

CARY NELSON

ISRAEL DENIAL

*Anti-Zionism, Anti-Semitism,
& The Faculty Campaign
Against the Jewish State*



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For Paula, always

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ADVANCE PRAISE FOR *ISRAEL DENIAL*

Israel Denial is the first book to offer detailed analyses of faculty publications supporting the Boycott, Divestment, and Sanctions (BDS) movement; it contrasts them with options for promoting peace. These faculty have devoted a major part of their professional lives to delegitimizing the Jewish state. While there are beliefs they hold in common—including the conviction that there is nothing good to say about Israel—they also develop unique arguments to recruit converts to their cause. *Israel Denial* is also the first book to give substantial attention to anti-Zionist pedagogy. No effort to understand the BDS movement’s impact on the academy and public policy can be complete without the insight offered here.

“A substantial number of American university professors have dedicated themselves to achieving the elimination of the Jewish state. And Cary Nelson has done the worst possible thing that could ever be done to those people. He has read them. He has quoted their writings. He has analyzed the arguments. It is a demolition. It is bracing to see. It is inspiring.”

—PAUL BERMAN, author of *The Flight of the Intellectuals* and other books

“The Academic Engagement Network is pleased to support publication of Cary Nelson’s *Israel Denial*. The book is an intellectual *tour de force*, challenging work by leading scholars in the BDS movement who seek to shape public understanding of and teaching about Israel. If Holocaust denial promotes a false account about what occurred during World War II, failing all evidentiary tests, “Israel denial” reveals the academic invention of a nearly similar fictive account of the Israeli-Palestinian conflict, one designed to demonize Israel and dehumanize its people. Nelson brilliantly documents the shoddy, self-referencing nature of much of this scholarship. He identifies the impact these publications have on standards of academic integrity, on politicized teaching by BDS loyalists, and on the influence still others exercise in several prominent university presses. But Nelson is much more than a critic of BDS scholarship. He helps us see how the two-state solution can be revived, how both peoples’ desires for national sovereignty can be accommodated.”

—KEN WALTZER, Michigan State University,
Executive Director, AEN

“Cary Nelson’s book is as important for the academy itself as it is for the study of the Israel-Palestine conflict. A distinguished scholar of literature and a major leader of the American academy, he has never wavered in defense of the values critical to sustaining the scholarly enterprise. Thus, with regard to Israel and its conflict with Palestinians, he recognized the need to document the absolute loss of the values upholding academic standards. A complicated battle over land has been turned into a morality tale accusing Israel of the very crimes—genocide, ethnic cleansing—historically unleashed against Jews. *Israel Denial* is a book of tremendous significance—as much a rescue of the academy as a meticulous analysis of what has become the major discourse distorting the study of Israel. His chapters—like those on Saree Makdisi and Jasbir Puar—demonstrate an incredible range of knowledge. They also show how careful he is with his own collection of data. This book deconstructs a conventional wisdom that has been stitched together with false analogies, misused data, and just plain ignorance in the mainstream media. On the one hand, *Israel Denial* is dispiriting in showing how deeply politics can intrude on and compromise intellectual projects. On the other hand, the book demonstrates what can be achieved with traditional scholarly skills and honesty. For that, all of us should be grateful to Cary Nelson.”

—DONNA ROBINSON DIVINE, Smith College; President,
Association for Israel Studies

“In *Israel Denial*, Cary Nelson sets out ‘to take anti-Zionist faculty positions seriously and address them in detail.’ He accomplishes that objective and much, much more. *Israel Denial* is the most wide-ranging and incisive analysis of the academic movement to delegitimize and demonize Israel. With characteristic grace and insight, Nelson thoroughly exposes and refutes the arguments for boycotting the Jewish state, while also exploring pathways to actual peace and reconciliation.”

—STEVEN LUBET, Northwestern University School of Law,
author of *Interrogating Ethnography: Why Evidence Matters* and
other books.

“Once again, Cary Nelson steps up to the plate in the fight against BDS. *Israel Denial* presents detailed and thorough analyses of individual and collective “academic” publications in support of this dogmatic and intimidating movement. While it is sometimes difficult to blame young students, ignorant of the complexities of the Israeli–Palestinian conflict, for joining in the de-legitimization of the Jewish state, it is incomprehensible that faculty should devote their academic work and professional lives to justifying their anti-Israel ideology. Yet effective countering of the BDS movement warrants deep study and full understanding of the narratives and tactics academics use in the de-legitimizing campaign. Kudos to Cary Nelson on producing a brilliant book that challenges these anti-Israel publications and unmask the false, misleading, and distorted nature of the facts and arguments faculty use in their allegedly scholarly work.”

—RIVKA CARMI, M.D., President, Ben-Gurion
University of the Negev

“The campaign to boycott Israel wants to be seen as a symbolic marker of the true community of the good; it poses as the simple global resistance to the Israeli right. *Israel Denial* disrupts this dishonest and menacing positioning. It raises its banner within the community of the progressive, it articulates opposition to both the BDS and the pro-settler nationalist flag-wavers, it embraces a politics of peace and it consistently opposes both anti-Arab racism and antisemitism.”

—DAVID HIRSH, Goldsmiths University, author of *Contemporary Left Antisemitism*.

“This is a fine book on the strategies and argumentation of the BDS movement, and on some of its leading proponents. Nelson offers his readers powerful dissections and refutations of many of the BDS’s talking points, as well as some thoughts about moving towards accommodations regarding—if not a solution to—the Israeli–Palestinian conflict.”

—BENNY MORRIS, Ben-Gurion University of the Negev,
author of *One State, Two States: Resolving the Israel/Palestine Conflict*
and other books.

“Cary Nelson’s *Israel Denial* is a hard hitting, in depth analysis of the current opposition to Israel’s existence. While anyone who wants to uncover the inherent imbalance in the BDS movement would be well advised to read this book, it is also important for anyone who is concerned by a certain ‘group think’ that has permeated the academy. While this book is ostensibly about opposition to Israel, it is really about far more than that.”

—DEBORAH E. LIPSTADT, Emory University, author of
Antisemitism Here and Now and other books.

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PREFACE

Israel Denial examines the tactics faculty members have used to demonize, discredit, and delegitimize the Jewish state and contrasts them with specific ways to promote progress toward a resolution of the Israel-Palestinian conflict. By “denial” I mean to encompass a range of efforts to deny Israel’s moral and political legitimacy and its right to exist as a Jewish and democratic state, along with the effort to deny its citizens the right to political self-determination. As part of those efforts, a wide range of past and present facts are denied and falsehoods disseminated in their place. The anti-Zionist faculty members I profile have all supported the Boycott, Divestment, and Sanctions (BDS) movement, so I engage that movement’s collective strategies before tackling the work of individual academics.

A decade ago David Theo Goldberg and Saree Makdisi complained in “The Trial of Israel’s Campus Critics” that criticism of anti-Zionist faculty members’ work is typically “based on false, misleading, or nonexistent evidence—or sheer fancy.” Public complaints about anti-Zionist events as well, they elaborate, “have stuffed false, damaging, and demeaning language into the mouths of the critics of Israeli policy; twisted arguments and intentions to something altogether unrecognizable; and sometimes garbled, while refusing to discuss in any way, the substance of the criticisms expressed.” That piece, which I hadn’t seen until 2017, wasn’t the trigger for this book, but it does express a need this book meets—to take anti-Zionist faculty positions seriously and address them in detail. Of the faculty members whose anti-Zionist publications are discussed here, only Judith Butler’s work has accumulated a substantial body of scholarly critique, largely because Butler had acquired a considerable reputation before she began writing about the Israeli-Palestinian conflict. One other important example of detailed analysis is *Fathom’s* 2016 symposium on Perry Anderson’s essay “The House of Zion” to which I and others contributed.¹

Allowing widely read—or sometimes unread but nevertheless notorious—anti-Israel publications to stand unchallenged is unwise for a number

of reasons. It ignores the expectation of evaluation and debate intrinsic to the academic profession, and it leaves those troubled by elaborately mounted anti-Zionist arguments without the reasoning and evidence they need to engage with them substantively, whether in their own work or in their debates and conversations with others. It also leaves these books and essays free to influence faculty, students, and citizens who know relatively little about Israel or Palestine. That includes the majority of active supporters of the Boycott, Divestment, and Sanctions movement, many of whom have signed on to the BDS call for “justice” without seriously studying the issues and their history.

