue for Americans to address, because democratic debate, discussion, and decision making must be anchored in accurate and objective knowledge of reality. This belief was the motivating force behind the launching of *Electronic Intifada* and *Electronic Iraq*, websites I cofounded with my colleagues Ali Abunimah, Nigel Parry, and Arjan El Fassed.

These websites attempt to focus on the human and the humanitarian dimensions of conflicts in the Middle East. In so doing, they aim to encourage people to see current political developments in this region through the frameworks of international law, the universal declaration of human rights, and the underpinnings of a just and democratic international order.

The key criteria for such a democratic order are, in my view, equality, justice, and respect for the rule of law, notions that comprise the foundation of this chapter.

### FOREIGN AND DOMESTIC POLICY

This volume embraces foreign, economic, domestic, inner city, and media policy alternatives, a breadth of coverage that is important not only for America but also for the world. It is increasingly difficult to separate the "foreign" from the "domestic," whether we are talking about events, markets, policies, or sentiments. We are living at a time when the global and the local, the national and the international, intersect dramatically and constantly, in surprising, sometimes wonderful, sometimes frightening ways. If nothing else, the events of September 11 should have taught us that.

Of the many possible lessons that could have been learned from September 11, the American government has only considered—and deftly marketed—a very few, all of them packaged under the general rubric of the global war on terror. Along with the Patriot Act, the war on terror has led to the surveillance of Arab- and Muslim-Americans and initiated all sorts of “total information awareness” schemes. American government policy applies, then, as much at home as it does in Kabul or Baghdad.

Recent policy has been very comfortable with the word “global”—as long as it is used in the context of the “global projection of American military might” or the “expansion of global markets,” on terms that benefit the United States much more than its economic trading partners. But the American government has not been comfortable with the concept, let alone the practice, of global justice. In fact, during recent years the American government has been actively hostile to the progressive evolution of international humanitarian law and international criminal prosecution. Indeed, a Human Rights Watch staff member recently referred to the American government as “launching a global jihad against international justice.”

Among the collateral damage of the last several years has been the cessation of American support for and participation in the emerging, multilateral framework of international justice and accountability. The United States has withdrawn support for the global campaign against impunity for war crimes and crimes against humanity. The government’s withdrawal from the International Criminal Court (ICC) and attempts to undercut the court by signing coercive non-extradition (Article 98) treaties with numerous countries in the developing world, the adoption of the principle of preemption, the launching of the war in Iraq in contravention of Chapter 7 of the United Nations charter, and the erosion and reversal of tort law domestically will have longer-lasting and much more deleterious effects on the American population, and perhaps on the entire world, than anything that al Qaeda could have dreamed up.

As the great twentieth-century political philosopher Hannah Arendt noted in her monumental work *The Origins of Totalitarianism*, “All that is needed to achieve total domination is to kill the juridical in humankind.” Recent American government policy seems to have grasped this early on; American antipathy to the United Nations and multilateral frameworks of international law and treaties predated the events of September 11. The United States has pursued unilateralist policies in recent years, demonstrating hostility toward global justice and the deliberative processes of international bodies that gave us the Geneva Conventions and the Conventions on the Prevention of Torture and Genocide.

#### ELECTRONIC INTIFADA

Recent American government policy has been not only conservative but in fact medieval, positioning itself as global liege lord, demanding tribute, obedience, and sub-

servience from its vassals—all other states—as crusades are pursued, accompanied by the rhetoric of divine guidance in the holy struggle against evildoers. There is no place in such a neomedieval world view for deliberation, debate, or dissent. There is little role, if any, for the rule of law. We have entered a postmodern Dark Age, and it will take a lot of hard work and cooperation, at home and abroad, to reverse our slide toward totalitarianism, obscurantism, and coercive force, all of which require that we revitalize the principles and practices of a true democracy.

Countering this new Dark Age will take, in fact, an intifada, to use a word that has been much maligned and seldom understood in the United States.

