



Sadaka Second High-level Forum

*Israeli Apartheid: Developing Ireland's Strategy*

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Session 3: Developing a Coherent International Response to Apartheid.

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**Opportunities and vulnerabilities of the apartheid framing in the international arena.**

Chair: Caoimhe de Barra, CEO, Trócaire.

The morning set the terms, made the case following the work that had been done by Palestinian NGOs and B'tselem in Israel and of course in the last year Human Rights Watch and Amnesty International for the designation of a reality meeting the legal definition of apartheid. We heard about how that works in practice, how that works in people's daily lives and lived experience and what flows from that. Where I hope this takes this is what is to be done: the question of what is possible. My own presentation has been framed as looking at the opportunities and vulnerabilities of an apartheid framing in the international arena. I don't want to in any way deflate from the power of what we heard this morning, but I also want to honestly confront the challenges of going this route and how we might begin to overcome them. I am going to be quite practical and political, and I know you have the political party representatives there with you in the afternoon and they might be asking themselves about some of the hard questions they might be tackling.

Though I am coming from some familiarity with the Irish scene, I am certainly not familiar with every granular detail so let me apologize in advance if anything sounds off-kilter to your context.

The first thing I want to say is that the framing and charge of apartheid is a significant shift. I don't take likely that the blue-chip human rights organisations over the past year have both produced weighty reports stacked up with significant evidentiary data making this designation. But the way those reports have been responded to and the way they have been brushed off in so many political spaces is something we must contend with.

It is a big deal that they have made that designation, but it is a big deal also that, the designation having been made, so few activists politically in the west, whether right, left or centre have been willing to go there or even raise the question. How categorically that has been avoided in most spaces. Even also in much of the global south and Arab states, for different reasons sometimes. Governments haven't adopted or even been willing to address this. A big chunk of the media has ignored this and the preemptive attack, especially on the Amnesty International Report, was vigorous, for lots of reasons. There was a charge of antisemitism-I am going to come on to that point a little later. I am just teeing up that we have to contend with this.

Secondly, I want to ask the question as to why this framing is potentially important. Yes, for me there is a question of a legal definition. The apartheid framing might suggest a different and preferred path for a political way forward and for a future political dispensation. What I am going to say is not an either/or but what I want to focus on the apartheid framing as a more affective, mobilizing, campaigning, messaging vehicle for work around Palestine and for making progress in that regard; a better shot perhaps at forcing through accountability for Israeli actions and policies towards Palestinians. For ending impunity, generating disincentives, costs and consequences which is of course so much of what is missing and without which a theory of political change is almost inconceivable.

International law and accountability of course do not self-implement. An effective anti-apartheid campaign could invigorate that and of course that ties into the legal side of things so for instance the Commission of Inquiry of the UN Human Rights Council has apartheid as part of its terms of reference. Such a campaign doesn't have to be at the expense of other efforts; it doesn't mean one has to give up on international law when it relates to occupied territories for instance.

I won't dwell on this, but for instance does the set of narratives that are so prevalent now and justifiably so around Ukraine show that progress could perhaps be made by focusing back on occupation, on international law, on sanctions, on the International Criminal Court, on the legitimacy of resistance, all of which we are hearing so much about? I am going to share with you my own somewhat depressing take on this: my fear is that the West is doubling down on a selective application of all these high-sounding values and principles and that there is an absence of self-awareness and an indifference to the double-standard and to how this all sounds, not just to

Palestinians, but to some many in the global South. I veered off track, but I do think we have to be cognizant of this, of how this sounds to much of the world when you have gone so up a ladder on principles and just not be able to demonstrate any of the contrition or commitment to the universal lesson, in Palestine, Yemen, Kashmir-of course sadly the list could go on. But like I say, one can do both and let me steer back on to the apartheid framing because I do just want to pause briefly on accountability and on why it is so important.

Simply put, if there is no accountability there should be no expectation of Israel behaving differently and in fact impunity encourages Israel to do its worst, of course to the detriment of Palestinians, but I would also argue it is bad for Israelis themselves.

It has and it will get worse whether vis-à-vis de facto annexation or further displacement if we don't shift that accountability ledger. And so, can an anti-apartheid framing drive forward accountability and generate momentum to challenge the policies and ultimately of course change those policies? Notably that would mean presenting Israel and Israelis with a different set of incentives and disincentives and a different cost-benefit calculation.

What I thought I would do is raise three possible challenges or difficulties in advancing this direction of travel and how those might be addressed.

First, initially at least, it means one is trying to do an anti-apartheid move without the equivalent of an ANC. There is no recognised Palestinian national movement that is spearheading an anti-apartheid campaign and that is a big deal. Palestinian politics is in a state of disrepair and needs to clean up its own house. These make for great messaging and pushback points for Israel and its echo chamber. It is not by coincidence that you don't have a PA or PLO Official at the conference day. You could probably have got someone along and they would have paid lip service to this framing, but the political positions of the PA are antithetical to an anti-apartheid movement and that is a problem for an anti-apartheid campaign.

You also don't have representatives of either of the Palestinian political party blocks inside Israel, one in government, one not and I won't detail why that is also such a challenge inside that community. We could go into it in the Q&A, but you cannot for instance as the PA run security collaboration with Israel if you are in an anti-apartheid struggle and central to an effective movement of that nature is the claiming, staking out and continued ownership of the moral high ground and you can't do that with a PA that is unaccountable and repressive. Now that doesn't mean that it cannot change; it doesn't mean that it can't be transformed. I would suggest that for us on the outside the challenge is to demonstrate to our Palestinian friends the utility, the benefit, of undergoing this transformative change; to show that a different struggle can appeal, can work, can produce outcomes more conducive to Palestinian rights and freedoms and ultimately, yes, to peace.

