Cracks in the Wall

Beyond Apartheid in Palestine/Israel

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Introduction

It was a Senate hearing like no other.[1] David Friedman, US President Donald Trump's nominee for the position of ambassador to Israel, had been speaking for about 20 seconds when he was loudly interrupted by a man holding a Palestinian flag. 'Mr. Friedman also said that Palestinian refugees don't have a claim to the land, don't have a connection to Palestine,' the man shouted. 'My grandfather was exiled, was kicked out by the State of Israel.' As he was led out by police officers, Taher Herzallah, of American Muslims for Palestine (AMP), managed one last parting shot. 'We aren't going away, Mr. Friedman. We were there, we are there now, and we will always be there. Palestinians will *always* be in Palestine!' After an awkward silence, Friedman resumed. But this was just the first of a series of interruptions; two minutes later, fellow AMP staffer Kareem El-Hosseiny stood up and protested Friedman's support for Israel's illegal settlements in the West Bank. Waving a Palestinian flag, El-Hosseiny was also removed and arrested.[2]

Before Friedman could get to the end of his opening statement, he was subjected to an equally dramatic interruption by three members of IfNotNow, a group started in 2014 by young Jewish Americans in the context of 'Operation Protective Edge'.[3] The activists stood after blowing a shofar, 'a ram's horn used in the Jewish tradition to call our community to action in times of crisis', before denouncing Friedman's track record in the strongest terms. 'You promote racism, fund illegal settlements', one man shouted. 'We will not be silenced. You do not represent us, and you will never represent us.' Another activist stood and stated loudly: 'Israeli occupation is an injustice against Palestinians, and a moral crisis for American Jews. Moral American Jews stand against occupation and against Friedman.' As they were taken out, the activists 'sang

Olam Chesed Yibaneh, a Hebrew song about building the world with love'.[4]

So why exactly was Friedman so controversial?[5] As a December 2016 piece in *The New York Times* summarised it:

> he is president of the American fund-raising arm for a yeshiva [Jewish religious school] in a settlement deep in the West Bank [Beit El] headed by a militant rabbi who has called for Israeli soldiers to refuse orders to evacuate settlers. He writes a column for a right-wing Israeli news site in which he has accused President Obama of 'blatant anti-Semitism', dismissed the two-state solution to the Israeli-Palestinian conflict, likened a liberal American-Jewish group to 'kapos' who cooperated with the Nazis, and said American Jewish leaders 'failed' Israel on the Iran nuclear deal.[6]

In fact, Friedman's financial ties to the settlement movement 'run deeper than Beit El' – he also 'made contributions over the years to Ateret Cohanim, a right-wing organisation that buys land in the Muslim Quarter of Jerusalem's Old City and Arab East Jerusalem for creating a "Jewish presence" there'.[7]

After an opening statement punctuated by protests, the rest of Friedman's confirmation hearing proceeded without interruption. But Trump's nominee did not have an easy time of it from many of the senators themselves. Friedman was repeatedly challenged over his rhetoric regarding Obama, the State Department, and liberal American Jews, including the frequency with which he had levelled the charge of anti-Semitism at even moderate critics of Israeli policies. Senator Tim Kaine (D-VA) led Friedman through a careful series of questions, courtroom-style, eliciting an affirmation from the nominee that the US could 'never support a solution where Palestinians are deprived of equal rights'. Another senator, Tom Udall (D-NM), stated plainly and bluntly that he was 'strongly opposed to this nominee' on the basis that 'Mr. Friedman is completely unfit for this, or any other, diplomatic office.'[8]

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Despite such misgivings about his suitability for office – including from five former US ambassadors to Israel – the Senate Foreign Relations Committee voted on 9 March 2017, to approve Friedman's nomination. As Reuters reported at the time, the 12–9 vote 'was largely along party lines, a contrast with strong bipartisan support for past ambassadors to Israel'. All eleven of the committee's Republican senators voted for Friedman, along with Bob Menendez (D-NJ); the remaining nine Democrats all voted against the nomination.[9] Though Friedman's nomination continued to be opposed by groups like Jewish Voice for Peace (JVP), as well as by senior political figures such as veteran Democratic Senator Patrick Leahy (D-VT), on 23 March 2017, the Republican-controlled Senate duly confirmed Friedman's nomination in a 52–46 vote.[10]