Commonly translated in the media as “an uprising,” “intifada” has come to have connotations of violence, terror, and hatred, implying a total breakdown of the social order. In fact, a more precise translation from the Arabic is “a shaking off, an awakening.” And the word means to shake *oneself* off, so it has a reflexive, contemplative element to it and thus denotes the personal beginnings of wider political transformations. An intifada is about questioning the status quo in order to attain justice and to assert human dignity and human rights in the face of powerful, unjust, and crushing forces. An intifada, given this definition, is indeed a proper response to injustice and impunity. (It is interesting, and timely, to note in this regard that the first use of the term “intifada” in reporting on the Middle East came decades earlier, in characterizing grassroots social movements for justice and political representation in Iraq in the pre-Saddam period of that long-suffering country’s history.)

In response to mainstream media and American official misrepresentations of the Israeli-Palestinian conflict and of the nature and goals of the Palestinian intifada, my colleagues and I launched the Electronic Intifada website in 2001 to challenge and critique conventional assumptions about the Israeli-Palestinian conflict, its underpinnings, and the requirements for its successful resolution. Billed as “a weapon of mass instruction,” the site attempts to cut through spin and to question generally unchallenged opinions with analyses, on-the-ground reporting, and occasional humor. It is a fresh approach and apparently much appreciated. Along with our other site, Electronic Iraq, we currently receive between 300,000 and one million visits, not hits, a month, and we also receive quite a lot of mail, which falls into two categories. One is “we will kill you,” and the other category, which is very interesting, and instructive for those working to build progressive links among various groups, is fan mail from former and current Central Intelligence Agency members, foreign policy officials, journalists, schoolteachers, housewives, college students, and all sorts of people in the United States who very much like what we are doing. Many people in Europe also are interested. The European visitors to the site are probably better informed than Americans about the situation in the Middle East and are more comfortable with our style and content.

Electronic Intifada cannot be characterized simplistically as either a pro-Palestinian or an anti-Israeli site. It certainly is not an antisemitic endeavor either

but rather an attempt to preserve and advance the frameworks of global justice by encouraging people to view the Israeli-Palestinian conflict through the lens of international humanitarian law rather than seeing it as an ancient, biblically based battle or as an ethnic conflict far too complex to understand, let alone resolve. One of its most basic messages is “One yardstick for human rights.”

We started Electronic Intifada and Electronic Iraq because there is so much that the mainstream media are not presenting. After the Israeli incursions into the West Bank in 2002, we saw a huge increase in the numbers of people visiting the site and a lot of interesting inquiries come from journalists. Our site was featured in *Foreign Policy*, the *Washington Post*, the *Financial Times*, the *Nation*, and other places, so that brought more people to us. The first thing we hear is, “I’m glad that you exist, because I would never have known this just from watching the TV or reading the newspaper. How come we don’t know this?”

That is what a lot of people say: “Why don’t we know this?” A good question. These are important things for Americans to know. Living in Canada since August 2001, and watching the whole September 11 aftermath develop from Canada, I was depressed that, after 4,000 people died horrific and unjust deaths, few Americans tried to learn the lessons needed to avoid such scenarios in the future.

Electronic Intifada and Electronic Iraq try to find the intersection among technology, information, and politics. The sites are interactive, incorporating blogging software, thus allowing people to upload stories, photos, and videos directly to the two sites.

The sites have reference departments about, for example, the Geneva Conventions, the Oslo Accords, and the American State Department’s *Annual Report on Human Rights*. So we have all the documentation anyone would need. But we also try to bring in people from the grassroots—Israelis and Palestinians who are living through this daily freak show of political insanity—to give us their viewpoints. We have diaries on the site where people can upload their daily experiences. And we have satire as well, on our “al-bassaleh” page, which means “The Onion” in Arabic.

I think all of this helps to draw people into the realities of Middle Eastern life. As a result, more questions and critical thinking often are initiated than might evolve from more academic presentations.

