



Photo Credit: Rhododendrites

*Below are two pieces on the current crisis in Ukraine and its relationship to Israel and Palestine. The first is a statement approved by the Board of Partners for Progressive Israel and the second a commentary by Partners' President, Prof. Paul Scham. Obviously, this is a fast-moving situation but these are our views as of March 6th, 2022.*

## Partners for Progressive Israel Affirms the Right of Self-Determination of the Ukrainian People—and All Peoples

**I**n response to Russia's brutal and unprovoked attack against Ukraine, Partners for Progressive Israel applauds the remarks delivered this week by the chair of the Meretz party, Health Minister Nitzan Horowitz, in solidarity with the Ukrainian people and in support of "the right of people to live in freedom and realize their right to self-determination."

These rights, of course, apply not only to the Ukrainian people, but to all peoples, including the two sharing the land between the Mediterranean Sea and the Jordan River—the Jewish people, which is implementing its right to national self-determination, and the Palestinian people,

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*By Jessica Montell*

which is being denied that right.

We join with many others throughout the world in calling for the withdrawal of Russian troops and an end to the Russian invasion, which is a violation of Ukraine's sovereignty, territorial integrity, and democracy. We particularly condemn the increasing attacks on Ukrainian citizens and deplore the absurd Russian claims of protecting Ukraine from "Nazis."

We also hope that, once the violence in Ukraine has abated, the international community will be able to redirect its attention to the situation in Israel and Palestine and promote solutions there which respect the rights to self-determination and freedom that all peoples deserve. ■

## President's Comment: New World (Dis)Order

*By Paul Scham*



*Photo Credit: State Emergency Service of Ukraine*

**L**ike many of my readers, I suspect, I spent far more time thinking and reading during the last few weeks about Ukraine and Russia than I did about Israel and Palestine. Obviously there are some points of overlap, which I'll try to uncover.

Putin's invasion of Ukraine is another—probably the last—aftershock of the earthquake that was the implosion of the Soviet Union, just as World War II was arguably

the final aftershock of World War I. Just as World War II created a new reality and a security architecture that both morphed into and was a product of the Cold War, Russia's invasion will likely herald a new constellation of forces, though its shape will not become clear for months or, more likely, a few years. Whether it will be east vs. west, "democracies" (of widely varying characteristics) against autocracies, status quo powers against their challengers, something else entirely, or, most likely, some combination that political scientists will joyfully spend years naming, we can have no idea. At this point, given the world's rapid and surprising near-consensus on condemning Russia's invasion, Putin's gambit, in addition to being brutal and vicious, seems likely to culminate in a disaster for Russia, whatever the outcome in Ukraine.

[Israel is somewhat caught in the middle](#), perhaps surprising those who see it as a client of the US (or vice-versa). Israel has close ties with both Russia and China, especially the former, since Russia is the dominant power in that unhappy space called Syria, where Israel frequently carries out bombing raids against Iranian movements, and which could easily be curtailed by Russia. Apparently Putin has accepted [Israel's somewhat stilted condemnation of the invasion](#) and won't change the Syrian status quo, at least for now. How much more the US will demand from Israel in support of Ukraine and in verbal and tangible opposition to Russia is unknowable. I'm personally glad that [Meretz MK's came out early and strongly](#) for an unequivocal denunciation of the invasion. Apparently attempting to serve as a mediator, Israeli PM Bennett flew last Shabbat(!) to see Pres Putin and later spoke to Pres. Zelenskyy. So far, at least, the fighting continues.

We must recognize that the invasion is probably bad news for any movement to end the occupation of Palestine, not that that was in the cards anyway. With American (and the world's) attention captured by Ukraine and then the midterm elections, after which jockeying for 2024 begins in earnest, any remaining hope that the US would do anything at all in pursuit of its long-declared goal of a two state solution of the Israeli-Palestinian conflict seems gone for the unforeseeable future. Countries have only so much bandwidth, and ours is already stretched pretty far. The US may conceivably snap the whip occasionally,

as it did a few months ago with regard to Israeli plans to build in the E-1 area outside Jerusalem, but an Israeli-Palestinian peace process, already highly unlikely, is now seemingly unimaginable in the foreseeable future. Thus the civil society peace forces in Israel and the US are on our own. We can start, as I argue in an [article in the current issue of the Palestine-Israel Journal](#) (no paywall), by accepting the reality and probable durability of the Abraham Accords, despite how far from our traditional peace paradigm they are.