Although the chapters in *Israel Denial* are intended to have a cumulative effect—and some of the arguments are developed incrementally throughout—each chapter can also stand on its own. There are, however, references throughout to chapters that treat particular issues more thoroughly. Thus, for example, the Judith Butler chapter mentions personally initiated boycott actions directed against individuals but also points readers to Chapter One, which has a whole section on that topic. Nonetheless, people who want to read an analysis of Butler, Salaita, Makdisi, Puar, the challenges of teaching about the Israeli-Palestinian conflict, or of any of the other topics can go directly to those chapters. Without mounting an exhaustive survey of anti-Zionist faculty publications, *Israel Denial* presents a reasonably comprehensive account of the major arguments used to delegitimize the Jewish state. A full account would take on critics of Israel from still other disciplines that include dedicated anti-Zionists. Yet I also hope *Israel Denial* sets a standard for what thorough evaluation entails. Not every analysis of anti-Zionist scholarship must be this thorough, but we do need exemplary templates for analysis as detailed as these. Otherwise there will be no persuasive way to counter the faculty efforts to delegitimize the Jewish state.

Unlike the other books I have published, the experience of working on BDS’s hostile arguments meant that I could not simply complete chapter after chapter. I needed a break between the chapters confronting BDS arguments, and readers may feel the same need. Thankfully I could turn to the affirmative chapters, like the one on teaching Israeli and Palestinian poetry together. Although the mix of negative and positive chapters is central to this project, I am aware that it will present challenges to some readers. Without the positive recommendations, BDS allies could fairly ask what alternatives I am able to offer. Readers drawn to the goal of a Greater Israel encompassing the West Bank might prefer to have only the chapters critical of anti-Zionist academia in the book. I am not interested in offering easier experiences to either group.

Compared with other books I have worked on, this one required far more sustained discussion with experts in the fields I address. I could not take up subjects like Israeli law or the biology of nutrition without drawing on the knowledge of scholars who have spent lifetimes in such fields. At times I worried I might wear out my welcome by sending a dozen or more emails requesting commentary or information to the same faculty member. But people remained patient throughout. I was also lucky to have a library at the University of Illinois that gives all students and faculty online access to a large number of search engines and journals. That facilitated literature searches in fields where I had little preexisting knowledge.

My first experience in contesting the academic boycott of Israel came in responding to a boycott resolution up for debate in the Modern Language Association (MLA), the group that represents literature and foreign language faculty and graduate students, during the 2006–2007 academic year. I was president of the American Association of University Professors (AAUP), which publicized its principled opposition to all academic boycotts the same year. I was also raised in a Reform Jewish household, first within Philadelphia for eight years, then outside the city in Bucks County. My father had founded and served as the president of two synagogues. Throughout those years I believed in the necessity of a Jewish state. Though I am not observant, these cultural commitments have stayed with me and given me further reason to resist the BDS movement. They are part of the reason I became interested in and taught seminars in Holocaust poetry, part of the reason I have written about the role poetry played in the Third Reich. But the commitment to Israel was also part of a broader commitment to justice for all peoples. That is why I worked on behalf of Native American faculty at Oklahoma's Bacone College when the AAUP refused to take their case.²

It was during MLA debates, and, oddly enough, while serving on the AAUP's Committee A on Academic Freedom and Tenure for nine years, that I first encountered the especially visceral hatred of Israel that is sometimes witnessed among faculty members purportedly committed to the virtues of reason. David Hirsh in *Contemporary Left Antisemitism* describes this as “forms of hostility to Israel which constitute something more threatening, more essentializing and more demonizing than criticism” (185). Those experiences have remained my reference point for confronting evidence that anti-Semitism plays a role in what is said and written about the Jewish state and for interrogating anti-Semitism's influence on what claims to be scholarly research. As one reads through work by Butler, Salaita, Makdisi, Mitchell, Massad, Maira, and others discussed here, it is clear, moreover, that the BDS movement is about two things only: demonizing

and punishing Israel. It is no accident that the terms that give it a name—boycott, divestment, and sanctions—are all punitive.

I have long opposed academic boycotts based on a combination of principle and wide reading, but writing more broadly about the Israeli-Palestinian conflict required repeated research visits to the area. I have been able to spend many months in Israel, East Jerusalem, and the West Bank, supplementing my own funds by staying with friends and through grants from several foundations and non-profit groups. Thus, when an Israeli newspaper paid my way to speak at a conference, I stayed several extra weeks to interview both Israelis and Palestinians. It was never enough time but it nonetheless made possible the research behind many of these chapters.

I first travelled to Israel as a Shusterman Fellow in the program run at Brandeis University by Ilan Troen. Our group stayed in a Brandeis dorm and spent weeks reading and studying together before starting its whirlwind study tour on the ground. An invitation to speak at a BDS conference in Tel Aviv provided another opportunity. That was followed by another study tour and, in May 2018, by a trip to receive an honorary doctorate at Ben-Gurion University of the Negev. The formal trips meant that I could meet with people I could not easily contact on my own, from former Supreme Court Justice Aharon Barak to Knesset member Tsipi Livni to Palestinian Authority Ambassador Amal Jadou. The months I organized on my own meant that I could focus on my own research interests. But as anyone who travels to the area will testify, accidental interactions and friendships that develop are just as valuable. It is important to meet and talk with ordinary people, Jews and Palestinians—cab drivers, soldiers, teachers, business people, clerks, and many others. I would like to mention one friendship in particular, with the late Gina Abu Zalaf, the owner of the Palestinian newspaper *Al-Quds*, that developed over long conversations at the American Colony Hotel in East Jerusalem, but ended when she died suddenly and unexpectedly on a trip to London.

Grants from Israel Action Network (IAN) and the Academic Engagement Network (AEN) helped cover some of my expenses and are much appreciated. Both organizations thereby helped make this book possible. Neither IAN nor AEN or any of the other groups that supported my travel approved my schedules or interview appointments. I operated with academic freedom. No one suggested what issues I should address or what positions I should take in what I wrote on my return. Indeed I have sometimes taken political stands that some Jewish organizations or their board members would either oppose or find troubling. Chapters Two and Eleven provide obvious examples. While working on this book I have also

served as chair of the Alliance for Academic Freedom, a faculty group that promotes a two-state solution but when appropriate also issues statements critical of Israeli policy and US organizational tactics. If that has produced any consequent tensions, I have not had to deal with them. I hope that the books and essays I've published, including this one, justify the support I have received.

Over a period of years I have had the opportunity to present the book's key arguments before more than thirty widely varied audiences, including faculty and students in Canada, Israel, and the United States. The settings ranged from five New York City colleges and universities to five Chabad chapters in California, the latter including a chapter composed mostly of older Russian émigrés and one composed of young professionals and business people. I talked before a group of lawyers in Washington DC, the Jewish Federation chapter in Detroit, Hillel chapters on various campuses, the Institute for National Security Studies in Israel, and several different professional associations. I have been thanked by both Arab and Jewish students, but I have also had a few people walk out of my presentations. At Michigan State University I invited anti-Zionist demonstrators to come to the front of the auditorium with their posters. I have learned from all of these experiences, especially when the organizers granted me long discussion periods following a lecture. Live webinars from Partners for Progressive Israel devoted to the Israeli-Palestinian conflict have also been helpful.

