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## أبجديات تحررية فلسطينية

## Palestinian Emancipatory Alphabets

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In 1936, Palestinian leader Jamal al-Husayni explained something about the meaning of human rights to members of the British Royal Peel Commission, a governmental investigation that came in the early days of the Great Arab Revolt against British and Zionist colonial control in Palestine. In his testimony, al-Husayni said that the British were depriving Palestinians of their rights, rights that “are not purely and simply an economic concern.” Emphasizing the humanist and moral weight of the notion of rights beyond their political and pragmatic significance, he went on: “Our rights and position do not concern only our bread and butter.... We are, after all, human beings and we will react as human beings” (Nafi 1998: 201). The human that al-Husayni invoked was one who knew the meaning and experience of injustice and would fight it to secure conditions for dignified living and collective liberation.

Palestinian nationalists’ appeals to universal principles were not limited to their encounters with the mostly deaf ears of British imperialism. Newspaper editorialists, too, emphasized the significance of “liberty, rights, independence, and national dignity” as motivations and goals of the Revolt. These values of universal rights and demands for dignity animated the Great Arab Revolt.

Palestinians’ invocation of human rights in this period—not so common as it became later—and their appeals to other values were part of a broader attempt to present a liberal critique of British liberalism, and to lay bare the hypocrisy of this western government that claimed to be democratic but pursued colonial aims. It was also part of a wider attempt to force their interrogators and repressors to see them as political and moral beings. Human rights politics since then has usually slotted into that same kind of logic.

The idea of human rights has animated the Palestinian movement for liberation and independence since the early twentieth century, and it remains a fundamental pillar of the struggle. There is, I believe, something to learn from this history that might be useful for people fighting for Palestinian liberation today. The first lesson is that the language of human rights—and the moral values and political-ethical principles it encompasses—is more persuasive to some audiences than others. The second lesson is that the language and system of human rights—including the documentation, reports, UN resolutions, other forms of representing the suffering of victims of rights abuses, and the modes of advocacy that mobilize these representations—cannot be effective at producing political change in isolation from a broader movement and array of tactics. Human rights is a political language that can only be heard as part of a chorus, a wrench that only functions with certain kinds of nuts and bolts in place.

## Rights and Solidarity in The Arab Revolt

The other tools that Palestinians and their Arab supporters were using during the 1936-1939 Revolt were essential to its successes—however brief and minimal they may have been. Palestinian appeals to rights during the British mandate came in the context of a broad-based anti-colonial moment. It was part of a movement across the Arab region that included public professions of solidarity, donation drives to support Palestinian fighters and victims of British and Zionist violence, political lobbying in Britain and the US, and activism among women and students, including the organization of “Palestine Day” events on campuses. The British felt their empire was threatened. It was the combination of the rebel attacks as well as the strikes and demonstrations—this wide show of solidarity and actions on behalf of the Arabs of Palestine—that disturbed the British.

Despite Palestinians’ initial resistance to engaging with the Peel Commission, wary of yet another British investigation, many political leaders and spokesmen did make their case to the royal committee (Allen 2020: 71-101). And true to form, this commission presented another rehashing of the conditions produced by the British mandate, proposing an unjust solution. The Peel Commission report recognized the untenable position of Great Britain in Palestine and recommended the partition of the country in which the biggest and most fertile sections would be given to the Jewish state. The plan also entailed the forcible transfer of some 300,000 Arabs (and 1,250 Jews) to create a Jewish majority in the proposed Jewish state.

The Great Arab Revolt resumed, continuing through 1939 until it was resolutely crushed by the overwhelming force of the British. This included numerous forms of violence that would today be considered human rights violations, if not war crimes, including home demolition, sexual assault of Palestinian women, and executions without due process. The liberal language of rights was not enough to dissuade the British from their colonial violence.

It is when the cause of Palestine has been in concert with the struggles of others, when it has crystallized and come to stand for the values, hopes, and outrages of many others, that it has been most potent.