The Middle East is really uninvolved in Ukraine, except for Russian clients like Syria and American enemies like Iran, which have already stated their unsurprising allegiance. However, much as we may have wanted to believe that the importance of oil was rapidly diminishing for both political and environmental reasons, Russia's importance as Europe's energy supplier brings it back to front and center. The US has already asked Saudi Arabia to increase its output, but the Saudis don't seem inclined to comply, at least at the moment, which may indicate its increasing independence from Washington, perhaps reflecting opposition to the pending new Iran nuclear deal. Unlike the case in previous oil shortages, however, this causes Israel any concerns, as the Saudis, and by extension most of the Arab world, are already, if not Israeli allies, perhaps the next step to such a status, especially given their consensus on Iran. In my PIJ article I predict (always a dangerous thing to do) that that when Saudi king Salman (now 85) dies and his son, the notorious MBS, takes over, diplomatic relations with Israel won't be far behind.

Given the apparent success of the NATO powers (with additions) in organizing punishing sanctions (whether they'll work remains to be seen), perhaps they might coordinate later sanctions in the Mideast against states that are disturbing the peace? (Just wondering).

I confess that I was one of those who thought that Putin would use his military buildup to extract maximum concessions from the West and from Ukraine, including recognition of Donbas and Luhansk, but that he would avoid a bloody full-scale invasion. Whether a curtailment of NATO expansion or creation of a different security

architecture dating back to the 1990s, [as George Kennan then argued](#), might have forestalled the invasion, is now an academic question. As autocratic, bloodthirsty and positively evil as Putin has shown himself to be, does not negate that Russia has legitimate security interests in Ukraine and many Russians view NATO as inherently threatening. I cautiously agree with the analogy of the current situation regarding Russia to the "diktat" of the Allied powers against Germany after World War I. That is not to in any way excuse Russia's invasion but, rather, to try to understand it better.

The lesson for Israel is that it needs to realize that mis- and over-using its current power and dominance in the region, especially vis-a-vis the Palestinians, eventually will result in explosive pushback. [Warnings of that imminent possibility are now being issued](#).

I can't end without commenting on the pride and admiration I feel for Ukrainian President Volodymyr Zelenskyy, a Jew and grandson of Holocaust survivors, who has deservedly become a world hero. He went from playing the part of a president as an actor to eclipsing every other world leader in courage and leadership under unbelievable conditions. Assuming he survives, I can't imagine anyone else winning the Nobel Peace Prize. ■

Sincerely,



President  
Partners for Progressive Israel  
March 6, 2022

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*Paul Scham is President of Partners for Progressive Israel and the Director of the Gildenhorn Institute for Israel Studies at the University of Maryland.*



# In Memory of Rabbi Israel ("Sy") Dresner, zt"l (1929-2022)

OBITUARIES

*We are saddened to report that, since our last issue of Israel Horizons, Partners for Progressive Israel has lost two of its board members - Rabbi Israel ("Sy") Dresner, an American civil rights giant who was one of our organization's founding members and our president between 1996-1998; and Prof. Todd Gitlin, an antiwar, anti-apartheid activist who served on our board for six years before stepping down only recently in the wake of family illness.*

*We share with you below Partners for Progressive Israel's reflections in memoriam.*



**R**abbi Israel Dresner, "Sy" to his friends and loved-ones, is best known for his indefatigable work as part of the American civil rights movement and the Black-Jewish alliance of the 1950s and 1960s, which helped propel it forward. The news media is right to recall Sy's participation in the first group of Interfaith Freedom Riders in 1961, and to focus on his close friendship with Dr. Martin Luther King Jr., who would speak on two occasions at Temple Sha'arey Shalom in Springfield, NJ, where Rabbi Dresner had a pulpit for 12 years. Sy would later serve for 25 years as the rabbi of Temple Beth Tikvah in Wayne, NJ.

But for Partners for Progressive Israel, Sy was first and foremost the champion of a vision for Israel based on social justice, human rights, equality, and peace.

Three decades ago, Sy Dresner was one of the founding members of Partners for Progressive Israel (known at the time as the "Education Fund for Israeli Civil Rights and Peace") and, between 1996-1998, he served as the organization's president. Sy remained an active and contributing board member until his final weeks.

Even before helping to establish our organization, however, Sy was one of the small, maverick band of American Jewish activists who defied the establishment and spoke out against occupation and settlement and on behalf of Palestinian statehood and Israeli-Palestinian peace. In the 1970s, he served as an executive board member of Breira, then vilified as anti-Israel for its support of a two-state solution. In the 1980s, he was on the national board of the U.S. Interreligious Committee for Peace in the Middle East, a group of Jewish, Christian, and Muslim leaders who encouraged the U.S. to promote Israeli-Palestinian peace.