For careful readings of one or more chapters or answers to research questions I thank Yehia Abed, Yuval Abrams, Mike Atkins, Pnina Sharvit Baruch, Ernst Benjamin, Russell Berman, Elliott Berry, Ken Bob, Paulina Carey, Rivka Carmi, Mark Clarfield, Mitchell Cohen, Steven M. Cohen, Dan Diker, Donna Robinson Divine, Peter Eisenstadt, Ron Finkel, Sam Fleischacker, Amos Goldberg, David Greenberg, Yael Halevi-Wise, Bethamie Horowitz, Brad Isacson, Robert Jennings, Alan Johnson, Menachem Kellner, Martin Kramer, Melissa Landa, Linda Landesman, Sharon Musher, Nimer Na'im, Yisrael Ne'eman, Nigel Paneth, Wen Peng, Derek Penslar, Asad Ramlawi, Elihu D. Richter, Alvin Rosenfeld, Brent Sasley, Raeeefa Shams, Kenneth Stern, Ernst Sternberg, Paula A. Treichler, Aron Troen, Theodore Tulchinsky, Avi Weinryb, Jeff Weintraub, Elhanan Yakira, Alexander Jakobson, Kenneth Waltzer, Yedida Wolf, Ruvy Ziegler, Steven J. Zipperstein, and many others. Any errors are of course my own responsibility. The help these people provided, I should emphasize, does not mean they would agree with all of what follows. My thanks also to the editors of *Fathom Magazine* for the careful fact checking and copy editing they provided when earlier versions of chapters five, nine, and eleven were

published there. The entire AEN staff provided superb copy editing for the entire book manuscript. For several years I have participated in the listserv for members of the Alliance for Academic Freedom (AAF) and Scholars for Israel-Palestine (under the auspices of AMEINU) on all issues related to Israel and the Israeli-Palestinian conflict. I have learned a tremendous amount from those daily conversations, and several members have helped with this book. The discussion group for Shusterman Fellows has also been a valuable resource. I have served as chair or co-chair of the AAF for several years. The photographs in Chapter Five were taken by Paula Treichler on May 2, 2018, when she and I visited the villages of Arab al-Na'im and Eshchar. In keeping with the practice I followed with my earlier books about Israel, I have waived royalties to help keep the purchase price low.

Following standard practice, I preserve the spellings in quotations. In my own writing I use the traditional spelling of *anti-Semitism*, preferring the long-running convention. As David Patterson writes, “it hardly need be said that anti-Semitism is about hatred of the Jews, and not about hatred of Semites in general” (ix). But some quoted passages are by people who prefer *antisemitism*. Although the term *anti-Semitism* did not gain currency until the late nineteenth century, it refers here to a phenomenon that dates to the early days of Christianity.

INTRODUCTION

Israel Denial is the first book to offer detailed analysis of the work a number of faculty members have published as books and essays or disseminated online, either as individuals or in groups, in support of the Boycott, Divestment, and Sanctions (BDS) movement against Israel. I contrast that work with options for peacebuilding. The faculty members whose work is addressed here have devoted a significant portion of their professional lives to delegitimizing the Jewish state. They represent a still larger group publishing similar work. While there are ideological and political beliefs they hold in common—including the conviction that Israel is a racist, settler colonialist state and that there is nothing good to say about it—they also develop distinctive approaches aimed at recruiting converts to their cause. The four chapters in Part Two about individual faculty are supplemented with analyses of publications and course syllabi by others in Chapter Seven and by Chapter Nine about a collective project demonstrating the character of BDS consensus. Two of the four faculty portraits also include analysis of related work by another faculty member: W. J. T. Mitchell in Chapter Five and Nancy Scheper-Hughes in Chapter Six. No effort to understand or counter the BDS movement’s impact on the academy or public policy can be complete without the insights such close readings provide.

There are many BDS supportive faculty members across the world whose knowledge of the Israeli-Palestinian conflict does not go beyond familiarity with the movement’s most popular slogans. They are satisfied with signing BDS petitions and gathering in groups to chant “From the River to the Sea, Palestine Will Be Free.” Those who go a little further in adopting BDS’s ideology will likely have embraced the three official BDS demands:

- removal of the separation barrier in the West Bank
- implementation of a right of all Palestinian refugees and their descendants to return to Israel
- a guarantee of legal equality for Arab citizens of Israel

They call for the security fence to be dismantled (only six percent of it is actually a wall) without considering that it functions as a provisional border between an Israeli and a Palestinian state and that it is a necessary part of preventing Israeli or Palestinian spoilers from pursuing violence to sabotage either peace negotiations or a peace agreement. BDS advocates are happy to endorse a right for all five million descendants of Palestinian refugees living in the Middle East to return to Israel; indeed they believe the much larger worldwide Palestinian diaspora has the right of return. Yet Israel is a country where very few of those Palestinians have ever lived. The BDS position is promoted without any awareness of what its consequences might be and without considering that no Israeli government would ever accede to such a demand. The movement does not ask how such impossible demands might actually affect peace negotiations. And, finally, BDS calls for full legal rights for Arab citizens of Israel without understanding that Arab citizens already have those rights. Of little interest are the less dramatic projects of working for better economic support and integration for Arab communities and fighting remaining areas of anti-Arab discrimination in Israel. These goals are less adaptable to slogans and histrionic demands and are usually absent from BDS agendas.

While these have remained the movement's three specific policy objectives, in October 2015 the BDS website announced a broad goal of turning Israel into "a pariah state" and embraced a more aggressive agenda for isolating and punishing it:

More needs to be done, however, to hold Israel to account and shatter its still strong impunity. Complicit governments must be exposed. Corporations that are enabling and profiting from Israel's human rights violations must pay a price in their reputation and revenues. Israel's military machine, including its research arm, must face a comprehensive international military embargo, and all Israeli leaders, officers and soldiers who are involved in the commission of the current and past crimes must be prosecuted at the International Criminal Court as well as national courts that respect international jurisdiction.³

The website also provides tactical guidance for its supporters, urging them to "pressure parliaments to impose a military embargo on Israel" and "consider legal action against Israeli criminals (soldiers, settlers, officers and decision-makers) and against executives of corporations that are implicated in Israel's crimes and violations of international law." When these imperatives are combined with the tactics enumerated in the academic boycott guidelines published in July 2014, the result is a comprehensive

plan not just to delegitimize Israel and its supporters worldwide, but also to do personal harm to Israelis and Zionists everywhere.

Although the achievement of a two-state solution would likely deprive the BDS movement of the overwhelming majority of its members—save those intransigent leaders who would soldier on, among them perhaps all or most of the faculty members discussed in this book—we should also recognize how the movement’s logic suggests it will never end. The BDS website insists that the boycott will continue until all three demands are met. And yet, even if a Palestinian state is established alongside Israel, the security barrier will remain, though its route may be modified. If it is removed, both Israelis and Palestinians will die unnecessarily. Nor will Israel agree to accept an unspecified number of new Palestinian citizens. It follows by BDS’s own logic, then, that even if peace should arrive, the boycott should be maintained, though the political pressure to support an agreement might well trump the movement’s controlling logic. Not that either the BDS members who have merely memorized the slogans or mastered the three core demands have likely thought any of this through.

This book is not, however, concerned primarily with either of those BDS cohorts. Its subject instead is the much smaller group of influential faculty members who pretend to understand these issues more broadly and who have written books and essays that aim to make original contributions to the anti-Zionist cause. These are often faculty members who have reached outside their earlier areas of specialization to embrace new research agendas on the Israeli-Palestinian conflict. Their books and essays are often published by academic journals and university presses, and they thus claim scholarly expertise. They ask us to take them as contributions to the academic search for the truth. And they aim to enhance the prestige and academic credibility of the BDS movement. The very existence of these publications gives even those who do not read them confidence that the movement is grounded in substantive research and argument. Such publications give the anti-Zionist agenda academic credibility, which is an important consequence of their dissemination; their effect cannot be countered without thorough analysis and critique. Yet originality in the field of anti-Zionist academic publication generally means little more than “tell us something bad about Israel that we didn’t already know.”

I have respect for people who take on new research agendas in the course of their careers, having done so myself. I began as a modern poetry scholar and continue to contribute to the field. But I have also written widely about the politics and economics of higher education. My work on poets of the Left led to the study of the Spanish Civil War. More recently I have travelled several times to Israel and Palestine, interviewed Israelis

and Palestinians, and published numerous essays and several books about the Israeli-Palestinian conflict. An intellectual life often goes in directions one cannot predict. But consistent standards for evidence have to apply throughout. As I will show, these essential standards of evidence are often missing from the work of faculty who devote themselves to the BDS cause.

