

Sustainable Peace Must End Israeli Apartheid. Anything Else Is Just A Ceasefire



Richard Falk

After four elections in less than two years, Benjamin Netanyahu's record 12-year rule comes officially to an end on Sunday.

The government to replace him consists of a coalition of eight parties from across Israel's political spectrum and will be led by the ultranationalist Naftali Bennett who will serve for the first two years.

Indeed, indicative of the direction of Israeli politics and society over the course of the last 15 years or so, the end of the corrupt and much-maligned Netanyahu reign may be no reason for celebration, as it will be replaced not simply by a coalition government built around numerous structural contradictions, but by one that may potentially prove to be far more reactionary and dangerous.

The situation is grave for Palestinians, who only a few weeks ago experienced under Netanyahu's orders yet another massive assault on Gaza, which ended in the death of more than 200 people including dozens of children, and widespread damage to the enclave's infrastructure. The person to replace Netanyahu as prime minister is a religious extremist who has been a vocal advocate of Israeli settlements and a fervent opponent of a Palestinian state.

The dawn of the new era in Israeli politics starts with the latest cycle of violence against the Palestinians, which seems to have been directly related to the reality of domestic Israeli politics in general and the policy of ethnic cleansing in

particular. This is the view of Richard Falk, one of the world's most insightful and cited scholars of international affairs over the course of the last half century, as made clear in the exclusive interview below for *Truthout*. Falk is professor emeritus of International Law at Princeton University, Chair of Global Law at Queen Mary University of London, former United Nations Human Rights Rapporteur on human rights in the Palestinian territories, and author of more than fifty books and thousands of essays in global politics and international law.

C.J. Polychroniou: Richard, the latest Israeli attack, which caused massive destruction in the Gaza Strip, ended with a ceasefire after growing U.S. and international pressure after 11 days. In your view, what factors or parties reignited the violence?

Richard Falk: This latest upsurge of violence in the relations between Israel and Palestine seems to arise from a combination of circumstances.... It is clear that Israel's usual claim of a right to defend itself is far from the whole story, especially when its behavior seemed designed to provoke Hamas to act in response. In light of this, we should investigate why Israel wanted to launch a major military operation against Gaza at this time when the situation seemed quiet.

The easiest answer to the question — to save Israeli Prime Minister Benjamin Netanyahu's skin. It seems that the precarious political position and legal vulnerability of the Israeli leader, is the best back story, but far from a complete picture. It helps account for the seemingly reckless Israeli provocations that preceded the flurry of rockets from Hamas and affiliates. Netanyahu had failed three times to form a government and was facing an opposition coalition that was effectively poised to displace him as leader. If displaced as prime minister, Netanyahu would have to face substantial criminal charges for fraud, bribery and breach of public trust in Israeli courts, which could result in a jail sentence.

Why would a wily leader and ardent nationalist play roulette with the well-being of Israel? The answer seems to involve the character of the man rather than an astute policy calculation.... To the extent the Netanyahu approach was knowledge-based, it reflected the reasonable belief that Israelis put aside differences and give their total allegiance to the head of state during a wartime interlude. Netanyahu had every reason to believe that in this situation, as so often in the past, Israelis would rally around the flag, and be thankful for his leadership

in a security crisis.

There is no doubt that Israeli behavior preceding the rockets was so inflammatory that we must assume it was intended to be highly provocative. First came high-profile evictions of six Palestinian families from their Sheikh Jarrah homes on flimsy legal grounds, with a prospect of more evictions to follow. These court rulings enraged the Palestinians. It reinforced their sense of continuing victimization taking the form of insecurity as to Palestinian residence rights in East Jerusalem, perceived as ethnic cleansing. This reawakened the memories of the 700,000 or more Palestinians who fled or were forced across the borders of what became Israel to Jordan, Lebanon, Gaza and the West Bank (until 1967 under Jordanian administration) in the 1948 War, becoming refugees, and never thereafter allowed to return to their homes or homeland, which was and is their right under international law.

This process of coercive demographic rebalancing was integral to the essential racial and idealistic character of the Zionist movement, which sought to establish not only a Jewish state but a democracy that could qualify for political legitimacy by Western criteria. To achieve this goal, however, depended on implementing policies ensuring and maintaining a secure Jewish-majority population, [policies] which were themselves denial of fundamental human rights. These controversial Sheikh Jarrah evictions were continuing this Judaizing of East Jerusalem after more than 70 years since Israel was founded. In other words, what Israeli Jews treated as a demographic imperative that was almost synonymous with maintaining a Jewish state for the Palestinians had the character of a continuous process of ethnic cleansing, which meant second-class citizenship and living with perpetual insecurity.