Friedman's tumultuous confirmation hearing, and the storm surrounding his nomination was more than just a dramatic bump in the road on his way to the ambassador's residence in Israel; it was representative of deeper processes underway in the US, which are now accelerating under a Trump presidency. One of those developments is widening splits in the American Jewish community over Israel and US policy in the region. As an Associated Press report in December 2016 observed, Friedman's nomination had 'sharpened a growing balkanization of American Jews, between those who want the U.S. to push Israel toward peace and those who believe Obama's approach abandoned America's closest Mideast ally'.[11]

Nathan Guttman, the *Forward*'s Washington bureau chief, described it as 'a Jewish battle royale for supporters and detractors of the two-state solution', while for some observers – like *Haaretz* journalist Judy Maltz, writing before Friedman's confirmation hearing – 'America's Jewish organizations … [had] rarely been more split'.[12] Groups like the Zionist Organisation of America, the Conference of Presidents of Major American Jewish Organizations, Jewish Federations of North America, and the Orthodox Union, all backed Friedman's appointment. Opponents, meanwhile, included J Street, Union for Reform Judaism, Americans for Peace Now, Ameninu, and JVP. Some notable groups kept silent prior

to Friedman's appointment, including the American Israel Public Affairs Committee and American Jewish Committees.

Friedman's opponents represented different, though related, phenomena – from a policy establishment-focused, liberal Zionist group like J Street, to the far more radical campaigning organisation JVP, and the smaller – and younger – direct action-focused activism of IfNotNow. Their tactics also varied (and reflected their origins, goals, and constituents): J Street, for example, sent more than 600 members to Capitol Hill in order to hand-deliver a petition signed by 40,000 people against Friedman's nomination to Senate offices.[13] IfNotNow, on the other hand, vocally disrupted Friedman's confirmation hearing, and denounced his nomination as representing 'the moral failure of the Jewish communal establishment'; Trump and Netanyahu, they declared, are 'two sides of the same coin'.[14] The emergence of this, very public, 'American Jewish conflict over Israel' – including similar developments elsewhere, like in Britain – is examined in more depth in Chapter 3.

Another significant subject highlighted by Friedman's nomination is Israel's transformation into a partisan issue in US politics. This was made plain in both the Senate confirmation hearing – where the ambassador-to-be was repeatedly and strongly criticised by Democrats – as well as during the wider debate surrounding his nomination. It wasn't just the Foreign Relations Committee that divided along partisan lines: the Senate's final confirmation of Friedman was a roll call vote, described by news website *Politico* as 'an unusual step', since US ambassadors 'have traditionally been approved by voice vote or through unanimous consent' because of the 'strong bipartisan support' for Israel.[15]

Concerns over the end of such bipartisan unity over Israel were explicitly expressed in the confirmation hearing itself. In explaining why many of the senators were posing 'detailed questions' to Friedman about his past statements, Chris Murphy (D-Conn.) bemoaned the fact that 'Israel has become another political football'.[16] He went on: 'What was most important in the past was keeping our support of Israel out of the political playing

field and today that is not the case'. In the 'short time' he had been 'in public service', the senator continued, 'Israel has gone from being an issue that unites us to an issue that is used in political campaigns in order to divide us'. The worry for the likes of Murphy then, was that Friedman – through his public positions and past rhetoric – was both part of the problem, but could also hinder efforts to stop or slow this trend.

The fight over Friedman was only the latest episode to suggest that Israel no longer enjoys the bipartisan consensus in US politics that many had assumed was unshakeable (and this will be examined further in Chapter 4). Recall the very public fight over the Iran deal in 2015, which saw the Israeli prime minister directly fighting a foreign policy goal of the US president, or the way in which Bernie Sanders' leadership bid in the Democratic primaries acted as a megaphone for those within the party who want a tougher line when it comes to Israeli policies. Meanwhile, polls suggest the partisan divide is here to stay: in a February 2017 Gallup survey, 61 per cent of Democrats backed 'establishing an independent Palestinian state on the West Bank and Gaza Strip', compared to just 25 per cent of Republicans.[17] That same month, the results of a national poll by YouGov was published, in which American adults were asked to rate whether a country was an ally or enemy of the US on a five-point scale. Israel dropped to 16th place from sixth in 2014, a significant enough development – but even more striking was the vast disparity between Republicans and Democrats, who placed Israel fifth and 28th respectively.[18]