In search of original contributions to make to the BDS literature—and as a way to establish unique identities as BDS advocates—a number of faculty have pressed BDS-related claims further than others or introduced new arguments to the debate. The four chapters in the book's second section each critique the work of a prominent pro-BDS faculty member with a significant body of anti-Zionist publications. The first of these analyzes Judith Butler's anti-Zionist and pro-BDS work. Butler is unique in trying to show implicit opposition to a Jewish state in several strategically selected prominent Jewish philosophers and in offering a model, no matter how far-fetched, of how the Jewish state might be dissolved nonviolently. She also makes a unique and quite presumptuous claim about how Jewish identity should be constructed. As the chapter analyzing his work details, Steven Salaita, who has perhaps claimed more potential for BDS to change the world than anyone else, purports to demonstrate not just a parallel between Palestinians and other more demonstrably indigenous peoples but also that Israeli leaders explicitly modeled their Arab policies on the way European settlers in the Americas treated Native Americans. His case also lets us see what problems can arise when a faculty appointment is championed for political reasons. Saree Makdisi wants to show that Israel is not only a racist and apartheid state but that it is actually worse than South Africa. He makes inaccurate statements about Israeli law and elaborates a distinctive theory of Jewish racism. You do not reform a racist apartheid state; you replace it. I give substantial citations from Israeli Supreme Court decisions to disprove Makdisi's uninformed claims about the status of equality in Israeli law. I print photographs of the houses in the Bedouin village of Arab al-Na'im that Makdisi thinks do not exist. Jasbir Puar has pressed the "pinkwashing" accusation further than other faculty and has championed the false rumor that Israel harvests major Palestinian organs for transplantation. She has also relentlessly pursued her belief that Israel has a continuing practice of permanently stunting, maiming, and disabling Palestinians. In the case of stunting, she ignores universal agreement by international health authorities, academic experts, and Palestinians themselves that this is not true. My analyses of factually flawed work by individual faculty culminate in the detailed accounts of publications by Makdisi and Puar.

These case studies are presented in a specific order. Because Butler defends the political and philosophical beliefs that underlie the whole BDS

movement, the chapter about her work is the first in the series. Salaita presses a number of BDS political arguments still further, so it follows that the analysis of his publications comes next. Though there are significant, even defining, factual errors in both Butler's and Salaita's anti-Zionist publications, Makdisi and Puar rely still more heavily on counterfactual arguments. They offer decisive examples of purported scholarship based on demonstrably incompetent and irresponsible evidentiary claims.

Sometimes the new arguments that BDS faculty introduce are accepted within their community as fundamental truths. Others have gained impact by elaborating on arguments already influential or by pushing the limits of BDS consensus. As the most prominent Jewish exponent of BDS positions, Butler has helped establish the BDS maxim that anti-Zionist and anti-Israel arguments are not anti-Semitic. Steven Salaita has consistently occupied the leading edge of BDS political thinking, pushing arguments and positions further than others and taking more extreme positions that only gradually become commonplace. Thus he has politicized and racialized the BDS assault on civility on campus in ways others have so far only partially adopted. If the praise and support Jasbir Puar has received is any indication, her particularly outrageous claims are endorsed by hardcore academic anti-Zionists throughout the US.

These case studies raise serious concerns about the status and character of professional judgment in the academy, especially when academic journals and university presses appear to approve publication on political, rather than academic, grounds. That discussion builds throughout to receive its fullest analysis in the Makdisi and Puar chapters and in the afterword.

I have concluded that these more ambitious anti-Zionist projects are also fundamentally anti-Semitic. I have reached that conclusion for reasons reflecting common, but not universal, BDS views built into the books and essays analyzed here: (1) they share with many BDS advocates a conviction that Zionism is racist at its core, despite the movement's historical transformation and complexity, the continuing evidence that many Israelis value their Arab citizen colleagues, and the fact that a majority of Israeli Jews have roots in Arab countries; (2) they believe the very idea of a Jewish state is illegitimate and that Israel thus has no right to exist; (3) they object to the founding of the Jewish state in 1948 and to the need for a Jewish homeland, not just to the military occupation of the West Bank that began with the 1967 war; (4) they assert that normal relationships with any Israeli institutions or organizations that fail to condemn Israeli government policy, including universities and arts groups, are unacceptable and should be ended; and (5) they dismiss the right of six and a half million Israeli Jews to political self-determination. This last reason echoes

contemporary examples of anti-Semitism listed in the definition adopted by the International Holocaust Remembrance Association (IHRA) in May 2016, a definition that adapts the earlier one issued by the European Monitoring Centre on Racism and Xenophobia. A number of other views held by devoted academic anti-Zionists that appear here are not universal in the BDS movement: (1) that Israel is a fundamentally demonic, destructive, and anti-democratic country about which little or nothing positive can be said; (2) that Israel is the world's most extreme violator of human rights; (3) that there are no meaningful distinctions to be drawn between a given Israeli government and the Israeli people as a whole; and (4) that distinctions between what is true or false can be set aside for purposes of political expediency.

But even these nine points are not sufficient to account for what marks these projects as especially troubling. The books and essays I discuss here tend to move beyond strong political disagreement to cross a line into what often seems better understood as extreme hostility or hatred. There is a relentless and unforgiving quality to their pursuit of an anti-Israeli agenda. That does not mean I am claiming that the people themselves are anti-Semites. You can adopt an anti-Semitic persona in what you write while maintaining Jewish friendships and seeing yourself as someone without prejudice. Of course that may involve considerable self-deception and rationalization, but faculty are no less subject to those tendencies than others. As Alan Johnson writes about the poet Tom Paulin in "Antisemitism in the Guise of Anti-Nazism," "there can be nothing gained by making a window into the soul of Tom Paulin and trying to answer the unproductive question: Does Tom Paulin have an antisemitic subjectivity? It is surely more productive to think about the structure and logic of the discourse Paulin is speaking, and that is speaking through him, and the relation of that discourse to previous iterations of Jew hatred."

In the third part of the book I address the other most important arena where BDS faculty have been active: course planning and classroom teaching. Faculty members in BDS-dominated academic disciplines in the humanities and soft social sciences feel increasingly justified in teaching courses designed explicitly to delegitimize Israel. Either all the assigned readings are anti-Zionist or a few from Zionist history are added to be objects of critique. Academic freedom gives faculty the right to teach that way, so long as they do not suppress or ridicule alternative student views, though it is very difficult for pro-Israeli students to stand their ground in a classroom with no sympathetic readings to reference. One of the few valid ways for other faculty to respond is to teach courses based on different assumptions. If there are no faculty qualified to do so, administrators

should fund appropriate new faculty hires. Visiting speakers can help, but that is not sufficient. Although one cannot insist that a particular course be “balanced,” the campus has responsibility to ensure that a representative range of historical, political, and cultural perspectives are included in the curriculum as a whole. As with the first part of the book, which pairs a chapter on BDS strategies with a chapter on ways to promote peace, the structure of Part Three is binary: a critique of BDS teaching is paired with a positive alternative. That alternative is from my own field of literary studies: a course comparing Jewish Israeli and Palestinian poetry that treats both groups of poems sympathetically and encourages empathy rather than hostility. That chapter is intended to show how courses on the Israeli-Palestinian conflict in other disciplines could be designed.

In addition to individual BDS faculty research and teaching projects, there have been several collaborative ones. I address one in Chapter Nine, “A Faculty Group Organizes a Boycott Campaign,” which describes the effort by Modern Language Association faculty to promote a boycott of Israeli universities. By their collaborative nature, such campaigns are more broadly focused than work by one person. The goal is to convince entire groups to adopt policies that condemn the Jewish state. The arguments the MLA project marshals compares with BDS efforts in other academic associations, so my analysis should be useful in thinking about campaigns by anthropologists, historians, and others.

In addition to Chapter Eight, which describes a course that promotes mutual understanding, rather than disparaging and frustrating it, the book opens and closes—as in Chapter Two’s “Five Components of a Peace Plan,” Chapter Three on Butler, and Chapter Eleven on limited unilateralism—with suggestions of policy and political changes that could improve the chances for a resolution to the conflict. I have no illusion that there is presently a partner for peace on either the Israeli or the Palestinian side. And the continuing rightward drift of the Likud coalition still in power in Israel as of early 2019 makes any set of recommended policy reforms seem almost utopian. It is remarkable that the Israeli government proceeds as if the West Bank status quo can be maintained indefinitely, which I do not believe it can be. Meanwhile there is no evidence of a long-term Israeli plan for the West Bank or the eventual status of its Palestinian residents absent a continuing military occupation. And support for creeping or definitive annexation, the ultimate political disaster, arises from government ministers and Knesset members.