Sy was an early critic of Israeli PM Binyamin Netanyahu. In 1996, just half a year after Netanyahu's election, Rabbi Dresner, on behalf of the "Education Fund," wrote passionately in the *New York Times* that Netanyahu's policies would "result in disaster," and he called on the huge numbers of American Jews who supported the peace process to "raise their voices in opposition." In 1998, he was part of the "national rally in support of the Oslo peace process," in Washington

DC, a gathering of pro-peace American Jewish organizations marking five years since the first Israel-PLO interim agreement was signed on the White House lawn. Sy explained that both Jewish teaching and the history of Jewish oppression were what informed his advocacy for human rights. So, he was deeply saddened that, in Israel, which he loved and traveled to at least three dozen times, Jews were now in the position of persecuting others. He called this “a corruption and corrosion of Zionism” that is in desperate need of correction. In that same spirit, we continue Rabbi Dresner’s lifelong, pioneering efforts.

Rabbi Dresner requested that contributions be made to [Partners for Progressive Israel](#) by those wishing to honor his work on behalf of Israel and Palestine.

*Zecher tzadik livracha* – May the memory of this righteous man, Sy Dresner, and his activism serve as a blessing.

### **Abridged Remarks by Prof. Leonard Grob at the Shiva for Sy Dresner**

*By Leonard Grob*

**S**y Dresner had always appeared to me as a prophetic voice. Whether it was his work in civil rights or for a just Israel, Sy took with the upmost urgency the prophetic call “*Tzedek, Tzedek Tirdof*,” “Justice, justice shalt you pursue.” Sy’s pursuit of justice—whether in Alabama, Jerusalem, or New Jersey—was cut from one cloth. Sy Dresner was a giant in his lifelong quest to redeem Zionism, to take it back from today’s sinners, the inhabitants of today’s Nineveh—in his mind, the right wing in Israel and their knee-jerk United States supporters, those who have coopted Zionism for their own expansionist purposes.

I met Sy when we were among the founding members of Partners for Progressive Israel. He was at the heart of our organization for the past three decades, serving as its President for three years during the 1990s. At Board meetings Sy was his most ardent self, speaking out for a just peace with the Palestinians based on two viable sovereign states. Sy loved to explain how the cause of justice was rooted in Judaism. He was convinced that

to be a true “light unto the nations,” Israel had to break the cycle of Jews, so abused in their past, becoming, on gaining statehood, abusers themselves, occupiers of Palestinian land.

Sy would speak out for a just Israel and for peace anywhere and everywhere. When invited to the Obama White House in acknowledgement of his civil rights work, Sy spent his minute while shaking hands with the President saying, “Please do everything in your power to see to it that peace is made between the Israelis and the Palestinians...”

Sy was an early opponent of the settler movement, making his opposition known just months after the first settlement was established on the West Bank. On the ground in Palestine, Sy at one juncture stood up to militant settlers who were attempting to disrupt the olive harvest of Palestinian villagers.

Sy was perhaps at his best when we in Partners took our annual study tour to Israel and Palestine. On the soil of Israel and Palestine, Sy was even more passionate than usual about the need to resolve justly the Israeli-Palestinian conflict. He was our teacher, our guide, our chronicler, our provocateur, our cause of good trouble.

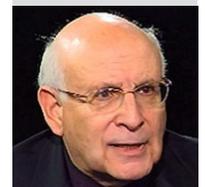
Sy was exceedingly loyal to Partners for Progressive Israel. When he no longer was able to drive, he would shlep to Board Meetings by bus from New Jersey and then taxi from Port Authority to our office. He would enter the Board Room, tired, but immediately energized by discussion of the issues at hand—hardly waiting a moment to jump into the conversation.

Sy will be missed terribly by us at Partners. Israel will have one less compelling voice calling it to account. A just peace between Israelis and Palestinians will have one less advocate. A Zionism infused with the spirit of Jeremiah will have one less champion.

*Zecher tzadik livracha*: May the memory of righteous Sy Dresner serve as a blessing to us all. ■

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*Prof. Leonard Grob is the Vice President of Partners for Progressive Israel.*



# In Memory of Prof. Todd Gitlin, zt”l (1943-2022)

OBITUARIES



**P**artners for Progressive Israel mourns the loss of our board member, Prof. Todd Gitlin, who passed away on February 5th. Todd is remembered in popular culture as a president of the SDS, Students for a Democratic Society, in the 1960s and for his activism against the Vietnam War, against Apartheid in South Africa, and for civil rights in the United States. But Todd also maintained a powerful connection to his Jewish identity and to Israel, and this was reflected in his progressive activism on behalf of peace and equality for both Israelis and Palestinians.

In 1971, for example, many years before talk of Palestinian statehood was considered legitimate by the mainstream, Todd was one of a select group of signers of a public statement entitled “The Liberation of Palestine and Israel.” “Israel cannot make a just peace with the governments of Jordan or Egypt or Syria... while she ignores the Palestinians,” the statement read. And, conversely, “the Palestinians cannot simply treat Israel as an extension of Western imperialism, for... an Israeli people exists and they will not disappear, except through genocide.” Both peoples, the letter declared,

are entitled to “survival and full liberation.”