Days before the rockets were launched, there was further provocation that took the form of unregulated marches by right-wing Jewish settlers through Palestinian neighborhoods in East Jerusalem carrying posters and shouting, "Death to the Arabs," coupled with random acts of violence against Palestinians and their property. Such events reinforced the impression that the Palestinians in Israel were acutely insecure and vulnerable to thuggish manifestations of settler racism and would not be protected by the Israeli state. This pattern exhibited the jagged edges of Israel's distinctive version of apartheid.

Likely, the most provocative of all these events ... were the several intrusions at al-Aqsa compound and mosque by Israeli security forces in a manner that obstructed Muslim worship during the last days of Ramadan. As well, Muslims were prevented from coming to al-Aqsa from the West Bank during this period. These encroachments on freedom of religion again seemed designed to provoke Palestinian reactions of resistance by harshly discriminatory practices of Israeli interpretations of "law and order."

Against this background, Palestinian protests mounted, and Hamas undoubtedly felt challenged to maintain its claim as the inspirational leader of Palestinian resistance. Because of the limited options available to Hamas, resistance took the characteristic form of firing hundreds of primitive rockets, many falling harmlessly or intercepted by Israel's Iron Dome defense system. The rockets were indiscriminate and inflicted some Israeli casualties, minor damage to towns in southern Israel. Such a tactic violates international humanitarian law, and is undoubtedly very frightening to the Israeli civilian population.

It should be appreciated that Israel's violations far outweighed the violations of the Palestinians in several crucial respects: the death and destruction caused by the two sides; the refusal of Israel to uphold its legal obligations as the occupying power toward the civilian occupied Palestinian people who were already long subjugated by an unlawful blockade (in place since 2007) responsible for unemployment levels over 50 percent and dependence on humanitarian aid by over 80 percent of the Gazan population. Israel also ignored its specific duty outlined in Article 55 of the Fourth Geneva Convention to protect the civilian population during a time of "contagious disease or epidemic," and instead subjected Palestinians to what has been described as "medical apartheid," which was most evident on the West Bank where all Jewish settlers were vaccinated while almost no Palestinians received even a first dose.

The Arab world condemned the latest Israeli assault, but took no action. My question about this is twofold: First, to what extent did the Abraham Accords, which normalized relations between Israel and the United Arab Emirates, precipitate the renewal of violence? And, second, what's behind the cozy relationship between Israel and Arab countries, particularly Gulf states?

With respect to the Abraham Accords, I am not aware of any concrete indications of a link, although some circumstantial evidence suggests its plausibility. On the

Israeli side, the Accords seem to have given Israel greater confidence that they could make life even more miserable for the Palestinian people without having to fear adverse repercussions from their Arab neighbors. Without Trump in the White House, the right wing in Israel seemed to believe that their expansionist goals, including annexationist hopes for most of the West Bank, would have to be achieved unilaterally without diplomatic cover from the United States, and that meant intensifying their already bellicose reputation.

On the Palestinian side, opposite forces seemed at play. A sense that Netanyahu and the settlers were exerting increasing pressure to make the Palestinians believe that their struggle was futile, a lost cause, with the goal of making them agree to whatever “peace arrangement” was put forward by Israel (what I call [“the Daniel Pipes” scenario](#), squeezing the Palestinians so hard that they give up). More assertively interpreted, the rockets expressed a resolve not to be ethnically cleansed from their homes nor silenced and intimidated by the settlers nor by those who would interfere with their religious practices. It may have also been intended as a warning to the Palestinian Authority not to accept some arrangement that validated this coercive Israeli approach to “peace.” These direct encounters originating in Jerusalem were dealt with harshly by the Israeli government, prompting Hamas to act in solidarity, which meant sending rockets, the only weapon in their arsenal capable of sending a message to Israel....