But even a rightwing government can be driven by necessity and organized advocacy to adopt specific reforms. The efficacy and political viability of the proposals here have not been tested by mass movement

advocacy. The first step is to make the case for those proposals, as I do concisely here. We can do so in part to support those Israelis who have originated many of them; it is a political responsibility to offer them our support. One other important goal is to build the Palestinian Authority's credibility and capacity to govern by increasing the amount of territory it controls, along with reducing the sources of discontent and resentment on the West Bank, so as to make a negotiated peace seem plausible and substantially eliminate the possibility that West Bank Palestinians would vote for Hamas if given the opportunity. Without both more economic and political satisfaction other issues will continue to exercise control, among them the identity-based appeal of a sense of victimization. Chapter Eleven on coordinated unilateralism offers an option too radical for many supporters of Israel here and abroad, but it merits discussion as a route forward. Indeed, if the option I outline there proves unacceptable to Israel, a comparably persuasive and materially transformative alternative will need to be found. For the two-state solution can no longer be rescued by words alone. The future will require deeds.

PART ONE

CONTRASTING AGENDAS:
BOYCOTT VERSUS
PEACEBUILDING

CHAPTER ONE

THE GOALS AND TACTICS OF THE BOYCOTT MOVEMENT

This is a global, systemic and ongoing campaign to undermine the State of Israel's right to exist as a Jewish and democratic state. . . . On the practical level, the campaign seeks to harm Israel's economy, its international trade (exports and imports), its ability to integrate within the global financial networks, investment in Israel, its integration within cultural and academic communities, and the freedom of movement of Israel's leaders and their legal immunity. . . . The campaign is active throughout the world in a variety of domains and arenas in parallel, with mutual ties between them: conceptual-ideological, political-diplomatic, security-military, public, media-PR-consciousness branding, legal, judicial, economic, academic, cultural, and so forth. The delegitimization and BDS campaign is not managed as a hierarchical system with a central command and control but rather as a multidimensional and multi-arena network, which includes dozens of diverse organizations that share ideas and activities and maintain ties among themselves so that they can share resources and information, provide support, and consult and learn at numerous locations throughout the world.

—Assaf Orion and Shahar Eilam, eds. *The Delegitimization and BDS Threat to Israel and Diaspora Jewry*, 11-12

THE BASIC PROBLEMS WITH BDS

Before analyzing individual faculty contributions to the Boycott, Divestment, and Sanctions (BDS) movement—contributions that are broadly devoted to delegitimizing the Jewish state and supporting BDS—I provide a brief overview of the movement’s fundamental goals and weaknesses. As has been pointed out repeatedly, BDS leaders are explicit about wanting to eliminate the Jewish state. BDS founder Omar Barghouti declares that “accepting Israel as a ‘Jewish state’ on our land is impossible” and that the only solution is “euthanasia” for Israel; California State University political Scientist As’ad AbuKhalil maintains that “Justice and freedom for the Palestinians are incompatible with the existence of the state of Israel”; and *Electronic Intifada* cofounder Ali Abunimah concludes that “Israel’s ‘right to exist as a Jewish state’ is one with no proper legal or moral remedy and one whose enforcement necessitates perpetuating terrible wrongs” and “therefore it is no right at all” (44). The leaders of the BDS movement essentially speak in one voice. Nevertheless, there are certainly well-meaning faculty members and students who sign on to the BDS agenda out of frustration with a stalled peace process. They want to do *something* to voice that frustration, and they feel that Israel, as the more powerful party, is the most responsible of the two. BDS often seems the only game in town. They see no alternative form of action.

At the same time, no BDS spokesperson has offered a convincing explanation of the founding basis of the movement’s existence—the exclusive, exceptional charge that the state of Israel and its conduct is the world’s single most critical international political problem and its most serious source of human rights violations. Although the international left has had a single issue focus before—from the 1936–39 defense of the Spanish Republic to opposition to the Vietnam War to the struggle against apartheid in South Africa—the facts often warranted that emphasis. The facts about Israel do not. Attempts to explain the assault on Israel have sometimes taken on an absurdist character. When American Studies Association president Curtis Marez was asked why Israel was singled out for demonization, he quipped that “you have to start somewhere,” as though either the ASA or BDS’s international constituency was about to investigate, condemn, and police supposed injustices by other states. The alternative argument, that Israel is “Western-identified” and thus, unlike authoritarian states worldwide,

deserves to be held accountable when genuinely monstrous regimes are not, is morally bankrupt.

Human rights standards are seriously undermined when the relative severity of violations is ignored or dismissed. As the BDS movement evolved, the war in Syria progressed, leaving half a million dead, among them several thousand Palestinians, with repeated use of chemical weapons by Bashar al-Assad, mass bombing of civilians by both Syria and Russia, and the revival of medieval forms of torture and murder by ISIS. There has been no organized response by the international Left. It is widely considered pointless to ask “Why Israel?” The bombing of civilians and ongoing famine in Yemen is also largely met with silence. Nearly 100,000 children have died of malnutrition there. To claim under the circumstances that Israel is the world’s worst violator of human rights, as BDS advocates continue to do, is manifestly obscene. It depends on the fantasy that Israel radiates evil well beyond its borders, empowering a new version of a Jewish aim to control the world.

Those obsessed with the Jewish state, those who believe it is at the center of all the world’s ills, do not entertain any doubts about their fixation. Nonetheless, the point has to be emphasized, since it assumes the existence of a comparative judgment that is often discounted and that the facts would not support. The fallback position is to say that BDS is answering the unique 2005 call by Palestinian NGOs to support the boycott. Yet the contemporary boycott and divestment movement began in 2002, so the “call” of Palestinian civil society three years later did not bring BDS into existence, the call being instead an endorsement of political activity already under way. Any credible definition of human decency, moreover, would concede that the call of the dead and dying in Syria and Yemen on the conscience of the world sounds louder than BDS’s slogans.

BDS advocates three different categories of boycotts—academic, economic, and cultural. Economic boycotts in turn can be divided into those targeting products manufactured in Israel and those directed against investments in companies doing business there. Most local campus campaigns, organized by students and faculty, have urged divestment from stocks in those companies, though no responsible governing board is ever likely to give up its independent authority to manage university investments. Given that the votes are in that sense meaningless, despite the fervor with which the campaigns around them are waged, it is clear that a battle for long-term influence over hearts and minds is the real objective. Campaigns for a boycott of Israeli universities confront opposition not only from pro-Israel students and faculty but also from those who may have no special interest in Israel but believe open communication between faculty members

worldwide is fundamental to academic freedom and thus oppose all academic boycotts. Even though the American Association of University Professors (AAUP) includes some anti-Zionists among its national staff and elected leadership, it formally opposes all academic boycotts.

Both on campus and in professional and religious associations the BDS strategy is to put an anti-Israeli boycott on the agenda year after year. We now have examples in all categories of campaigns waged for a decade or more, often with acrimonious debates crowding out all other topics. Faced with a sound defeat, BDS forces nonetheless return the following year, often arguing that any effort to table the battle represents an effort to suppress their freedom of speech. On campus especially the debates are often based on identity politics, with pro-Israeli and pro-Palestinian students vying for premier victim status. Each group testifies to local evidence of discrimination and harassment and emphasizes how threatened and intimidated the debate makes them feel. Actual knowledge about realities in Israel and Palestine plays a decreasing role in these confrontations.

BDS drives on campus and in professional associations typically have a much harder time winning a membership-wide divestment or boycott vote, as opposed to one taking place only among elected student government or professional association representatives, especially if the entire student body or professional association membership is large and diverse. As votes at the Universities of Michigan and Minnesota in 2017 and 2018 demonstrate, however, years of campaigning can eventually win victories for BDS. A vote taken by a smaller elected group can be preceded by years of campaigning to get one's allies elected. The group that campaigns hardest, often without disclosing their candidates' real agenda, may win an anti-Zionist vote in a given year. BDS supporters often base their candidacy on another issue entirely, as when Stanford University's David Palumbo-Liu ran for the Modern Language Association's Executive Council as a purported champion of graduate students, whereas in fact his actual goal was to promote an academic boycott of Israel. In the book's afterword I describe the organized effort to deceive members of the American Studies Association about candidates' agendas. Both student governments and professional association governing groups end up partly composed of stealth candidates. The publicity produced virtually never acknowledges the deceptive political organizing that preceded the vote.