Based on this commitment to the liberation of all peoples, Todd vehemently opposed “the illegal Israeli occupation of the West Bank,” as he recently wrote, and the concomitant “violent oppression of Palestinians who live there,” which he described as “an offense to humanity.”

Understanding that Israel’s massive settlement project in the Occupied Territories was designed to cement and eternalize that occupation, in 2016 he spearheaded “A Call for an Economic Boycott and Political Nonrecognition of the Israeli Settlements in the Occupied Territories,” which demanded that the American government “exclude settlements from trade benefits accorded to Israeli enterprises” as well as deny IRS tax exemptions to American nonprofits that sent funds to Israel’s commercial and residential entities in the West Bank. The aim, wrote fellow board member, David Abraham, a co-author of the Call, was to “revive the visibility and importance of the Green Line and distinguish between a legitimate Israel and an

illegitimate Occupation.”

When Ben & Jerry’s announced last year that they would be terminating their business in the Occupied Territories, therefore, Todd saw it as a validation of his path, and shared with David Abraham that learning of this development had brought “tears to my eyes.”

But Todd rejected the idea that occupation and settlements delegitimized all of Israel, and he therefore found no positive value in the BDS movement, which, he argued, “knows only one set of wrongs, not another. It proclaims that there is but one story to be told of the Middle Eastern tragedy” and therefore cannot contribute to a just settlement of an essentially ethnic conflict. Nonetheless, because he steered clear of doctrinaire politics, Todd was also willing to work with BDS advocates, when possible, in the interest of bringing an unjust occupation to an end.

While Partners for Progressive Israel is part of the World Zionist movement, Todd personally refrained from using the word “Zionist” to describe himself—not because he rejected Israel’s existence, but because he felt the term to be an anachronism: After all, he said, the aim of political Zionism, statehood, had already been achieved.

Overall, however, Todd shared the approach of Partners for Progressive Israel and decided to join our board in 2015, stepping down only recently in the wake of family illness. He was glad to moderate our 2019 webinar that discussed the BDS movement as well as the exaggerated reaction to it, and he was a willing co-signer of our 2020 letter to our friends in Meretz, encouraging them to expand the level of Jewish-Arab political partnership in the party, as befits a shared democratic society.

“He appreciated what Partners stood for,” noted fellow board member Peter Eisenstadt: “An end to the occupation, the promotion of collaboration between Israeli Jews and Palestinians... and the continuing commitment to political activism.” Likewise, Peter wrote, Todd also “appreciated what Partners did not stand for: the dubious satisfactions of dogmatism and the Manichaeism of contending absolutes.”

We salute the life and activism of Todd Gitlin. *Y’hi zichro baruch*. May his memory serve as a blessing. ■



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**A**s an organization devoted to upholding the civil and human rights of all those living under Israel's control, Partners for Progressive Israel applauds the painstaking work of human rights organizations in Israel, Palestine, and worldwide, including that of Amnesty International.

This week, Amnesty International released a report entitled "[Israel's apartheid against Palestinians.](#)" The report ably documents and analyzes both a pattern of discrimination within sovereign Israel that privileges the country's Jewish citizens over its Palestinian Arab ones, as well as the daily oppression that occurs in the Occupied Territories, where Palestinians have been living for 55 years without any effective citizenship

under a military regime—while the Israeli settlers living next door enjoy the freedoms granted by Israeli law.

That law, and the democratic institutions that produce it, are Israel's greatest strengths. Within Israel, despite continuing discrimination, Palestinians are part of the governing coalition, while in the West Bank they have no control over their future. That is the essence of the Occupation and the never-ending injustices that flow from it; and we maintain it is the Occupation and its consequences on both sides of the Green Line, not antisemitism, that give rise to the accusations of apartheid, however phrased.

Sadly, a great many establishment organizations in

the American Jewish community have directed their response to that one word, “apartheid,” rather than engaging with the specifics of the report. Meanwhile, these same organizations turn a blind eye to, or even justify, the actions and inactions of the Israeli government, including mass illegal settlement, politically motivated evictions, home demolitions, a permit regime that denies Palestinians’ freedom of movement, and an astonishing refusal to protect Palestinians in the West Bank against the unabashed predations of settler terrorists. If only these groups would spend half the time protesting such Israeli policies and practices as they did castigating Amnesty.



*Photo Credit: Justin McIntosh*

We also take strong exception to the abuse of the term “antisemitism” in criticizing both the report and Amnesty International. In an age when true antisemitism is recurring, it is particularly egregious to apply that slur to organizations that criticize Israeli policies and practices. Such usage cheapens the impact of the term itself and helps transform it into an all-purpose usage to be regularly trotted out when convenient.