Israel's deteriorating image amongst the liberal left, or progressives, is a phenomenon that looks impossible to reverse – not least because of a catalysing factor in the aforementioned processes of fracture and partisan divides: Donald Trump.[19] Speaking to the *Jerusalem Post* in April 2017, Israel's Consul-General in New York, Dani Dayan, told the paper that the divisions in US society post-Trump's election victory were impacting on Israel's status as a bipartisan issue. 'It's more challenging these days than ever', he said, 'because everything is partisan in this country now: abortion

is partisan, guns are partisan, capital punishment is partisan and lately even the weather [global warming] became a partisan issue in America.' He added: 'In this landscape, keeping Israel as virtually the only nonpartisan issue in American politics is tremendously challenging.'[20] That same week, writing in *Newsweek*, Dayan acknowledged 'the perception that Israel is increasingly becoming an exclusive cause of the political Right'.[21]

The 'Trump factor' is not just about the more general polarisation in US politics; it is also about the support for Israel expressed by the president and his close advisers during the US election campaign, and since Trump took office. While Trump has not, thus far, given Israel carte blanche in the way that some on the country's nationalist far right had hoped, his administration – both in policy and personnel terms – is sympathetic to Benjamin Netanyahu's coalition government. From Trump's December 2017 recognition of Jerusalem as Israel's capital, to the focus on 'economic peace' rather than territorial concessions, even the modest amount of diplomatic pressure applied by Barack Obama on the Israeli government is, for now, a distant memory. But the apparent common cause between Trump's White House and the Israeli right is not all good news for Israel's supporters: as Brandeis University professor Jonathan Sarna told Deutsche Welle, 'there is fear that people will say "I hate Trump, Trump loves Israel, therefore I hate Israel"'.[22] Though this is too simplistic, as I will argue in Chapter 4, the Trump presidency both represents and will serve to accelerate growing divisions in the American Jewish community and amongst progressives over Israel.

I chose to begin this book with the story of Friedman's nomination, confirmation hearing, and approval, because of the way in which it was a microcosm of the important trends and developments in Palestine/Israel and in the US that are the focus of this book: a confident, Israeli right wing consolidating a de facto, single apartheid state; fragmentation amongst the US Jewish community over Israel and Zionism, and the end to bipartisan support for Israel. However, there is one final element to this story

I wish to highlight. Discussions about an increasingly divided Jewish community – in the US, UK and elsewhere – over Israel, as well as Israel's deteriorating 'brand' amongst liberals, are often characterised by the exclusion of Palestinian voices.

Though that may sound counter-intuitive, in reality, Palestinians are still all too often absent from these conversations, whether they are conducted in the op-ed pages, academia, or the corridors of Capitol Hill. In recent years, however, Palestinians – students, scholars, and activists – have forced themselves on to the agenda, through organising, determination, intelligence, creativity, and moral clarity. At Friedman's confirmation hearing, Palestinian voices *were* heard – an interruption that embodied the way in which marginalised history and experience can force itself into view. On one level, Friedman's appointment as American ambassador to Israel was a grim reminder of the power enjoyed by the practitioners of contemporary colonialism and their allies; below the surface, however, it was also a story about cracks in Israel's international pillars of support that, should they widen, could be instrumental in the move towards a Palestine beyond apartheid. But first, we must take stock of the grim situation on the ground at it stands today.

1

Reality check: Palestine/Israel is already a single (apartheid) state

Once we recognize that the situation in the [occupied Palestinian] territories is one of de facto annexation, it becomes clear that Israeli rule there is no longer temporary … A situation that was meant to be temporary has become indefinite in duration.[1]
— Aeyal Gross, *Haaretz*, 27 October 2015

The people of Israel … ask to empower settlements all over Israel – in the Galilee, the Negev and in Judea and Samaria [the West Bank] – and we will keep on doing so.[2]
— Member of Knesset Moti Yogev, 2 February 2017

It was 4.30am on 27 July 2010 when 1,300 armed Israeli police officers descended upon al-Araqib, a small, impoverished Bedouin Palestinian village in the Negev region of southern Israel.[3] After blocking the entrance to the village, Israeli forces – including mounted cavalry, bulldozers, and helicopters – forcibly removed residents from their homes, including 'children and elderly people'.[4] By the end of the raid, the Israeli authorities had destroyed some 45 homes, leaving more than 300 people homeless, half of them children under 16-years-old. The bulldozers did not spare animal pens and chicken coops, and hundreds of trees were uprooted (for 'replanting elsewhere').[5]