The second challenge I would suggest, which is obvious perhaps, but I think it bears remembering, is to understand and internalise that we can learn from South Africa. This isn't a copy and paste kind of re-run. It is a different struggle; it is a different international context; it is a different adversary; it is a different regional hinterland; and there is a different type of asymmetry at work. Each form of settler-colonialism is distinct and that is true also for Israel and Palestine.

It is also important to recognise this is a form of settler-colonialism in which the settler-colonist will stay, and I am using the term "settler" here in the broad term of settler-colonialism, not just in the sense of those living over the '67 lines. It means one must come to terms with the permanence of the Jewish Israeli presence and therefore one needs an approach to the future which has a space in it, a safe space for the Israeli Jewish community and central to it is going to be peeling off Jewish and Jewish Israeli support. Of course, today, you go to South Africa, and everyone says "yeah, of course, I was with the movement man!" This wasn't the case, but you do want to create a sense in Israel and Palestine in which people ultimately would want to have that narrative.

Third, and finally, in terms of these challenges I referenced at the outset that antisemitism charges are levelled when the apartheid designation is made, levelled when sanctions are called for and we saw that on steroids with the release of the Amnesty International report very recently. And I will say to you that I think you should expect to see a growing effort to depict Ireland as hotbed of antisemitic animus whatever the actual evidence. If we see an Irish civil society, an Irish officialdom that is more outspoken, going down this apartheid route; if we see the Occupied Territories Bill ultimately passing to law as one hopes; then I think the accusation will be ever more aggressively levelled. And what I would say to you is, chart the trajectory of this instrumentalisation of antisemitism along-side charting the trajectory of an Israel that has ever more irrevocably pulled away from any prospect of peace or of a two-state solution. So, the less you have any Israeli willingness to countenance, “yeah eventually we will make peace with these guys, there will be a Palestinian state” the more important it was to find a different argument and the clear choice that Israel made as its full back position against any chance for peace was to weaponise and conflate legitimate criticism of Israel and its policies with what is a genuine problem of antisemitism. So, delegitimise the Palestinians, criminalise discourse, criminalise what would hold Israel to account.

You had an Israeli governmental agency put at the disposal of this campaign when the strategic affairs ministry was created. The ministry was subsequently disbanded, and the agency put into the foreign ministry. A definition of antisemitism, the IHRA definition, which distorted the debate came along with massive pressure to adopt it. Let me be clear, to be very clear, I am not someone who will soft pedal on actual antisemitism; it should be called out; I have called it out. I hope you will call it out. and I would say make sure your own house is in order; do the awareness training and at the same time do not go down this path where antisemitism is instrumentalised because that does a disservice to the real struggle against antisemitism, the real struggle against racism and it ends up entrenching another form of racism, namely anti-Palestinian racism and bigotry.

There has been an effort to do some corrective work on this. Primarily this is going to be the responsibility of those of us in the Jewish community, but we will need to work with people on that. I have drawn people’s attention to the Jerusalem Declaration on antisemitism and I think it would be remiss of me if I didn’t draw it to your attention again here today.

So much of this is around getting to a sanctioning of Israel for its policies towards Palestinians. The anti-apartheid framing is a way of doing so. And so let me make a couple of points on sanctions. First, sanctions build over time. I would say that you don’t go for everything in one fell swoop at the beginning; that is not a winning political strategy. I also don’t believe in irrevocable, irreversible, so-called maximum pressure sanctions which end up largely penalising civilian populations. I am not suggesting we are anywhere near that on Israel, but I do want to be clear that I think what has happened to Iran and therefore what has happened to the civilian population, what happened to Iraq previously, is wrong so when I am talking about sanctions, I am talking about sanctions as a lever to encourage political change. I also by the way think we are getting the sanctions on Russia wrong because if these are going to be irreversible, they simply aren’t going to be useful as a lever. We are, however, seeing the legitimisation of sanctions and I think we need to build on that.

I will echo something that someone said earlier which is that the Occupied Territories Bill is precisely that kind of building block. It sends a signal; it is a demonstration of a win; and it’s a demonstration of utility and it belongs to you guys, and it is for you to see it through.

I will throw out one other thought on this which is politics and sport. They aren’t allowed to mix right? Well not so much! We have just seen what’s happened vis-à-vis Russia. And some of us were very engaged in an earlier effort regarding Israel and its standing in FIFA. Again, we focus this on the Israeli illegal actions beyond the ‘67 border. Clubs registered in illegal settlements play in the Israeli football leagues, overseen by the Israeli Football Federation, which is a member in good standing of UEFA and FIFA. The effort failed to try and get action taken vis-à-vis Israel regarding the settlement

clubs. We, I think, should have at least consider a global campaign where we can revisit that under the new current circumstances.

And then finally, perhaps, just a couple of thoughts on specifically a role for Ireland in preventing slippage in the EU. Can coalitions of the willing be built around some of these issues in the EU and in international for a? When it comes to a narrative that is more about decolonization, which I think inevitably anti-apartheid brings us to, there might be something unique that Ireland can bring to the table.

Of course, we must campaign in the West but there has been a lack of attention paid in the global South to building a solidarity fit for purpose in the 21st century. If we are going down an anti-apartheid route and Ireland has a special contribution to make, and without wanting to overload your apple cart, whether its civil society or its people in the political domain, I would be thinking about that because if one is talking apartheid, if one is talking decolonisation, and given advances that Israeli narratives have made in parts of the global South, in the Arab world and far beyond, in the context of Ukraine, use this attention to justify accusations of double standards. Working with like-minded (earlier a speaker referred to the work Namibia and South Africa have done in the UN) we can think about what a North-South coalition might look like and an Irish role in that.

So let me just close with that thought and thank you for your time and for listening to me.