As was the case with the report by Human Rights Watch last April (and a similar report by the Israeli NGO B’Tselem before that), Amnesty employs a [definition](#) of “apartheid” that is well known within the specialized field of International Human Rights Law—but is far broader than the particulars of the South African regime that most people associate with the term. As we stated last year, our organization is not an arbiter of international law and avoids using such terminology, which is both

legally rarefied and politically inflammatory. Moreover, use of the ultra-charged term “apartheid” also has the potential to actually undermine anti-occupation work by offering the right wing a path to redirect the public conversation away from genuine human rights abuses and into more convenient territory. That is precisely what has happened in this case.

Nonetheless, we would be remiss not to mention that use of the term “apartheid” is not uncommon within Israeli discourse, where figures as senior as former Prime Minister Ehud Barak have [warned](#) that Israel is on a “slippery slope toward apartheid,” and would inevitably reach that status if it continues to prevent the creation of a Palestinian state alongside it.

Ultimately, we strongly believe that the use or disuse of particular words does not alter by one iota the fundamental realities on the ground: Institutionalized discrimination unquestionably exists within sovereign Israel inside the Green Line, while beyond it much worse conditions exist for Palestinians, where the occupation (which only the most naïve or disingenuous still minimize as “temporary”) consistently denies them basic human rights.

While we therefore refrain from using the word “apartheid,” we appreciate the work of Amnesty International insofar as it directs American and international attention to the reality of ongoing injustices. Partners for Progressive Israel will continue to partner with those in Israel, Palestine, and elsewhere who seek peace and equal measures of freedom and human rights for all those, Jews and Palestinians, living between the Mediterranean Sea and the Jordan River.

■

# The Israeli Left in a Center-Right Government: Is There a Sweet Spot between Principles & Pragmatism?

CONVERSATIONS

## Conversations with Israel and Palestine Series

### The Israeli Left in a Center-Right Government: Is There a Sweet Spot between Principles & Pragmatism?

*This webinar took place on February 16, 2022. The transcript has been edited for length and clarity. The original recording is available [here](#).*

**Karen Shapiro:** Welcome. I'm Karen Shapiro, vice president of Partners for Progressive Israel. "The Israeli Left in the Center-Right Government: Between Principles and Pragmatism." We are joined by member of Knesset for Meretz, Mossi Raz, political scientist and former MK, Naomi Chazan, and our Moderator, Einat Ovadia, executive director of the Israeli Human Rights NGO, Zulat.

Partners for Progressive Israel is an American not-for-profit organization dedicated to the achievement of a durable and just peace between Israel and Palestine. We further believe in the need to ensure civil rights, equality, and social justice for all of Israel's inhabitants.

Please visit our website at [progressiveisrael.org](http://progressiveisrael.org). We appreciate contributions while you're there.

Now, for our participants. Naomi Chazan is Professor

Emeritus of Political Science and African Studies at the Hebrew University of Jerusalem and codirector of the Center for the Advancement of Women in the Public Sphere at the Van Leer Jerusalem Institute. Naomi served three terms from 1992 to 2003 as a Meretz party member of the Knesset.

Mossi Raz is a member of the Knesset for the Meretz party elected earlier this year. He previously served as a Knesset member from 2002 to 2003 and from 2017 to 2019 as well as its Secretary-General. Mossi is a lifelong political activist promoting Arab-Jewish coexistence in Israel, an end to the occupation and environmental sustainability.

Einat Ovadia is the executive director of the NGO Zulat: For Equality and Human Rights. For the past 10 years, she has served in various key positions in Israeli politics in both coalition and opposition roles. Einat

has extensive management experience and is a leading left-wing social and political activist.

**Einat Ovadia:** Meretz had been in opposition for over 20 years until last year, when this government was formed. Meretz has always offered a clear voice against the Occupation and in favor of human rights and equality, against discrimination, in favor of religious freedom and freedom from religion, in favor of promoting equality for women, the LGBTQ community, and especially it has led a clear political voice for two-state solution. Mossi, do you think that Meretz has the same voice right now sitting in the coalition? Is it able to advance its agenda sitting with all those to its right?

**Mossi Raz:** The first reason for supporting the government is what it would be if we didn't. In no way would it have been something progressive: the alternative was Bezael Smotrich, Itamar Ben-Gvir, Avi Maoz, and Netanyahu, with Netanyahu being likely its most moderate member. There was no better alternative.