## ENDING THE ISRAELI OCCUPATION

The Israeli-Palestinian conflict, plainly and simply, is about a longstanding and chronic failure to apply U.N. resolutions and international law. Its driving force is continued impunity for a clear pattern of grave violations of international law in which the United States is quite complicit. If concerned Americans want to support the rule of law at home and abroad and advance the cause of disseminating democ-

racy and a just sociopolitical order throughout the world, particularly in the Middle East, they could find few better starting points than joining an international campaign to end the Israeli occupation of the West Bank and Gaza.

As Americans, we have a greater chance to achieve this worthy end than we do of influencing events elsewhere in the Middle East. That is because we are so complicit in an Israeli occupation that has become increasingly brutal, an occupation that angers not only the Arab and Islamic world but also Europeans, Asians, and Canadians. All of this stirs resentments and mistrust of the United States throughout the world. This is a lot of unpleasant baggage that everyone could do without.

Ending the occupation would benefit not only Palestinians but also Israelis and Americans. It is no secret that Israel has violated international law with impunity for decades in the West Bank and Gaza Strip. As an occupying power, Israel has gravely breached the Geneva Conventions by building settlements, diverting water, and undertaking extrajudicial killings, including use of very imprecise Apache attack helicopters, which usually take out several civilians along with the intended targets. Such acts also violate the United States Foreign Assistance Act of 1961, which stipulates that the United States is not to disburse foreign or military aid to countries evidencing a clear pattern of grave human rights abuses. A cursory review of Israeli actions in the Occupied Territories provides more than enough evidence for Israel's violation of this American law.

Israel has used torture, arbitrary detention, collective punishment, and the imposition of sieges on a largely unarmed civilian population. Violations of international humanitarian law, and disregard for a whole raft of United Nations resolutions, have become part and parcel of Israeli practices in the West Bank and Gaza. Indeed, infractions of international law and resolutions are woven into the very sinews of the institutionalized system of inequality and oppression that is the occupation.

From the perspective of Israel's key ally, the United States, future stability in the Middle East hinges upon maintaining the status quo in the Israeli-Palestinian conflict by wringing maximum concessions from the Palestinians while demanding minimal sacrifices or behavioral changes from Israel. The current road map to peace, though nominally a slight improvement on the Oslo accords of a decade ago, implicitly grants Israel permission to continue violating international laws and U.N. resolutions. Just like the Oslo accords before it, the road map sidelines those laws and resolutions in a rush to hammer together a dubious peace based on pressure tactics and expediency rather than an enduring peace built on the sturdier foundations of global justice.

As international legal scholar Kathleen Cavanaugh has noted, "Alarmingly, these flawed political agreements [the Oslo accords and the Dayton agreement] have assumed *de facto* legal status, and have replaced international law in practice. As

a result, compliance with international human rights law and humanitarian law has been rendered negotiable. The deftly woven ambiguity of the Oslo accords may have secured the initial Israeli-Palestinian agreement, but this ambiguity has also enabled Israel to claim compliance with the accords, while clearly seriously violating international law.”

Continued Israeli violation of international humanitarian law is not just a problem for Palestinians suffering under a cruel occupation, the full extent and dimensions of which are rarely presented to an American television audience. Israeli impunity is the primary catalyst for the criminal Palestinian suicide bombings that have brought violence, death, and destruction to the very heart of Israel’s cities. When victims of longstanding and serious rights violations do not have recourse to proper channels, when they cannot obtain restitution and closure through the courts, the state, the international community, the media, the United Nations, or The Hague, they may well take matters into their own hands, as some Palestinian factions unfortunately have done. Terrorists are not born but made. It stands to reason, then, that they can be unmade and that terror can be halted. This is another key message of our website.

