

One State Conference, Harvard, March 2012
Speaker-by-Speaker Summary (Program attached at end)

By Jeff Warner

Introduction

Overall: About 250-300 people attended of mixed ages and about ½ women (hardly a skirt in the house except on some students), and 1/3rd Jewish (both attendees and speakers on day 1). Few hijabs and fewer keffiyah worn by audience and none by speakers. Fewer people attended on Sunday than Saturday. The conference was picketed both days by about a dozen “Stand With Us” types.

Many speakers noted the pressure on Harvard to cancel the conference, even from the sitting Mass. Republican Senator Scott Brown. There were several acknowledgement of the bravery of the student organizers to stand up to the pressure brought to bear on them by. Nevertheless, the conference went on with space and amenities provided by Harvard. But there was no general statement of support from the Harvard president or relevant dean as there was from three California State University presidents responding to pressure to cancel Ilan Pappé’s lectures on their campuses.

Duncan Kennedy (Harvard professor of Law): Worries that U.S. – Israel policy is not improving situation. Motivated by how to improve American status in region. Describes status quo dominated by two ideas – a one-state model in the West Bank and Israel, and a two-state model between the Gaza Strip and Israel, and both models are bad situations.

The West Bank is de-facto annexed by Israel and ethnically organized with Jews living under Israeli law and Palestinians living under military rule. This is more like the “settler-colonization” in Kenya and Algeria (both pre independence) than like South Africa.

Gaza is effectively a separate state but with Israel controlling borders, air, water, electricity, food, goods, everything. Suggests Gaza is a model for any two-state solution brokered by the quartet, and the situation is terrible.

Says the status quo is not in accord with International Law of human rights and the right of a people to self determination. Warns that Right of Return might not be better under an OSS than a TSS – all depends on the balance of power.

Panel 1: What Happened to the Two-State Solution?

Stephen Walt (Harvard professor of international affairs): Expressed my viewpoint almost exactly. Thinks TSS is the more likely option at this time. Says egalitarian OSS sounds great, but it has great difficulties, namely:

1. TSS is the international consensus.
2. OSS has no support among Israeli Jews, and little support (few %) among West Bank Palestinians. Abunimah objected to this argument saying surveys only do not survey only a small fraction of Palestinians in West Bank), and besides surveys are wrong.

3. Bi-national states do not have a good track record, but he ignored egalitarian democratic OSS.

Says TSS, promised by Oslo Accords, did not happen because all three parties – Israelis, Palestinians, and Americans – all made errors, although Palestinians errors had least consequences.

Used criteria of “what is best plan going forward.” Basically uses what I call Mearsheimer argument that if there is no TSS, apartheid will get worse; Palestinians will turn struggle into an equal rights and will be supported internationally to get the vote, and as Ehud Olmert said, that will be the end of Israel as a Jewish state. Says this outcome will be ironic and tragic because it will result because of Israeli right-wing actions (settlements, etc.) and end in exactly Jewish right wing does not want.

Ali Abunimah (Electronic Intifada): Abunimah’s remarks combined with his keynote address, below.

Eve Spangler (professor at Boston College): Described her observations over a series of years of the progressive more draconian dispossession of the occupation. She called it containment.

General comments on Panel on end of TSS: Discourse between Walk and Abunimah was both conflict and agreement. Conflict about solutions but agreement about problems.

Question asked by Palestinian who flew in from La Jolla, why not give each Diaspora Palestinian \$1 MM and he bets that the bankers of Tel Aviv would welcome them back. I think he has something. Sort of like my proposal to build desalination plants with 10% of U.S. funding of Israel to end the water problem in a decade.

Panel-2: What Is The One-Sate Solution?

Dalit Balum (Feminist Israeli peace activist, hair almost as short as Abunimah’s [JI]): Described status quo in Israel/West Bank as not sustainable. Says land is effectively one apartheid state now. Says in response to the wall, BDS movement making people aware, and international condemnation of Israel, Palestinians in Israel, even with the vote, are losing their voice in Israeli government, and the Israeli government is more opposed to Palestinian right of return and more determined to keep Gaza separated from the West Bank. These actions are tied in with rights and distribution of those rights and duties.

Says our movement should copy tactic of right-wing Jewish Israelis and act practically to gain an advantage now based on short-term changes on the ground, even if it may not be a long-term advantage.

Susan Akram (Boston Univ. professor of Law): Described the legal basis of Palestinian rights. Asserted that the law is essential to gain rights, and the OSS is the best solution to maximize human rights for all people and lead to a stable peace. Says law is important because it is an objective criterion to resolve the conflict, reminding us that political drivers have failed. But says law is not enough, the struggle must continue.