After the Nakba of 1948, Palestinians’ physical dispersal and political disarray created conditions for the submerging of rights politics and the substitution of humanitarian relief for political resolution. The United Nations Relief and Works Agency (UNRWA), established as an apolitical body, was made responsible for providing the vast population of Palestinian refugees with some material necessities. Even within this context, however, Palestinians insisted on their political rights, and politicized the UN’s humanitarianism. As anthropologist Ilana Feldman (2012:389) has documented, “Palestinians understood refugee status and refugee services to be connected as much to rights as to sympathy.”

The attempt to depoliticize Palestinians and their demands, to turn “the problem of Palestine” into one of only securing Palestinians’ material needs for bare survival, has been something that representatives and advocates of Palestinian liberation have had to struggle against for decades. In a 1970 interview, PFLP activist Leila Khaled explained:

*All the time we were being dealt with as refugees who only needed human aid. That was unjust. Nobody had heard our screams and suffering. All we got from the world was more tents and old clothes. After 1967, we were obliged to explain to the world that the Palestinians had a cause (BBC 2001).*

Representatives to the UN from multiple Middle Eastern countries fought against the dilution of the Palestinian-specific—and political—nature of what UN had taken to referring to as the “situation in the Middle East.” Syrian representative to the UN, George Tomeh, railed against the reduction of its political valence by categorizing it as a humanitarian topic called

“assistance to Palestine refugees.” This led to the formation of a committee in 1970 to reinscribe the “Palestine Question” on the UN Agenda (Allen 2020:324 n.24, Tomeh 1974:28). In these international contexts, the demand for rights was political.

## **Recognizing Zionist Apartheid**

To be sure, the meaning and mechanisms of human rights politics has changed markedly across this long history of struggle, and Palestinian engagement with those shifting idioms and apparatus has kept apace. From demands for the right to national independence before and during the British mandate, claims for the right to be free of apartheid became paramount in the 1970s.

The crime of apartheid is defined in the 1973 Apartheid Convention and in the 1998 Rome Statute of the International Criminal Court. They define apartheid as systematic and institutionally entrenched domination and repression by one racial group over another through “inhumane acts.” Among such acts are: “arbitrary arrest and illegal imprisonment of the members of a racial group;” measures “designed to divide the population along racial lines by the creation of separate reserves and ghettos for the members of a racial group or groups;” “forcible transfer;” “expropriation of landed property;” and denial of the “the right to leave and to return to their country, [and] the right to a nationality.” All these have been part and parcel of Israel’s settler-colonial project in Palestine.

Apartheid is a concept that UN diplomats, international legal scholars, and student activists have applied to Israel with varying effects. In the Autumn of 1975, the United Nations General Assembly passed Resolution 3379, which declared Zionism to be a form of racism. Although not defining Israel as an apartheid state, the Resolution made that association explicit. Resolution 3379 on the “Elimination of all forms of racial discrimination” based its equation of Zionism with racism on previous resolutions, including the 1963 Resolution 1904 (XVIII), which affirmed that “any doctrine of racial differentiation or superiority is scientifically false, morally condemnable, socially unjust and dangerous.” Resolution 3379 also drew a line tying Israel to “the racist regimes in Zimbabwe and South Africa,” which were “organically linked in their policy aimed at repression of the dignity and integrity of the human being.” Other UN debates in this period also recognized the “collusion” of Israel, Zionism, and South Africa’s apartheid regime, as in Resolution 3151 of 1973.

The undoubtedly controversial Resolution 3379 could be passed in large part because of the political context, one in which more non-European countries had recently achieved “post-colonial” status and filled the UN General Assembly. With them, the problem of institutionalized transnational racism had come center stage. The General Assembly was a forum for representatives from the Third World to speak out against colonialism and racism. The United Nations had defined the meaning of racial discrimination and targeted it in the United Nations Declaration on the Elimination of All Forms of Racial Discrimination of 1963. The author of Resolution 3379, Palestinian Fayez Sayegh, had been making arguments about Israel’s colonial and racist underpinnings for a long time. But this resolution now had a chorus within which to resound (Allen 2019). As legal scholar Noura Erakat (2019) has observed of this period, Palestinians were successfully using “the law as a tool of resistance” and “the PLO successfully inscribe[d] the juridical status of Palestinians in international legal documents and institutions (UNGA Resolutions 3236 and 3237 in 1974).”