Faculty and students supporting BDS resolutions often say they want to pressure Israel to change its official policies. Yet BDS leaders have never agreed on a clear set of recommended policy changes, let alone a plan and a strategy for promoting them. Unsurprisingly, then, the BDS website has never advocated the kinds of practical policy changes recommended here in

Chapters Two and Eleven. Oddly enough, BDS actually brags that it limits its demands to its three main goals—a right of return for all Palestinian refugee descendants, the dismantling of the security barrier or “wall,” and full rights for Israel’s Arab citizens. The first two are wholly unrealistic and the third deceptive about the status of Israel’s Arab citizens.

In order to win support for a boycott of Israeli universities, the goal most often promoted in academic associations, BDS allies always insist that they intend to boycott institutions, not individuals. In what amounts to a brainwashing strategy, BDS members repeat this claim over and over again, despite it having been steadily disproven since the movement began. Institutions are not composed of empty buildings. As living enterprises, they are comprised of the people who work in them. If you tell faculty members not to write letters of recommendation for students who want to study in Israel, as BDS does, the most direct impact will be on the students you are hurting, not on the schools they want to attend. If you urge colleges and universities to cancel study abroad programs in Israel, as BDS does, you are constraining student choice and academic freedom. If you oppose research cooperation between American or European institutions and universities in Israel, as BDS does, you are sabotaging individual and group collaborative research projects already under way as well as those proposed for the future. The list goes on, but the point is already clear: BDS’s assertion it doesn’t target individuals is not merely deceptive; it is completely false. I provide numerous examples of BDS-inspired assaults on individuals in the next section of this chapter.

The problem persists because BDS campaigns promote comprehensive hostility toward Israel; that encourages individual students and faculty to take matters into their own hands and carry out actions against others in their community. As I detail in the next section and note again in the chapter on Judith Butler, these practices began in 2002 and continue to the present day.

This record of BDS and BDS-inspired assaults designed to discredit, harass, intimidate, or deny the rights of individual faculty and students is matched, ironically, by a parallel lack of substantive actions that could actually make a positive difference. Throughout its history, BDS has neither done anything that actually helps Palestinians in Gaza or the West Bank nor articulated proposals to do so. BDS support for the Palestinian narrative consequently has only limited political impact. Instead the movement offers students and faculty in North America and Europe opportunities to feel good about themselves, and to take symbolic actions that announce they stand for an abstract principle of justice.

One might reasonably conclude that the BDS movement's most damning flaw is its failure to address the most pressing needs of Palestinians themselves. I certainly thought so for a time. But developments in the US and several visits to the Holy Land convinced me there was a still more destructive strategy in the BDS playbook—the anti-normalization campaign. That campaign intensified in the summer of 2014 when BDS worldwide joined forces with the Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI) to distribute its Guidelines for Academic and Cultural Boycotts. This document included a prohibition against any relationships that would have the effect of “normalizing” relationships with Israeli universities and other institutions. Hence, in addition to the steps above, a series of boycott components were listed, all to be initiated as soon as possible. Among them: academic conferences held in Israel would be prohibited; reprinting papers by Israelis in US and European journals would be disallowed; collaborative research and exchange and study abroad programs should be shut down; and artists should refuse to perform in the Jewish state.

Within a year the anti-normalization campaign in Britain and the US produced a particularly destructive campus project: mounting efforts to shut down invited Israeli speakers. As I will detail shortly, that project has been under way at least since 2010. Indeed anti-normalization created what masqueraded as high principle—a supremely moral basis for rejecting all dialogue with those sympathetic to Israel, even if they were working to promote the creation of a Palestinian state next to Israel. In 2018 former faculty member Steven Salaita took this further than anyone else, demanding that Zionists be expelled from any progressive meeting on campus or elsewhere. Whether working on climate change, health care, voting rights, union organizing, or better race relations, groups should cast out Zionists before moving forward.

But what in the West resulted in student/faculty rejection of dialogue and debate coalesced in the West Bank as something far more sinister—the condemnation of any and all contact with Jews or Israelis that could be construed as “collaboration” or “treason.” These are actions that Palestinian paramilitary and terrorist groups are willing to punish by death. Thus Mohammed Dajani, a Palestinian faculty member who took a group of his Al Quds University students to Auschwitz, suffered an attempt on his life when he returned. That incident will be addressed more fully in Chapter Ten on “Academic Freedom in Palestinian Universities.”

In 2016 I was part of a small group that met in Israel with the director of an NGO that selects a group of young professionals each year—fifteen Israelis and fifteen Palestinians—and trains them in negotiating skills.

The goal is to prepare skilled negotiators to work together if the political environment should make it possible to revive the peace process. Among the assignments is to study the Northern Ireland peace process. The participants meet regularly for a year until a final session at a house on a windswept island off the coast of Sweden. That is the only building on the island and the session takes place in frozen conditions in the dead of winter. No one is inclined to go outside. The idea is to put the group in intense unbroken contact with one another. Then they practice negotiating a peace agreement, with the Israelis negotiating for Palestinians and the Palestinians negotiating for Israelis. The principle is that you cannot negotiate until you understand the other side, its history and self-perception, and the arguments it uses. I am permitted to talk about the program, but not name it. The whole process takes place in confidence—because the Palestinians who participate are risking their lives by doing so.

More broadly, the anti-normalization campaign makes it difficult—and often impossible—for ordinary Israelis and Palestinians to work together in practical ways to improve peoples' lives. The main exception is the continuing cooperation between Israeli and Palestinian security forces. That cooperation is the clearest foundation for the work that would have to take place for a peace agreement to be implemented. And yet BDS advocates, including some named in this book, consistently condemn it.

That is what anti-normalization means in an environment that most in the West prefer not to confront in its naked reality. It would at best be misinformed, at worst delusional, to imagine that the anti-normalization campaign here or abroad actually advances the cause of peace. Yet anti-normalization is altogether in harmony with everything else the BDS movement has sought to do since the 2001 World Conference against Racism in Durban—to demonize and delegitimize the Jewish state and all who stand with it. Chapter Ten, “Academic Freedom in Palestinian Universities,” takes up some of the consequences for universities, not by addressing what BDS faculty say and do to promote anti-normalization, but rather by revealing what anti-normalization does to faculty and other people.

These assaults on individuals are paradoxically where the BDS claim to go solely after institutions reverses course and gains double significance. First, because attacks on individuals' academic freedom causes personal harm; second, because they also constitute attacks on the principle of academic freedom and therefore on the institutions created to sustain, enforce, and cultivate that principle. The impact extends to every key element of the university mission—from scholarship and teaching to open inquiry and exchange, civil interaction, and productive discourse between colleagues. BDS advocates attack institutions in the person of faculty and students.

The AAUP gave academic freedom its most influential definition in 1915. Working together, groups of faculty now collaborate to define how academic freedom applies to contemporary technologies, from the internet to email to social media. Those updated principles become institutional policy that then apply to individual faculty and students. This continually developing process is but one example of how the confident BDS distinction between individuals and institutions is incoherent and meaningless, no matter how reassuring it is during BDS recruitment drives.

THE BDS-INSPIRED ASSAULTS ON INDIVIDUALS

In 2015, when I met in Tel Aviv with Bar Ilan University administrators to discuss the impact of the BDS movement, the rector reported that the university was experiencing increased difficulty getting US faculty to review its tenure and promotion cases. Following the pattern that obtains elsewhere, US faculty typically offer the usual reasons for refusing: “I’m overcommitted” or “This isn’t really my area of expertise.” But when Bar Ilan repeatedly had to go further down the list of potential referees than it had in the past, the university began to suspect that problem involved anti-Zionist sentiment, antagonism promoted by BDS activism on campus and in professional associations. There was no direct proof, but there was enough of a trend to suggest this as the likely cause.