Before us is a choice. Behind us are searing landscapes of impunity. Americans are in close touch with the slaughter in Manhattan in September 2001 but less in touch with the continuing atrocities committed by all sides in Israel-Palestine. In these scenes of mass destruction and measureless death, the cries of the bereaved and the odors of death erase local particularities. They remind us of humanity’s infinite capacity for cruelty and violence, but we must never forget that human beings are also capable of creating and dwelling in landscapes of social and political justice.

The foundations of this alternative landscape are not hidden, unattainable, or imaginary but clearly encoded in the universal declaration of human rights and international human rights law, particularly the Fourth Geneva Convention, adopted after World War II to help prevent grave violations of civilians’ rights during times of armed hostility.

The establishment of the International Criminal Court brings us one step closer to realizing these landscapes of hope, despite the alarming American decision to withdraw from this important attempt at ensuring global justice and its further attempts to defang the court with the aforementioned nonextradition treaties. The United States, like its close ally, Israel, has sent the world a disturbing message: “We are above the law.” This message poses dangers for Americans, Israelis, and others. American and Israeli hostility to international law will only lead to more deaths of Israelis and Palestinians and possibly Americans as well. Because we do have a choice between crime or justice, violence or peace, murder or life, we need to put teeth into international law and build landscapes of hope upon the charred landscapes of impunity spreading so rapidly in the Middle East, which can even reach here, again, to our own shores.

## THE DOUBLE STANDARD

United Nations Security Council Resolution 687, which required Iraq to disarm, was not just about Iraq.<sup>1</sup> The resolution states that the whole region should be disarmed from weapons of mass destruction, so the onus is on everyone—including Israel. But Israel never has been pressured. (An excellent recent book by an Israeli scholar, Avner Cohen, discusses the Israeli nuclear project. He couldn't go back to Israel for several years because he was afraid that he would end up like Mordechi Vanunu, a technician at the Dimona plant who revealed that there were something on the order of 250 warheads in Israel.)

So double standards pervade the Middle East. Not enough people in the United States realize how those double standards work on the intersubjective level—to poison attitudes toward America throughout this troubled region.

Israeli noncompliance does place a great bludgeon in the hands of the undemocratic, nasty regimes of the Middle East who feel that they don't have to play by the rules since Israel doesn't. If Israel is made to comply, then the Arab regimes won't have any excuse. They won't have, what they call in Arabic, *mismar juha*—a folk term that means something like “a red herring,” or an excuse. The red herring is used very deftly in the rhetorical discourses of the Syrian and previously the Iraqi political elite to avoid complying with international law and disarmament.

It is good that Saddam has gone. He was a massive human rights abuser. But we need to apply the same yardstick to everyone. All nations need to abide by the Geneva Conventions and the Universal Declaration of Human Rights. We have to put teeth into these international institutions and laws so that nobody will say, “Oh well, okay, that country doesn't have oil, so if they want to kill five million people, who cares?” We have to care. We can't let that happen, because impunity anywhere encourages impunity elsewhere. If you see you can get away with it in Liberia, then something will happen in Congo, something will happen in Indonesia. Those issues don't really make it into the media, and we just brush them aside, “Oh, tribal people, primitives, they kill each other, how horrible. Next story.”

## DEBATING ISRAELI LOBBYISTS AND CHRISTIAN FUNDAMENTALISTS

An intifada against impunity can inform the political debate in America. Americans need to more openly discuss the Israeli-Palestinian conflict and ongoing Israeli infractions of international law through its occupation of Palestinian lands.

By examining this conflict seriously, and critically interrogating the real problems of continuing with the occupation, one can also accomplish a lot of other

things. Analyzing this issue can lead to a serious analysis and critique of issues such as the need for accurate and fair media in a democracy, which of course leads to a deeper inquiry into open, inquiring, and democratic debate on this and other foreign policy issues that for too long have been the domain of so-called “experts.” No American citizen should uncritically abandon such weighty matters to a special class of professional pundits.