Resolution 3379 built on the momentum of the moment. It could be marked a victory, though, not because it achieved anything in and of itself. Instead, it was a drop in the political bucket. It could be used to name Israel’s true nature and its treatment of Palestinians when colonialism had become a dirty word, no longer convincing as a means of “civilizing mission.” It was

threatening to the US and Israel because of this broader context, and they in turn ramped up their propaganda wars, proclaiming themselves democracies that were under threat from the Third World. As political winds changed, the US, seeking to improve relations with Israel, successfully forced the revocation of Resolution 3379 in 1991. This demonstrates how crucial is the element of political context when evaluating the efficacy of the human rights system.

Although Resolution 3379 was withdrawn, the reality of Israel's apartheid regime has only become more entrenched. Many rights and international organizations—including Al-Haq, BADIL, the Palestinian Center for Human Rights, Al Mezan Centre for Human Rights, Addameer, the Civic Coalition for Palestinian Rights in Jerusalem, the UN Economic and Social Commission for Western Asia (ESCWA), B'Tselem, and Human Rights Watch—have repeatedly proved the case that Israel should be identified and dealt with as an apartheid state.

Human rights politics has expanded enormously, bringing an ever-larger number of people into its orbit. Throughout the 1980s and 1990s, NGOs working in and on “the problem of Palestine” mushroomed. They documented Israeli abuses—torture, imprisonment without trial, collective punishment—against Palestinians during the first intifada and the second. They specialized in particular fields of rights (e.g., children's, women's). And NGO activists became lead interlocutors for UN and other international organizations investigating conditions in Palestine. Rights NGOs, and the international aid that supports them, became an economic engine for the support of some part of the middle class in the occupied Palestinian territory.

In my book, *The Rise and Fall of Human Rights*, I presented my research on some of this recent history, and analyzed the social and political consequences of this explosion in human rights activity in Palestine (Allen 2013). In addition to the volumes of legal research and documentation of abuses that these NGOs have compiled, and their contributions to the efforts of other international NGOs and organizations such as the UN, I observed a certain circularity in this work, and identified a shared cynicism that grew up in its vortex. An often short-term perspective, an atomized and sometimes competitive work method, and lack of long-term strategizing among those reporting on human rights left their publications the end goal in and of themselves. Never clearly articulated was how these reports were to have political effect, and with what plan they were to lead to change on the ground.

Palestine's human rights scene suffered from the same kind of insularity observed in the UN General Assembly (UNGA) decades before. In 1969, Angie Brooks, the Liberian president of the UNGA, spoke boldly of this problem at the UN:

*We have sometimes failed to realize that neither oratory nor agreements between delegations, nor even resolutions or recommendations have had much impact on the course of affairs in the world at large. The sense of satisfaction, upon adoption of a resolution ... has helped to perpetuate the mythology of achievement, so that many of us tend to go happily from one agenda item to the next without seriously considering the possibility or even probability that the resolution adopted will not be implemented. We have lacked and we do lack in this respect a sense of reality (quoted in Allen 2020:172).*

Multiple factors have kept this engine—or hamster wheel—spinning. One is the fact that, in a stifled economy under occupation, the NGO scene offers jobs to at least some Palestinians. Beyond the material factors, there are political reasons—or rather, lack of politics reasons. In the absence of a coherent, unifying, and inspiring national leadership in the occupied Palestinian territory, or among Palestinians in Israel or the diaspora, human rights advocacy has stood in for politics. But in the absence of a broader political movement partnering with human rights advocacy, it gains little traction.

## '48 Palestine

Among Palestinian citizens of Israel, rights struggles have taken a somewhat different course. As a minority of citizens, they exist in a state that has enshrined in law and crystallized in political discourse the fact that Israel is not a state of all its citizens because it is a Jewish state. Those Palestinians who remained in Israel after the state's establishment—comprising fifteen percent of the population—were governed by Israel's military as a fifth column, ruled by laws put in place to facilitate the colonization of their lands (Robinson 2013). The fight has been one of rights, and also one to maintain the space to speak about their conditions and history, to protest those conditions, and defend their national and political identity.