The second reason is that we have created something novel: For the first time there is cooperation between Arabs and Jews in the coalition. It's not only the United Arab List (Ra'am) Party. Meretz has three Palestinian representatives, one as a minister and two as members of Knesset; Labor has one; Blue and White has one; even Yisrael Beiteinu has an Arab Palestinian MK. I think it extremely important that Israelis now see that Arabs are part of the game—because they were never part of the game. In the future every government will have Arab representation.

The third important reason is in spite of the fact that we are admittedly not effective on the big issues—the occupied territories, the citizenship bill, and other major issues. But, for the first time, people are starting to talk about our issues. People now talk about settlers' violence more than ever in the history of the Occupation. People now talk about the future of settlements. On the citizenship bill [barring permanent residency in Israel for most West Bankers marrying Israelis]: people outside the small circle of Meretz activists or human rights activists never before talked about that. The discussion that we had about that is important because

it lays the groundwork for the future.

The fourth and last reason is the fact that, as you said, we have the Health Minister and some deputy ministers. They are doing great work on LGTBQ, women's, environmental, asylum seeker issues and the like. The Ministry of Health is now becoming one of the most liberal anywhere in the world. And people are starting to take environmental issues seriously.

Of course, I am fully aware that we have to vote, again and again, against things that we believe in and we have to support, again and again, things that we abhor. Of my four year votes last week, three were against what I actually believe.

We always want to vote for what we believe in, but is being in permanent opposition effective? I myself am not certain. Quite apart from how coalition participation may affect our future electoral results.



**Naomi Chazan:** We are no longer in the 1990s, and we have to think somewhat differently. I want to emphasize the importance of this “change” coalition in bringing Palestinian citizens of Israel into the center of decision making. And our ministers are doing a fine job. But the central question remains, even if you make mild changes, some of them on marginal issues, what if you cannot succeed in making a dent on the critical questions—the deepening of the Occupation, the lack of commitment to a negotiated settlement, and growing inequalities within Israel? I don't know where the tipping point is, but we can't afford to fudge about the political decisions that are taking place. Yet politics is also about creating new alternatives as well as leveraging the existing ones. It is our job to create change in a setting where it is not at all clear that the

current government is better than its predecessor on these key issues.

**Einat:** So what can we do—on settler violence, on outpost legalization, on demolitions?

**Mossi:** Many people accepted that this government would do neither annexation nor a peace agreement. But this is a false “middle way”: the Occupation becomes deeper and deeper; we face more settlement and more settlers. We accepted a right-wing policy in order to be in this government. And, it turns out, that the most problematic person is Gantz, who is usually not associated with this right-wing. For our part, we have to be down with the activists fighting the Occupation, in East Jerusalem, and elsewhere. At the same time, we exert the influence we can on the Prime Minister, on the Foreign Minister, and others. Still, we need criticism, and we need to be pushed.

**Naomi:** Mossi is a super parliamentarian. But, on settlers, home demolitions, settlement activity, he was most effective when he wasn't in the Knesset. That is, organizing demonstrations, being on the front lines, speaking out, mobilizing, etc. The classic two state solution is now gone. There is too much oppression and too much intertwining of Palestinians and Jews. The position Mossi now represents is “let's improve” the situation by blocking terrible things, but will working on the margins end the Occupation? There is

something terribly wrong with the system, and we need a major course change, for which we have to mobilize. Mossi and I have been working for years to create a joint Jewish-Arab list to create a new framework. Meretz is, of course, a mixed party, but what I propose can't happen in Meretz itself.

**Einat:** So where, indeed, is the red line when it comes to matters Meretz opposes: the racist citizenship law, the outposts, the settler violence?

**Mossi:** I ask myself this question every day. Right now, I do think it is better for us to be in the coalition, but I am not sure. I may continue to think like that, or I may change my mind next week depending on what happens on the ground.

**Naomi:** I've been inside and I've been outside. I've seen the value of trying to influence via civil society and via the Knesset, from inside the establishment and from outside, and from the academy. Each one has its advantages and disadvantages. What I think Mossi is saying in his humble way, and what I'm trying to convey as well, is very simple, and at the same time very profound. That is, we can't continue to live in the environment that is not of our own making; we have to alter it. We have to use every tool we have –inside and outside the government—to alter the current reality.

**Karen:** Thank you Einat, and thank you Mossi and Naomi for this important discussion. ■

**Did you know we post all of our Conversations with Israel and Palestine webinars on our YouTube channel? [Follow us!](#)**



# HaMoked: Helping Palestinians Resist “the Bureaucracy of Occupation”

By Jessica Montell



*Photo Credit: Activestills*

**W**hen the media covers Israel’s occupation of the Palestinians, it usually focuses on dramatic events of death and destruction.

But for most Palestinians, the dominant feature of the occupation is a crushing military bureaucracy. Palestinians require a permit from the Israeli military for the most basic features of daily life, whether it’s to travel from one place to another or even simply to live in their home. HaMoked assists Palestinians to navigate this hostile permit bureaucracy.