Also at play undoubtedly was the challenge posed by the Accords to Palestinian steadfastness or *sumud* — a Palestinian show of resistance, even with the full awareness that the rockets would bring a massive Israel Defense Forces (IDF) military operation as in the past, and with it, death, displacement and destruction in Gaza. It was the Palestinian way of saying that our struggle goes on regardless of the costs, and even in the face of this symbolic abandonment by our Arab brothers and sisters, or at least their regimes, which in any event had long been more a matter of words than deeds. This abandonment had been previously expressed substantively by these Arab governments, especially the Gulf monarchies, which were never comfortable with Palestinian or Islamic movements from below in their region, especially in the aftermath of the Iranian Revolution when political Islam showed its willingness and ability to challenge the control of the established order (as confirmed by their counter-revolutionary support for the Sisi coup in 2013 against Muslim Brotherhood leadership in Egypt).

As far as the motivations behind Arab elite willingness to ignore the pro-

Palestinian sentiments of their own populations and become parties to the Abraham Accords, three factors are explanatory: First, the governments involved were given transactional rewards by the Trump diplomatic offensive in the form of weapons, economic inducements, delisting as a terrorist government and support for political claims; secondly, applying especially to the Gulf monarchies, seeking a common front with Israel in opposing and destabilizing Iran, not only in relation to its nuclear program but with respect to its political solidarity relationships in the region, which included Hamas, Hezbollah and the Houthis in Yemen; and thirdly, by seeming to take political risks at home to support U.S. pro-Israeli objectives in the region so as to gain leverage in Washington as a dependable ally.

Israeli police have arrested thousands of people over the last couple of weeks in Israeli Arab communities as part of a “law and order” operation. What is Israel really hoping to achieve with such actions against Palestinian protesters who, incidentally, happen to be Israeli citizens?

Jewish supremacy is the core of the Zionist project as it has played out in Israel, which has in turn generated racial policies and practices that are increasingly perceived as a form of apartheid. The government must convince the “dominant race” that it can maintain the racial hierarchy. This means that any show of resistance by the subjugated race must be disproportionately punished, with the hope of deterring future defiance by the downtrodden.

In the past 20 years, Gaza and its people had borne the brunt of this Israeli need to exhibit its political resolve and ability to crush any challenge, however indirect, to the policies and practices of apartheid. This was the first time that communal violence in towns where Palestinians and Jews cohabited arose within Israel at a time coinciding with an IDF military operation in Gaza. It was a new *internal* threat to the apartheid regime, but posed a different kind of challenge as Israel didn't want to devastate towns within Israel, calling for an appropriate challenge. The mass arrests of Palestinian protesters were the method relied upon to reestablish the appearance of stable control of the asymmetric relations between Jews and Palestinians.

Palestinians have been facing a severe leadership crisis for many years now, but solidarity with the Palestinian people has shifted massively on a global scale. Are there hopeful prospects for Palestinian unity? And is the Boycott, Divestment,

Sanctions (BDS) movement an effective way to challenge Israeli oppression without hurting the victims themselves?

As indicated earlier, deficiencies of Palestinian leadership have weakened the Palestinian movement for self-determination. In part, this reflects Israel's overall approach ... as it has pursued for many years "a politics of fragmentation," including at the leadership level. Such fragmentation includes its occupation administration on the West Bank with more than 700 checkpoints, making internal travel incredibly difficult for Palestinians, as well as administering the West Bank, Gaza and East Jerusalem in different ways that make Palestinian interaction difficult and unity hard to maintain. Of course, there's the toxic split between Hamas and the Palestinian Authority. As well, Israeli denial to Palestinians of any right of return has kept the refugee status of millions of Palestinians static, untenable and precarious. Refugee demands for return create tensions with Palestinians living under occupation, many of whom believe the formula "land for peace" is the best deal that they can hope for. Further, they realize that Israel might agree to end the occupation but it would never assent to upholding the repatriation rights of the refugees, which is seen as a deal-breaker. Only a strong leader with support from all of these constituencies could provide the Palestinian people with authentic leadership capable of representing both Palestinians living under occupation and in refugee camps. Israel remains determined at this point not to let this happen, and feels strong and secure enough to refuse meaningful Palestinian statehood as well as to deny refugee rights.

The Palestinians have discredited themselves to some extent by not putting aside their differences so as to establish a common front to achieve their primary goal of self-determination. The top echelons of the Palestinian Authority live a comfortable life, rumors of corruption abound, and one senses a willingness to lie low until they can make some sort of deal that hides their political defeat. Mahmoud Abbas, the Palestinian leader who is internationally recognized as representing the Palestinian people, has not held promised elections since 2005, and recently canceled elections scheduled for this year on the alleged grounds that Palestinian residents in East Jerusalem would not be allowed to vote. Critics insist that elections were canceled because Hamas was seen as the sure winner.