A close examination and critique of the Israeli occupation also would likely lead to a deeper engagement with the pressing question of campaign finance reform. Having worked in Washington for two years as editor of *Middle East Report*, I know from talking to people on the Hill and at various think tanks of all political stripes that one of if not *the* biggest obstacles to an honest accounting of American complicity in the brutalities of Israeli occupation is the fear among elected officials of a negative and well-organized response by the pro-Israeli lobby. It is no secret that this powerful lobby will handsomely finance anyone opposing an elected official who dares to raise such questions publicly. This leads to elections and representation that are not reflective of the actual opinions, feelings, hopes, and analyses of the vast majority of the American voting public. This is a major impediment to a truly democratic order in the United States and ought to be confronted by concerned Americans in a fearless manner.

A close look at American support for the Israeli occupation would imply, as well, a closer and more critical look at the American arms trade. Israel is probably the largest recipient of arms and military aid packages, and indeed, the Middle East as a whole is the largest recipient of American military assistance of all types—hardly a sensible policy decision given the volatility of this region, not to mention a history of American armaments ending up in the hands of the Taliban as a result of the Byzantine aid policies of the Reagan years. And as noted in a BBC presentation that aired not long ago—causing a lot of problems between the BBC and Israel—Israel does, indeed, have quite an arsenal of nuclear and chemical weapons, though it has usually issued denials of this fact.

Addressing these and other issues associated with the ongoing Israeli occupation and American complicity therein would also encourage the American public to consider the relative benefits and costs of compliance with international humanitarian law by both the United States and its allies. There may be short-term gains to be reaped from being “above the law,” but in the long run it can only set dangerous and destabilizing precedents, particularly in this region of multiple and growing conflicts over borders, rights, and resources. It is probable that water wars will figure prominently in the future of the Middle East, and without an international legal framework these will be very dangerous conflicts indeed.

Last but not least, a serious engagement with the Israeli-Palestinian conflict and the Israeli occupation might enable us to comprehend the dangers of demagoguery and manipulative rhetoric, which nowadays is combined in Washington with dis-

concerting Christian fundamentalist discourse and bigoted viewpoints. Christian fundamentalists are a key conservative constituency. They believe that the war in Iraq was very necessary because, in their reading of events, Saddam Hussein and the government of Iraq represented the whore of Babylon in the Bible. It behooves all of us, regardless of party, to expose this ideology, because it is profoundly dangerous and crazier than anything that Osama bin Laden can come up with.

## REDEFINING THE CONCEPT OF TERROR

An honest and critical engagement with the multiple issues underlying the continuing Israeli occupation—like biased media coverage, lack of campaign finance reform, the presence of weapons of mass destruction in Israel, and the stake that Christian fundamentalists have in opposing a two-state solution—would help Americans redefine the concept of terror. Terror in America is now a key symbol and a buzzword that has become so diffuse and so large that we are not using terror and terrorism constructively in public discussions and policy debates anymore. Rather, terror and terrorism are using us—by stirring up thought-blocking feelings of fear, impending doom, helplessness, rage, and revenge. These are not the bases of decision making in a great democracy. America must not be allowed to become a demagogic nation.

If we were to define terror more closely and to study the definitions of terror and terrorism provided under international law, we might start to see that terror is nearly always the fruit of impunity. Terror is the harvest sown by institutionalized systems of inequality, humiliation, and despair, and these problems can be healed only through building and strengthening the institutions of justice, not by launching preemptive wars abroad while also building up military and intelligence capacities at home which threaten the freedoms that I think we all cherish as Americans.

In the face of these growing foreign and domestic dangers, we indeed need an *intifada*. Now.

## NOTE

1. United Nations Security Council Resolution 687, passed on April 3, 1991, established the formal cease-fire between coalition forces and Iraq. Key among the cease-fire terms was the prohibition against Iraq's retaining, acquiring, or developing weapons of mass destruction and long-range missiles. In addition, there was a demand that Iraq unconditionally accept the destruction, removal, or rendering harmless of its weapons of mass destruction under international supervision.

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