**HaMoked: Center for the Defence of the Individual** is an Israeli human rights organization with a focus on providing legal aid to Palestinians living under occupation. We receive hundreds of calls every month from people seeking our help, and this individual assistance provides HaMoked with a unique perspective on the occupation. While the organization initially was devoted to assisting victims of violence and detentions, over the years we have expanded our work into tackling

“the bureaucracy of occupation.” Here are a few examples:

- Mr. Maqboul was on his way to his studies in Germany, but when he reached the Allenby Bridge crossing to Jordan, he discovered Israel had imposed a travel ban preventing him from leaving the West Bank.
- Mrs. Shaban, a Jerusalem grandmother, wants to attend her granddaughter’s wedding in Gaza, but can’t get any response to her request for the military permit required.
- Nahida, who is originally from the West Bank, has lived in Jerusalem with her East Jerusalemite husband for two decades, but requires temporary military permits just to live in her home.
- Yusuf, a young man from Gaza who relocated to Ramallah, is considered an “illegal alien” in his own home, at constant risk of deportation back to Gaza.

These are just some of the people who have turned to HaMoked for assistance recently. HaMoked corresponds with the military on their behalf and turns to the courts if this correspondence does not succeed in resolving the problem. Litigation in Israeli courts is one of our primary tools to defend human rights. HaMoked is the leading provider of legal aid to Palestinians under occupation, filing hundreds of petitions in Israeli courts every year to advocate for Palestinians’ freedom of movement, residency rights, and prisoners’ rights, and to contest collective punishments.

### Can Palestinians get justice in Israeli courts?

Israel’s Supreme Court is held up as a beacon of democracy when it comes to the country’s citizens, but it has a poor record on the occupation. The Court has given a green light to Israeli settlements, ongoing forced displacement of Palestinians, and the exploitation of Palestinian resources for Israeli benefit. This complicity in occupation has only increased over the past decade with the appointment of rightwing, ultra-nationalist judges, both to the Supreme Court and to lower courts.



*Photo Credit: HaMoked*

Given the hostile social and legal climate in Israel, it is challenging to advocate for Palestinian rights in Israeli courts. And, yet, a majority of HaMoked’s cases are ultimately resolved successfully—most via out-of-court settlements but also through court judgements. In spite of the challenges, litigation arguably remains the most effective tool to advance Palestinian rights. This, of course, speaks to the great weakness of all the other strategies to fight the occupation. To paraphrase what

Winston Churchill said about democracy, domestic litigation is the worst strategy to defend Palestinians’ rights—except compared to all other strategies.

Beyond the individual successes, HaMoked also engages in strategic litigation to challenge the human rights violations endemic to the occupation. This requires creativity, as the Court prefers to resolve the individual case without setting any judicial precedent. We will therefore file a series of individual petitions, each one on behalf of a person who needs redress. Often the Court will just address the suffering of this one individual, but then we file another petition, and another—until the Court cannot avoid ruling on the principle. This was the case in 1999, after HaMoked and other organizations had filed over 100 real-time petitions on behalf of Palestinians undergoing torture in interrogations. The High Court finally ruled that the Shin Bet, the Israel Security Agency, cannot use physical force in interrogations of Palestinians.

In other cases, the State will undertake a policy change “in the shadow” of litigation. This was the case when HaMoked filed dozens of petitions on behalf of foreign nationals who are married to Palestinians in the West Bank, but are living there with no legal status. An entire population was considered illegal aliens in their own homes because Israel refused to allow the Palestinian Authority to update its population registry over which Israel retains ultimate control. In the wake of these petitions, in 2008, Israel granted family unification to 32,000 people.

HaMoked litigation was also instrumental in pushing back against “the Quiet Transfer” of Palestinians from annexed East Jerusalem. Over the years, Israel revoked residency status from over 14,000 East Jerusalem Palestinians because they had left the city. Some had moved abroad, but many had simply moved to West Bank neighborhoods just outside the city limits. Israel’s Ministry of Interior, however, never bothered to publicize that people who moved “abroad” would forfeit their residency status. In response to determined HaMoked litigation, in 2000, the Ministry promised that Palestinians who maintain “a connection to Israel” (i.e., visit at least once a year) would not lose their Jerusalem residency. Responses to HaMoked’s Freedom

of Information requests show that this policy has indeed halted the “Quiet Transfer.” Furthermore, the Court has now recognized East Jerusalem Palestinians as an “indigenous population with a unique status,” an important step in safeguarding their rights.

In many of these cases, international advocacy supported the domestic litigation, and was a contributing factor to the positive change. This shows the importance of a partnership of those working for justice both domestically and around the world.