Reviewed applicable law for individual rights including the right of return and the right for property restitution (although noting that secondary [Jewish] residents also have rights). Emphasized the right of return is particularly solid being based on four distinct sets of law: Refugee law, human rights law, state succession law, and humanitarian law. Also noted that international law does not give Diaspora Jews

rights to “return” to Israel/Palestine, and that the Jewish people are not recognized as a “people” and there is no legality to Jewish privilege as established in Israel.

Discussed group or collective rights that relate to settlements and occupation pointing out that accession of territory is illegal and settlements are war crimes. Noted that Palestinians are a recognized population entitled to nationality and a recognized state. Noted that Israeli annexation of Jerusalem is illegal under international law.

Nimer Sultany (Harvard Law Dr. candidate; Palestinian citizen of Israel): Asserts Jewish Israeli have right of self-determination. But noted that all Jews world-wide are not a nation, just the Jews in Israel fit definition of a nation. Also notes that nationalism is only a few hundred years old, so the concept of a Jewish nation that is 2,000 years old is fraudulent.

Sees conflict as between Jewish privilege and Palestinian rights; a conflict between national and civic law. Israel chooses to enforce laws, from among Israeli, mandate, Ottoman, and Jordanian laws, that disadvantage Palestinians in favor of Israelis. An example involves land ownership and labor law where opposite legal regimes are applied in the case of labor and land ownership. For specific examples of how law is used to oppress Palestinians, see article in *Guardian* at:

<http://www.guardian.co.uk/commentisfree/2009/sep/08/israel-palestine-law-dissent>

Sultany proposed a non-territorial, bi-national state, although his idea seems not to be worked out in detail or in depth. He did talk of a bi-ethnic army and police and two parliaments with veto rights over actions by the other that might disadvantage them, and I guess (but disremember) a national parliament.

Besides Sultany, the only other speaker who considered a bi-national OSS was Stephen Walt, although he rejected it in favor of a TSS that he suggested, although difficult to attain, is more attainable than an OSS. All other Conference speakers seemed to be referring to an egalitarian, one-person, one-vote, democratic state when they talked about an OSS.

Ali Abunimah (Electronic Intifada): Abunimah gives a masterful talk, filled with caustic and maybe bitter remarks and asides. He spoke on a panel and gave a keynote address. On the panel he said Walt’s arguments are out of date. Said separation is only talked about for Palestine, not for other conflicts involving different peoples like Northern Ireland and Bosnia. Argues that change will only come from people power; from the bottom-up and not from the top-down.

In his keynote he said OSS is coming more and more into open discussion. Read opening paragraphs of the 2007 One State Declaration that he helped write at the Madrid conference as the best statement of the need for an OSS (<http://electronicintifada.net/content/one-state-declaration/793>).

For decades, efforts to bring about a two-state in historic Palestine have failed to provide justice and peace for the Palestinian and Israeli Jewish peoples, or to offer a genuine process leading towards them.

The two-state solution ignores the physical and political realities on the ground, and presumes a false parity in power and moral claims between a colonized and occupied people solution on the one hand and a colonizing state and military occupier on the other. It is predicated on the unjust premise that peace can be achieved by granting limited national rights to Palestinians living in the

areas occupied in 1967, while denying the rights of Palestinians inside the 1948 borders and in the Diaspora. Thus, the two-state solution condemns Palestinian citizens of Israel to permanent second-class status within their homeland, in a racist state that denies their rights by enacting laws that privilege Jews constitutionally, legally, politically, socially and culturally. Moreover, the two-state solution denies Palestinian refugees their internationally recognized right of return.

The two-state solution entrenches and formalizes a policy of unequal separation on a land that has become ever more integrated territorially and economically. All the international efforts to implement a two-state solution cannot conceal the fact that a Palestinian state is not viable, and that Palestinian and Israeli Jewish independence in separate states cannot resolve fundamental injustices, the acknowledgment and redress of which are at the core of any just solution.

Abunimah elaborated the rationale for an OSS beyond the One State Declaration that calls for justice and restoration of Palestinian rights; he argued that the TSS abandons a majority of Palestinians and condemns Palestinian citizens of Israel to second-class status because of Jewish privilege in Israel, and he argued that separation never works.

He discussed two types of OSSs: “consensual” in which two peoples have defined rights – sort of a bi-national, democratic state as discussed by Sultany, and “integrational” – sort of an egalitarian, democratic state. But Abunimah ducks question of preference between the two.