According to one resident, the police officers and inspectors smiled as they demolished the village, and 'made victory signs with their hands after the destruction'.[6] A village spokesperson told the media: 'Today we got a close glimpse of the government's true

face. We were stunned to witness the violent force being used. The black-clad special unit forces are the true face of [then Minister of Foreign Affairs, Avigdor] Lieberman's democracy'.[7] Eyewitnesses told CNN that they saw 'busloads of civilians who cheered as the dwellings were demolished'.[8] Just two days before the pre-dawn raid on al-Araqib, Israeli Prime Minister Benjamin Netanyahu told government colleagues that a Negev 'without a Jewish majority' could constitute a 'palpable threat' to the state.[9]

The story of al-Araqib's residents is an all too familiar one for many Palestinian citizens of Israel: forcible displacement from their ancestral lands in the years after the creation of the State of Israel, broken promises by the state, land appropriation for 'security purposes', and a bureaucratic system designed to thwart any attempts by the indigenous population to claim their rights.[10] In more recent times, Israeli authorities have ramped up their efforts at preventing al-Araqib's residents from returning to their land, including by spraying toxic chemicals on cultivated fields and ploughing up crops. In addition, the state and Jewish National Fund (JNF) have spearheaded a foresting project intended to plant 'one million trees on the western land of the village'.[11]

Some 90,000 Bedouin Palestinians live in dozens of so-called 'unrecognised' villages across the Negev. Though they constitute 25 per cent of the population of the northern Negev, Bedouin 'occupy less than 2 percent of its land'.[12] Meanwhile, in recent years, Israeli authorities 'have allocated large tracts of land in this region, and public funds, for the creation of private ranches and farms'.[13] According to a Human Rights Watch (HRW) document in 2010, out of 59 such 'individual farms' in the Negev, only one is 'allocated to a Bedouin family and the rest to Jewish families'.[14] In the words of HRW researcher Joe Stork, 'Israel employs systematically discriminatory policies in the Negev. It is tearing down historic Bedouin villages before the courts have even ruled on pending legal claims, and is handing out Bedouin land to allow Jewish farmers to set up ranches'.[15]

Just a few days before the bulldozers went to work in al-Araqib, a similar scene had played out in the West Bank, as Israeli authorities tore down Palestinian homes en masse in al-Farisiya, a herding community in the northern Jordan Valley. On 19 July, Israeli forces invaded the village and destroyed more than 70 structures in one fell swoop, including 'homes, stables, sheds, water tanks, two tons of animal fodder, fertilizer and wheat'.[16] Israeli authorities also targeted eight kitchens and ten bathrooms.[17] The mass demolitions left more than 100 Palestinians homeless, half of whom were children. Among the items destroyed were water tanks and irrigation pipes donated by global charity Oxfam; at the time, its advocacy officer Cara Flowers said the area looked like 'a natural disaster had taken place'.[18] Flowers added: 'With no access to shelter, water or fodder for their goat and sheep herds, an entire community is being forced to leave their land'. Just over two weeks later, Israeli forces returned and destroyed 27 tents provided by the Red Cross to residents who had been left homeless by the initial demolition raid on 19 July.[19]

Israeli authorities targeted al-Farisiya on the grounds that the structures had been built 'illegally', that is to say, without an Israeli-issued permit.[20] Under the Oslo Accords, the West Bank and Gaza Strip were divided into so-called Areas A, B and C, as a way of delineating where the Palestinian Authority could exercise limited autonomy over civil affairs. In Area C, the Israeli military retained full control of security and civil affairs. Therefore, in Area C – where al-Farisiya is located – Palestinians must obtain building permits from the Israeli occupation authorities. The catch? These permits are almost impossible to come by. In July 2016, European Union diplomat Lars Faaborg-Andersen told the Israeli parliament that out of 2,000 permit applications by Palestinians from 2009 to 2013, only 34 were granted – less than 2 per cent.[21] During 2016, according to the Office of the UN Special Coordinator for the Middle East Peace Process (UNSCO), 91 per cent of 'applications for building permits in Palestinian communities in Area C were rejected'.[22] Meanwhile, UNSCO reported in May 2017,