Hamas, although mischaracterized in the U.S. and Israel, has governed harshly in Gaza, making many Palestinians fear its leadership. Yet as [Sandy Tolan](#) and other

researchers have made clear, Hamas was induced by Washington to pursue its goals by political means and compete electorally, but it was not supposed to win as it did in Gaza in 2006. When it won, it made diplomatic overtures to Washington and Tel Aviv, offering a long-term ceasefire, up to 50 years, in exchange for Israeli withdrawal to the 1967 “green line” borders, but these were rebuffed, and Hamas was returned to its “terrorist” box, and the people of Gaza were blamed for their victory in the elections.

The Palestinians have never set forth their own [collective] vision of peace, probably because it would reveal sharp differences between those willing to settle for some version of partition and those who seek a unified Palestine with a secular constitution assuring equality of rights. As matters now stand, a sustainable peace presupposes the prior dismantling of apartheid structures and the renunciation of Zionist foundational claims of Jewish supremacy. Without such steps, any agreed outcome would end up as a “ceasefire.” It is instructive to study the fall of apartheid in South Africa, and its aftermath, that failed to fulfill all of the hopes of South Africans or result in economic and social retaliation that the whites feared. Both races benefited from the transition. A bloody armed struggle was averted and so was a vindictive sequel to apartheid.

The South African narrative is also important for illustrating its “impossible” unfolding: internal resistance, strongly reinforced by a global civil society anti-apartheid campaign supported by the UN and highlighted by BDS pressures, releasing Nelson Mandela from 27 years confinement in prison despite his life sentence so that he could negotiate the transition to constitutional multi-racial democracy and become the natural choice of the population to be the first president of the new South Africa. It all sounds plausible 25 years after the fact, but before these dramatic events, it seemed “impossible,” a dream too good to come true....

A final observation. The South African apartheid leadership did not awake one morning and become aware that their regime was immoral and illegal. It decided through backroom debate and reflection that it was better off taking the risks of constitutional democracy than go on living as a pariah state waiting for the day when the roof would collapse. In other words, the white leadership made a rational public policy decision, the contemplation of which was kept as a closely guarded state secret until a consensus reached, and the extraordinary events started happening to the great surprise of the world.

One final question. What are your thoughts on Israel's new government? What can one expect from it in general, and will it be able to skirt the Palestinian issue?

The coalition that has managed to prevail, and for the moment, the political impasse in Israel by taking over the Israeli government is not united on policy or belief. Its only unifying principle is a deep hostility to Netanyahu's personality and character. For that reason, the diversity of its composition makes it fragile with respect to sharp departures from Likud consensus on Palestine that has prevailed for the last twelve years in Israel.

At the same time, the dominant elements in the Bennett-Lapid coalition are correctly perceived on Palestinian issues as further to the right on such issues as accelerated ethnic cleansing of East Jerusalem, expansion of West Bank settlements, annexation of all or most of the West Bank, opposition to any genuine form of Palestinian statehood, and greater severity with respect to the implementation of apartheid policies and practices. Further, it is expected that Naftali Bennett, an exponent of the extreme right-wing settler movement and maximal Zionist goals, will be Israel's prime minister for the next two years during which he will undoubtedly be tempted to push Israeli policy even further to the right.

It is, of course, possible that Bennett will contain his anti-Palestinian fury so as to hold the coalition together, but it is just as likely that he will be prepared to pay the price of a collapsed coalition by being able to attract support for his program from the Likud members and other rightists outside the coalition who agree with his approach on Palestine and are no longer tied to Netanyahu or preoccupied with having a place in the leadership of the government. It is also possible that Bennett will move more cautiously to avoid weakening American support, which is already weaker than it has been in this century. Bennett is less abrasive in personal style than Netanyahu, which is hardly a notable achievement, but is more of an extreme ideologue and less of an opportunist.

Given this further turn to the right in Israel there is no realistic prospect of any kind of meaningful diplomacy for the foreseeable future. There are, in contrast, real possibilities of stronger global solidarity efforts through the UN and by way of civil society campaign such as BDS, and a stronger public support for Palestinian grievances.

This interview has been lightly edited for clarity and length.

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