What he does say loud and clear is that partition never works. Partition leads to poor outcomes characterized by internal conflict, ethnic tensions, and population transfer. He says ethnic purity does not lead to peace. Abunimah says that an OSS is the only alternative to partition, but he does not consider a TSS with minorities in one or more of the states. I guess he would say that that is an unstable partition, and will develop into ethnic purity by transfer.

Abunimah talks about rights and remedies. He agrees that Israeli Jews have a right to self determination, but if they don't get that right a remedy of ethnic cleansing is not acceptable.

He talks about David project, an effort of Israel to organize Jewish American college students to keep discussion of OSS and criticism of Israel out of the conversation.

Supports BDS as a call of Palestinian civic society that seeks rights for three classes of Palestinians: citizens of Israel, West Bank and Gaza, and Diaspora. Says Finkelstein is wrong that BDS does not equal a call for one state nor for the end of Israel. Says BDS is an effort to shift the power balance.

Calls for the end of settler/colonialist privilege, and economic and social justice for all people.

During Q&A he was asked how to get to a OSS from here he said he did not know, but hypothesized that it may happen with a leader like South Africa's de Klerk who recognized that apartheid was not sustainable, and had the guts and political know how to effect a peaceful transition. Did not suggest a candidate for an Israeli de Klerk.

During Q&A a Zionist student in audience accused Abunimah of giving a hate-filled speech with no compassion. Abunimah responded for specifics and said he was only stating facts. Reiterated that equality does not mean Jews have to leave Israel/Palestine.

Panel-3: Nationhood and Cultural Identity; The Preservation of The Peoples

Mark Ellis (Baylor Univ. professor of Jewish Studies [J]): Gave a philosophical talk that I really appreciated. Discussed types of Jewish identity, among which he described “Jews of conscience” who follow the Prophetic tradition of universal justice. He was speaking about us.

He said goal is to preserve the people and evolve Jewish and Palestinian identity.

Heike Schotten (Univ. Mass professor of political science): Said that to get an OSS, the push must come from the bottom-up, and not the top down. This implies that the onus is on us – civic society.

Said Zionism that relies on fear of extinction is a barrier to any resolution of the conflict. Asserted that that idea is falling apart.

Sa’ed Atshan (Harvard, Ph.D. candidate Anthropology and Middle Eastern studies): Pronounced the TSS dead. Said OSS will preserve identities of Jewish and Palestinian peoples. OSS satisfies right of self-determination. The OSS involves equal rights so no one is privileged and each side can develop its own identity.

Elisha Baskin (Harvard student [JI]): Confession of an Israeli who threw off the Zionist mythology and predisposition taught to her as a child. Says OSS is only solution.

Diana Buttu (former spokesperson and legal advisor for the PLO who was involved in Israeli-Palestinian negotiations 2000 to 2006, the “heyday” of negotiations). Buttu described her role in negotiations with Israel – she met regularly with Israeli, American, and other diplomats, and came away disgusted. While talks went on, settlements expanded and all Israeli proposals were aimed at expanding Israeli control of the West Bank, never discussed Jerusalem, and the Israeli negotiators walked out if the right of return was brought up. Talks were mostly handshakes and photo opportunities with no substance.

It was clear that talks were a failure, and from this failure of negotiating a TSS that she argues for OSS. She pointed out that talks for a TSS exclude Palestinian citizens of Israel and Diaspora Palestinians. Beyond that, many reasons were blamed for talks failing. Buttu concluded that talks will always fail because all the “stars” will never be perfectly aligned. Recognized need for a different plan that will bring Israelis and Palestinians together rather than try to divide them. OSS is the obvious option.

In Q&A I asked her how to get from here to there – she said she did not know.

Panel-4: What Are the Obstacles to the Realization of a One-State Solution?

Amahl Bishara (Tufts Univ., professor of Anthropology): Palestinian citizens of Israel generally don’t support an OSS. This is partly because they are isolated from West Bank and Gazan Palestinians by travel rules for Israeli and other barriers to communication imposed by the occupation. But they do vote for Palestinian Authority [is that true?] and support BDS.

Elaine Hegelian (Smith and Simmons Colleges, professor emeritus of Political Science): Lack of support for OSS among Palestinians is due to fact that PA and PLO only ever asked for a TSS, the same TSS supported by the U.S., EU, and the international consensus. You can’t get an OSS if no one ever asks for it. Zionist settler/colonists worked to transform Israel-Palestine into a Jewish state.