As Palestinian legal scholar Nimer Sultany (2021) has observed, the Palestinian minority has protested the discriminatory policies and practices for decades. Through multiple methods, from resistance poetry to formal political parties, they have struggled for civil rights and recognition of their cultural and political identity (Rouhana & Sabbagh-Khoury 2017), and this within a Zionist legal system that “generally advanced, justified, and perpetuated a separate and inferior status for the Palestinian citizens in Israel” (Sultany 2017: 191). A prominent voice in these struggles has been Adalah, The Legal Center for Arab Minority Rights in Israel, which has been documenting and leading court cases against Israel's discriminatory policies and in support of Palestinian rights since it was founded in 1996. In this same period, Palestinian political discourse shifted towards calls for a state for all citizens, and an insistence on recognizing the conditions of “ongoing Nakba,” highlighting Israel's persistent settler-colonial dispossession of Palestinians and their lands (Sabbagh-Khoury 2021). As part of this shift, efforts among Palestinians in the West Bank and Israel to work together for a collective liberation have burgeoned.

Increasingly, Palestinian activists and advocates from within Israel, the occupied Palestinian territory, and the diaspora have laid bare their joint conditions of oppression as victims of Israel's settler-colonialism across all of historic Palestine and beyond. The “POC Online Classroom” that posted a Palestinian Justice Syllabus asserts a shared understanding that ever more activist groups are articulating: “The struggle for Palestinian justice is interconnected to struggles against settler-colonialism and state violence across the globe. Militarization, surveillance, and violence against Palestinians and communities of color in the U.S. are deeply interconnected” (n.d.)

This attention to transnational solidarity, which has ebbed and flowed as part of Palestinian political efforts over a century (Allen 2018), was evident in the intensification of violence in May 2021, as Israel sought to put down resistance to settler evictions of Palestinians in the Jerusalem neighborhood of Sheikh Jarrah. As scholar, poet, and human rights activist Rafeef Ziadeh tweeted at the time, “Ultimately the protests across historic Palestine and by refugees outside show that despite 73 years of trying to erase and fragment the Palestinian people - we exist, resist and will return.” Activism in support of the Sheikh Jarrah residency rights became a lightning rod and crucible for struggle for Palestinians' rights throughout Israel, the occupied Palestinian territory, and the diaspora.

## Israel: An Apartheid State

In an effort to coalesce broader solidarity and legitimize Palestinians' liberation struggle, a growing chorus of voices have sought to reframe the discourse around “the conflict.” Analyzing the ways Israel resembles the South African apartheid regime has been central in this over the last two decades. Since 2005, student activists on campuses across the globe have organized educational events during “Israel Apartheid Week.” As part of the BDS movement,

these events are staged to raise awareness of the Palestinian liberation struggle and to highlight the similarities between Palestinians' efforts and the South African anti-Apartheid movement.

In addition to the resurgence in discourse about Israel as an apartheid state, developments at the International Criminal Court—affirming the court's jurisdiction over the occupied Palestinian territory, allowing the Prosecutor to investigate war crimes and crimes against humanity that have taken place in the occupied Palestinian territory—prompted cautious optimism among some that this institution could hold individual Israelis to account for war crimes and crimes against humanity in Palestine.

## Conclusion

With this essay I have attempted to offer a sort of “conjunctural analysis,” to borrow Stuart Hall's concept. Pithily defined as “the analysis of convergent and divergent tendencies shaping the totality of power relations within a given social field during a particular period of time,” conjunctural analysis supports the identification of “political threats and opportunities” (Gilbert 2019). By focusing on a few key moments of Palestinian political history and considering the conditions that have been present in moments of relative solidarity and political momentum, we can assess how human rights activism can build on and contribute to broader efforts. In the 1960s and 70s, those who knew in their bones the meaning of colonial racism across the Third World spoke out in defense of Palestinian rights. That defense dissipated into insufficient worlds of words at the UN. A priority right now and consistently must be the maintenance of spaces for education, criticism, and debate, and a recognition of our shared struggles against common enemies.

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