I will review representative examples of boycott actions initiated by individuals—what I am calling “micro-boycotts”—as an increasing feature of academic life. The term “micro-boycotts” points to the intimate, individual character of the decision to implement them, signals that their target is one person, and differentiates them from the mass boycott movement that inspires them. Micro-boycotts include individual and small group actions, sometimes initiated by one person and joined by others. I examine select examples that have received public comment, along with others reported to me through personal contacts. I do not attempt to account for all the cases that exist, or even all the examples covered in the press. My aim is to gather enough examples to clarify the overall phenomenon. They range from anti-Semitic assaults on individuals to actions that violate codes for professional behavior and compromise academic freedom. Such micro-boycotts have a destructive impact both on campus culture generally and on the ability of pro-Israeli students and faculty to pursue their academic goals. Some people have allowed me to use their names;

others are vulnerable and wary of personal damage if they mark themselves as “trouble makers” and so requested confidentiality. In a couple of cases people began by asking for confidentiality, but, after some months went by, changed their minds. One accomplished scholar changed her mind after spending several unsuccessful years on the job market and finally deciding she had nothing to lose in going public.

There are several reasons why it is important to document this phenomenon. First, because the boycott movement falsely continues to insist that it targets institutions, not individuals. Where universities are concerned, that is simply impossible. People study, teach, and do research within and between academic institutions; when institutions or their programs are boycotted, individuals are the inevitable collateral damage. Second, as this essay will show, because the history of local BDS initiatives—contrary to the international movement’s claims—is precisely a record of attacks on individuals. Third, because analysis of events on only one campus disguises the existence of a national and international trend and ignores the pattern of copycat micro-boycotts. Administrators and faculty may be more likely to speak out and consider appropriate sanctions when they realize micro-boycotts are an international phenomenon.

It is important to make it clear that many personal boycott actions are protected by academic freedom and/or free speech rights. That includes advocacy for some actions, like academic boycotts, even though official university policy and most major academic organizations condemn them. Individuals in the academy are also free to refuse to attend conferences or other events at home or abroad; they can decline opportunities to establish research relationships with universities in their own country or elsewhere. They can boycott any domestic or foreign products they wish. In other cases, while individuals or groups are free to advocate for controversial policies, such as economic divestment or the cancellation of joint degree or study abroad programs, the campus should forthrightly reject such recommendations and continue to foster the relevant programs. After a Spring 2018 student divestment resolution was debated at the University of Illinois at Urbana-Champaign, the administration announced it would strengthen and increase collaborations with Israeli universities. My concern here is with political actions that undermine the rights of others, either students or faculty, some of which merit due process review and appropriate penalties.

Some micro-boycotts can be serious and devastating to people, whereas others are important mainly as indications that long-term norms and standards for academic conduct are under attack. When South African organizers of a Stellenbosch University conference on “Recognition,

Reparation, Reconciliation: The Light and Shadow of Historical Trauma” announced in November 2018 that they were cancelling scheduled presentations by several Israeli faculty and graduate students they were serving both purposes. They were in part responding to the malicious accusation that Israel is engaged in “incremental genocide” in Gaza (Kadari-Ovadia). Among those disinvited was Mohammad Dajani, a Palestinian scholar who was the victim of an assassination attempt because of his commitment to dialogue with Israelis. The South African Palestine Solidarity Committee asserted he was not representative of Palestinian views (Ebrahim).

Individual or small group anti-Zionist actions by their nature are wildly variable. Some follow the recommendations posted by the Palestinian Campaign for the Academic & Cultural Boycott of Israel in July 2014 that were promoted as a joint PACBI/BDS agenda.⁴ Others arise when circumstances turn pro-Israeli students and faculty into targets of opportunity for aggressive action. But all are fueled by the hostility promoted by the BDS movement’s public statements and organizing activities. Sometimes individual BDS-inspired personal aggressions pile on to form a serial chorus of assaults. As University of Chicago student Matthew Foldi recounted during May 2018 videotaping I arranged, “The first time that I spoke up for Israel in college I was greeted almost instantaneously by a barrage of hatred from my fellow students that escalated into anonymous online death threats; it was so specific to the day that I was supposed to die that I felt unsafe living in my own dorm and had to leave and stay over at a friend’s house.”

While anti-Semitic intent cannot be read into all micro-boycotts, it would be foolish to assume it is absent from personal slander or attacks on social media. Lawrence Summers’s widely quoted 2002 comment about divestment resolutions, which we will see Judith Butler critique in detail—that they are “anti-Semitic in effect if not intent”—is broadly applicable to the actions detailed here. Certainly when students or faculty are motivated to fabricate events or lie about someone’s else’s actions one may suspect that anti-Semitism, whether conscious or unconscious, has played a part.

Matthew Foldi’s personal experience combined private and public hostility, but the most widespread and repeated violation of academic norms has been a decade’s worth of public interruptions of Israeli speakers, beginning most pointedly with the repeated interruptions of former ambassador Michael Oren’s 2010 lecture at the University of California (UC) Irvine and continuing through the shout down of NYU and Hebrew University professor Moshe Habertal’s 2015 lecture at the University of Minnesota today. One could date the phenomenon with the interruption

of Netanyahu at Canada's Concordia University in 2003, yet that did not trigger a series of copycat protests. The number of disruptions of speakers varies, but two recent academic years, 2015-16 and 2017-18, have seen spikes in their number, with 22 events in the former and 24 events in the latter. The number dropped to 7 in the year between, 2016-17, perhaps in part because beleaguered programs at UC campuses and others like UT Austin with a history of disrupted and abandoned events decided not to invite Israeli speakers. That year, the disrupted speakers were at least able to complete their presentations. In comparison, the figures for earlier academic years are: 2010-11 (6), 2011-12 (13), 2012/13 (4), 2013/14 (7), and 2014/15 (11). Between 2010 and 2015, only two events were actually prevented from being completed. Between 2015 and 2018 the application of the "heckler's veto" actually closed down twenty-two. The statistics are maintained by the Israel on Campus Coalition with dates, institutions, and other information specified. Of the ninety-four disruptions listed, eighty were of Israeli speakers—including numerous Israeli soldiers, diplomats, and politicians, among them speakers at Independence Day celebrations.

The BDS belief that disrupting or blocking Israeli speakers embodies a higher ethical standard than allowing them to speak is now the playbook for left-wing disruptions and cancellations of right-wing speakers. The effort to pressure the UC Berkeley administration to cancel the February 2017 performance of Milo Yiannopoulos was led by a dozen faculty members, with Judith Butler and other BDS supporters in the lead. They argued that the community needed to be protected from Yiannopoulos's unquestionably offensive ideas and tactics—and that this need trumped academic freedom. Their stance helped justify the violent protests that actually forced cancellation. It was a lesson in how anti-Zionist passions can undermine academic freedom more broadly.

The standard for appropriate academic conduct has long been that speakers invited by a bona fide campus academic group deserve to give a public lecture uninterrupted. People can protest quietly by holding signs during a lecture or standing to signal their disapproval. I believe a brief noisy demonstration before a lecture begins, perhaps a minute in length, is also acceptable, but that repeatedly interrupting a lecture or trying to apply a heckler's veto and preventing a lecture from taking place should be a punishable offense. Perhaps the most striking example, captured in a graphic video posted on Youtube was when the accomplished editor of the British journal *Fathom*, Alan Johnson, was shouted down at his March 5, 2014, National University of Galway lecture in Ireland.⁵ With a student, Joseph Loughnane, moving forward and angrily yelling "You Zionist pricks, fuck off our campus, now" and heading a group of chanting protestors, the

heckler's veto moved from incivility and obscenity to physical intimidation. Loughnane was a leader of the local Palestine Solidarity Society and was on record claiming that "the Jews run the American media." In his essay in *Anti-Zionism on Campus*, Hebrew University philosopher Elhanan Yakira writes

A few years ago I was invited to participate in a roundtable in the most prestigious French institute of higher education, the *École Normale Supérieure* in Paris. The topic was "What is Zionism?" . . . The moment the person chairing the panel (a professor of political philosophy from the Sorbonne) began to talk, a group of youngsters rose up and began to shout slogans such as "Israeli murderer," "Child murderer," "Away with Israel!" and more. The youngsters—they all looked to me younger than twenty years old—were visibly organized. Three or four older ones, scattered in the hall, silently orchestrated the show, which lasted some three-quarters of an hour. The group then left, leaving almost no time and certainly no will for conducting a civilized and fruitful discussion. (349-50)

Public events have become an opportunity not just to interrupt a speaker but also to pursue false accusations against pro-Israeli faculty who attended the event. And we will never know how often the fear of disruption caused speaking events to be cancelled or never scheduled at all. In 2016 University of Haifa neuroscientist Gerry Leisman, Director of the National Institute for Brain and Rehabilitation Sciences and the author of hundreds of scientific papers, told me his lecture at a British university had been cancelled in an email stating that his government's policies made it difficult to bring Israelis to campus. That same year an alumni group working with Vassar faculty wanted to bring me to campus to offer some practical peacemaking alternatives to Jasbir Puar's lecture there, but not one faculty member had the courage to reserve a campus room, so toxic had the Vassar atmosphere become. In 2018 the same scenario unfolded at the University of Hawaii, where the belief that the Palestinians are Israel's only true indigenous people holds sway and leads people to restrict Israel-related campus events to anti-Zionist speakers alone. Some campuses are ruled by an inflexible and educationally restrictive political orthodoxy.