Discussed obstacles to OSS:

- Western orientation of Israel mindset. Israelis lived in Middle East but did not adopt a Palestinian mindset.
- Switzerland-like in that there are many separate political jurisdictions.
- Israel nuclear arsenal built to assure Jewish transformation of the land, and the Israelis will not give up control of these weapons.
- Water.
- Immigration and demographic competition between Israeli Law of Return and Palestinian Right of Return.

Tamar Mann (Lawyer, human rights activist [JI]): Discussed aspects of forces within Israel that affect resolution of the conflict. Started by noting that West Bank settlers do not trust the Israeli government because the Gaza disengagement was done so poorly and the promised settler compensation is still not fulfilled. This makes it almost impossible for Israel to remove West Bank settlers.

Discussed difference between a “Jewish majority” and the “Jewish nature” of Israel. Said to maintain the first is essentially racism, but to maintain the later would be acceptable if maintaining Israel’s Jewish nature included space for establishment of a Palestinian state.

Asserted, but did not set out detail, that International Law is not as clear-cut as Susan Akram suggested.

Suggested that the best resolution of the conflict is to establish the right to vote for Palestinians. This is supported by some on the Israeli right, but with special provisions that will assure Jewish control. Also, these proposals always exclude Gazans.

Acknowledged the disparity of wealth between Jews and Palestinians, and suggested that the best remedy is through Knesset action. In fact, suggested that the best way to move forward on a range of issues is through the political process.

Said speakers at this conference who equate Zionism with racism are misstating the situation. Insisted that Zionism is more complex than just racism

Called for an OSS that expands, rather than undermines, the existing Jewish nature of Israel.

Ilan Pappé (Univ. Exeter, professor of History [JI]): Read a section from his forthcoming book focused on 1967, presumably the same section he read at his UCLA talk on Feb. 24. But first he celebrated two deaths: the death of the TSS marked by the PLO bid for U.N. membership in September 2011, and the death of liberal Zionism triggered by the death of the TSS. Said arguments for staying with the TSS, (1) it is the international consensus, and (2) focusing on an OSS detracts attention from Israeli sins of the occupation, are not persuasive. In fact, he argues that the OSS is the only way to remedy Israel’s systematic dispossession of Palestinians.

He noted that Israel is at a juncture between becoming an apartheid state or a democratic state. Said to understand the present choice we must understand how we got here, and said that events in 1967 are at the root of the drive to an OSS.

Pappé's manuscript starts with an Israeli military/police training class in 1963, four years before the 1967 war, on how to occupy the West Bank. The class was titled "Organization of military rule for occupation of the West Bank." Points out that this demonstrates that the 1967 war was part of a long-term Israeli plan to control all the land.

Goes on to describe Israeli cabinet meetings over three months immediately after the 1967 war that made established principles of how to govern the West Bank and Gaza Strip. Notes that these decisions were made by an extraordinarily diverse cabinet with representative of all Israeli political parties except the Arab parties, and the decisions made in May, June, and July 1967 have guided Israeli actions for the until today. These principles included:

- Ethnic cleansing ruled out because it would not be tolerated by the world community since hostilities were ended.
- Annexation ruled out because Israel did not want to absorb so many Palestinians as citizens.
- But the West Bank would be kept under Israeli control forever because it is the historic, biblical heartland of the Jewish people.
- Palestinians would not be offered citizenship to preserve a Jewish majority in Israel.
- A peace process would allow the establishment and perpetual continuation of the above principles.

The Israeli cabinet decided that Israel would give the Palestinians a choice to live in an open-air prison, or in a closed, maximum security prison. If the Palestinians accepted their fate, they could live in an open prison, but if they resisted then they would be forced into the closed prison. In fact, the open prison was the mode since 1967, except for the two intifadas from 1987-1993 and since 2000 when the closed prison is the mode.

He ended by noting that decolonization should be the goal, rather than a peace process.

During the Q&A, he made the following points. To a question on why Israel is insisting on recognition as a Jewish state, Pappé said that is a function of Israeli politics. He said from Ben-Gurion through Sharon, Israeli leaders were mostly concerned with facts on the ground and not worried about symbols. But the recent right-wing governments are worried about international delegitimization and use the call to be recognized as a Jewish state as a symbolic way to counter those threats.

Says there are regular Israeli army/police exercises that include expulsion. Pappé says THAT Zionists will be anything to protect Zionism, and if the circumstances are right that would include expulsion.