### Addressing root causes or just the symptoms?

The successes of HaMoked illustrate the importance of domestic litigation as a strategy—and also its limitations. Litigation can be life-changing for individuals who are suffering due to the occupation. It can also push back against and reverse certain occupation policies. This is very important and valuable. But there are limits to what litigation can achieve.

Litigation against what I would call the building blocks of occupation has never succeeded. Israeli courts have never ruled that settlements are illegal. They have not outlawed the idea that two populations can live side-by-side in occupied territory and be governed by two different legal systems, civil law for Israelis and repressive military law for Palestinians.

And of course, litigation is not going to end the occupation, which is the root of all the suffering HaMoked works to address. Unfortunately, given the current dismal reality regarding the Israeli political system, the Palestinian leadership, and the international community, it is not at all clear what strategies *can* generate the diplomatic agreement necessary to bring the occupation to an end.

Whatever the political path forward, however, it is clear that human rights must play a role. In fact, especially now, Israel must be held accountable for its human rights obligations.

### So what can we do?

As I indicated above, the international community can play an important role in supporting and strengthening the efforts of domestic advocates for

human rights. All significant change has been the result of such a partnership, combining local advocacy and international pressure.

Still, because the essential macro political change—ending the occupation—is currently unrealistic, it can be difficult to know where best to focus our efforts, and to identify important systemic issues that are more than simply a band-aid.

For the coming year, HaMoked has decided to prioritize the dispossession created by the Separation Barrier, and this is a constructive area for international involvement as well.



*Photo Credit: HaMoked*

### Creeping Dispossession: The Separation Barrier

Two decades ago, Israel chose to build the Barrier along a route inside the West Bank, rather than on the Green Line between the West Bank and Israel. As a result, the Barrier isolates nearly 10% of the West Bank, much of it agricultural lands belonging to tens of thousands of Palestinian farmers. In response to criticism from the international community, Israel promised virtually unrestricted access, with security being the only reason to deny a Palestinian entry to these areas, which Israel calls “the Seam Zone.”

Of course, the reality is far from this promise. Over the years, HaMoked has supported thousands of Palestinians in their efforts to access lands, businesses, and homes trapped behind the Separation Barrier. This individual assistance has provided a first-hand view of Israel’s increasing restrictions in these areas: gates

through the Barrier that are open only a few days a week for very short times; a cumbersome bureaucracy to request the necessary permit to cross the gates; and, each year or two, new restrictions on who is eligible for these permits.

In 2017, the Israeli military decided that what they define as “tiny plots” (less than 330 square meters) do not allow for sustainable agriculture and therefore do not warrant a permit to the Seam Zone. This is an infuriating decision—what right does the military have to dictate to people what to do with their own land? People have a right to access their land just for a family picnic, not to mention to grow olives for their own consumption.



Photo Credit: HaMoked

Furthermore, because the military calculates plot size by artificially subdividing a plot jointly owned by an extended family, it now defines vast portions of the Seam Zone as composed of such “tiny plots” to which access is completely denied. HaMoked has challenged each new limitation to Palestinians’ access, and we have a petition pending before Israel’s High Court against this “tiny plot” restriction as well. (After this profile was written, HaMoked won a victory in this case. Click [here](#) for additional details).

While many of our petitions have been successful, Israel’s policies have resulted in a steady deterioration in Palestinians’ access overall. Data obtained through Freedom of Information requests show that last year the military rejected 73% of requests for farmer permits

to the Seam Zone! Only 1% of permit applications are rejected for security reasons—in other words, the vast majority of permits are denied for failure to meet the ever-more restrictive criteria.

This is a tremendously important issue that has fallen off the international radar. Almost 10% of the West Bank is off limits to most Palestinians. Once fertile farmlands have become uncultivated and barren due to Israel’s restrictions, harming the livelihoods of thousands of families.

And I think this is an ideal issue for international advocacy to embrace. Diplomatic engagement at present is not going to end the occupation, or dismantle settlements; it is likewise frustrating to use political capital to address individual humanitarian cases.

But I believe we may be able to dismantle at least parts of the Separation Barrier, and ensure freer movement for Palestinians into these parts of the West Bank. Moving portions of the Barrier to the Green Line entails no security risk, and does not require any negotiations whatsoever with the Palestinian Authority. Israel has legal obligations to allow Palestinians free movement within the West Bank, and it must abide by those obligations. This year—the twentieth year of the Separation Barrier—is an excellent opportunity to highlight this issue, and I am confident that a combination of domestic litigation and international advocacy can bring about real change. ■

To learn more about HaMoked and their work, please visit their [English website](#), follow them on [Facebook](#), and [Twitter](#), or email them at [mail@hamoked.org.il](mailto:mail@hamoked.org.il).



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