A questioner suggested that we should talk about colonization rather than occupation to get our message across. I would expand that suggestion, following George Lakoff, to use words that express our message rather than the message of our opponents. For example, I always use "Gaza bombardment" rather than the benign "cast lead" to describe the 2008-09 Israeli attack on Gaza.

Panel-5: From Here to There: Building a Global Movement

Leila Farsakh (Univ. Mass, Boston, professor of Political Science): Says OSS movement is for equal rights, not a state. It is non-violent and relies on BDS. Movement must work out how two peoples who have do not trust each other and consider themselves at risk from the other can live together. How can each side humanize the other? How to get over Jewish fear (justified or not) and Palestinian humiliation?

She says there is a Jewish and an Arab problem. The Jewish problem is asks how to create a new identity that ends Zionism yet includes Jews. Emphasizes that an OSS need not negate Jewish Israeli culture. The Arab problem is how the new identity can be part of the Arab world yet be 50% Jewish.

Calls for Israelis to interact with Palestinians.

Calls for dismantling the settler-colonial state (Israel) characterized by Jewish privilege.

Says the PA is dead. Palestinians should revive the PLO.

Sarah Schulman (CUNY-Staten Island, professor of English [J]): Says that we should focus on changing America rather than changing Israel because it may be easier because in American change come from subcultures. Suggests movement target LGBT, artists, academics, and a few others.

Described her efforts to bring Palestinian liberation message to LGBT community which has had some successes (success defined as well attended events). But notes there have been backlashes, and as gays are being accepted that are co-opted by the establishment to support the Israeli-Palestine status quo.

Says that Palestinians should present their community as multidimensional rather than just suffering Israeli dispossession.

Suggests that Palestinian need better media presence and savvy organizing. They should establish a modern media office in NY with an official spokesperson and a media promoter. This suggestion was vigorously rejected by Leila Farsakh.

Rabbi Brant Rosen (Congregational Rabbi, Evanston, IL & Rabbinic Council JVP [J]): Optimistic about movement because:

1. He is still employed even though he speaks out.
2. Sees younger generation getting engaged.
3. Sees desperation in Jewish establishment that triggers big efforts to control the conversation.

Calls for OSS discussion to be open to Jewish culture in the envisioned one-state.

Suggests the Palestinian struggle should move to demand human rights rather than a state.

Panel-6: A History of Violence

Nadim Rouhana (Tufts University, professor of Law and Diplomacy): Gave a powerful and profound analysis of the present colonial situation. Started by noting that Israelis fear of being delegitimized is based on their understanding that there is some truth in the accusations. Israelis want to maintain Jewish privilege and that is why they oppose the Palestinian drive for equal rights. They recognize they have a dilemma because they can't be both Jewish (which is essentially colonial) and democratic at the same time. This is a modification of the canard that Israel can only have two of its three wishes – to be Jewish,

democratic, and control all the land. It says that Israel has a binary choice: to be a Jewish colonial state, or to be democratic and control all the land.

Called for an end to settler-colonization of the land, and the establishment of a new political system similar to what happened in South Africa in the 1990s. He said colonization is the problem. Issues like water, settlements, checkpoints, etc. are buy symptoms of the colonization problem. He noted that colonization always breeds violence. Ending colonization would mean an end to separation, a defeat of the settlers, and an end to marginalization of Palestinians.

Called for a truth and reconciliation type process that would transcend the Israeli and Palestinian narratives to establish historical truth about the colonial project.

Timothy McCarthy (Harvard, lecturer in Kennedy School of Government): McCarthy gave a profound, emotional speech how he was affected by a trip to Israel-Palestine. McCarthy is a gay activist who is new to the Israeli-Palestinian issue. He was part of the first American GLBT delegation to Israel-Palestine (organized in part by Sarah Schulman). He spoke about the violence against Palestinians that permeates Israel that he observed in Israel and in the West Bank. He spoke of the extra difficulties/violence experienced by Jewish and Palestinians gays.

He called for a reconciliation and truth process that would acknowledge and enlighten the Naqba and violence of occupation/colonization as well as the holocaust. Following his mentor Howard Zinn, he called for a people's history of the Israeli and Palestinian peoples.

McCarthy called for a regime based on justice. He noted his worry and distrust of nationalisms, nations, and states.

Naor Ben-Yehoyada (Harvard, visiting professor of Anthropology [JI]): Described Price Tag activities where radical settlers attack Palestinian property in revenge for Israeli government moves the settlers disapprove of. Settlers act against Palestinians to send a message to the government. Violent, radical settlers reject the government authority. So do some of the ultra-orthodox. Both groups want the state to disappear in favor of Jewish law.