Most stories like this remain invisible, amounting to what Miriam Elman describes as "stealth boycotts." What happened to Leisman is now public. A comparable episode gained publicity when New York University Israeli filmmaker Shimon Dotan was disinvited from a 2016 Syracuse University conference on "The Place of Religion in Film." The invitation had come from University of Nebraska faculty member and conference

co-organizer William Blizek. Dotan was to screen his film *The Settlers*, which is actually unsympathetic to the settler movement. But he was nonetheless disinvited by Syracuse University Religion professor M. Gail Hamner, who was fearful that his presence would provoke a backlash from BDS colleagues. In her letter to Dotan, printed in *The Atlantic* by Conor Friedersdor, Hamner wrote “I now am embarrassed to share that my SU colleagues, on hearing about my attempt to secure your presentation, have warned me that the BDS faction on campus will make matters very unpleasant for you and for me if you come.”

As Friedersdor wrote, Syracuse faculty succumbed to speculation “that other members of their community would persecute them *merely for inviting a filmmaker to show his work* . . . Fear of ideologically motivated retaliation is affecting the content of the academic enterprise.” After the incident became public, Hamner apologized, and the University invited Dotan to show his film later that year. Yet fear of BDS retaliation had nonetheless scored a victory: an Israeli should be boycotted regardless of his political beliefs.

When anti-Zionist orthodoxy dominates a campus it can unleash a personally destructive hostile consensus. A newly emerging campus trend, sanctioned by BDS leaders, is particularly troubling, including Steven Salaita’s declaration cited earlier, that it was time to exclude Zionists from all progressive groups and collective projects. It no coincidence that many Zionists are Jews and that this vicious agenda thus has anti-Semitic implications. Within months this discriminatory call began to spread across American campuses. As it spread, Kenneth Waltzer, writing in *Fathom* in July 2018, alerted us to its character: “Jews were now automatically to be excluded from campaigning work with other progressive groups in popular causes; they were thought of as ‘privileged’ or ‘white’ and therefore as ineligible for membership in such coalitions.” At New York University fifty-one progressive student groups pledged to boycott Jewish progressive groups on campus (Dolsten). At Cal Polytech a student group urged that supposedly Zionist campus organizations be defunded.⁶

As these episodes make clear, micro-boycotts embody commitments, decisions, and actions by individual students and faculty members, but they do not take place in a vacuum. They are BDS victories in the struggle to win the hearts and minds of people who witness debates over whether to recommend academic or economic boycott action. When a boycott or divestment resolution is defeated, some supporters conclude that personal action is their only recourse, the only outlet for their moral, political, or professional convictions. Instituting a personal boycott can relieve

frustration, restore a sense of agency, and strengthen self-respect. Micro-boycotts can be satisfying skirmishes in the larger war of delegitimization.

When a BDS resolution is officially endorsed, the sense of righteous entitlement to act aggressively toward students or colleagues may grow even stronger. For faculty, the resolutions that most empower and encourage individual anti-Zionist warfare are those from their own disciplinary association. Once your own academic discipline concludes that Israel is a racist and colonialist state, it will seem, if not required, at least reasonable to speak up in public debates, and also—perhaps more consequentially—to teach from that perspective without qualification. Such effects rapidly followed the widely publicized December 2013 American Studies Association (ASA) boycott resolution. The one-sided pro-boycott resolution vote in Asian-American Studies, which preceded the ASA vote, received little coverage outside the discipline; the votes that followed ASA, including Native American Studies, and the more widely covered National Women's Studies Association vote, all gave faculty members in those fields the same encouragement to promote boycotts independently.

Both overt and covert politically motivated personal aggression become more acceptable when they have strong social support. But when BDS advocates actions that violate the codes that govern the academic profession, people will likely opt for covert action. More often than not, as the opening example from Bar Ilan suggests, that is the route of choice.

But sometimes people are so persuaded of the justice of the BDS cause that they declare their real micro-boycott motivation. That happened in 2002–2003 before the BDS movement was even formally inaugurated. That was a year after the infamous 2001 meeting in Durban, South Africa, when the proclamation that “Zionism is Racism” was effectively endorsed by those countries that had not already walked out of the meeting in protest. Academic boycott resolutions were debated in Britain and divestment resolutions debated in American universities—including Harvard, the University of California at Berkeley, and the Massachusetts Institute of Technology. The debates encouraged some faculty members to start their own individual boycotts.

Two British cases were widely discussed because the faculty members who acted made their reasons clear. In May 2002, University of Manchester faculty member Mona Baker removed two Israeli academics, Miriam Shlesinger and Gideon Toury, respectively, from the editorial boards of her journals, *The Translator* and *Translation Studies Abstracts*, because of their institutional connections to Israeli universities. Despite strong academic records, they were eliminated on the grounds of nationality and academic affiliation. No matter that both were committed human rights activists.

Another case made news in June 2003 when Oxford University's Andrew Wilkie, the Nuffield Professor of Pathology, rejected an Israeli student who had written to inquire about working in Wilkie's lab. The reason: like most young Israelis, the student, Amit Duvshani, had served in the Israeli army. Wilkie's letter to Duvshani made his motivations clear:

Thank you for contacting me, but I don't think this would work. I have a huge problem with the way that the Israelis take the moral high ground from their appalling treatment in the Holocaust, and then inflict gross human rights abuses on the Palestinians because they (the Palestinians) wish to live in their own country.

I am sure that you are perfectly nice at a personal level, but no way would I take on somebody who had served in the Israeli army. As you may be aware, I am not the only UK scientist with these views but I'm sure you will find another suitable lab if you look around.

Pressed to explain his action, Wilkie put Israeli army service on a plane with terrorist activity: "My stance was based on his service in the Israeli army and the violence that potentially entails. I would feel uncomfortable working closely with someone who had been through that, which you may not respect but I hope you can understand. The same would apply (to a greater extent, actually) for a palestinian terrorist (although I haven't heard of one applying for a PhD)." Wilkie added "My stance (which I do not retract) is anti-violence, whether by jewish, palestinian or any other people." Would Wilkie have applied such a "universal" stance against violence to a veteran of the US military, let alone one from Britain? Could student admissions then be based on a faculty member's personal distinction between acceptable and unacceptable military service?

In May 2006, Richard Seaford of Exeter University refused to review a book for the Israeli journal *Scripta Classica Israelica*, saying, "I have, along with many other British academics, signed the academic boycott of Israel, in the face of the brutal and illegal expansionism and the slow-motion ethnic cleansing being practiced by your government."

These examples show that personally initiated academic boycotts have a history and follow a pattern. Fast forward to May 15, 2018, when a religious studies professor sent a recent Israeli PhD the following email (I am withholding both names on request):

Thanks for your inquiry. If I understand you correctly, you wish to apply for funding to pursue a post-doc at Yale University and ask for a letter that would clarify a possible post-doc period at Yale, right?

If so, I would need a bit more information about the time period when you'd like to do this. I would also need a one-page description

of a research topic. Finally, we would need to schedule a time for a Skype interview.

I should say right away that there are two things that trouble me: First, you[r] research project might not exactly be matching to my research profile. Keep in mind that I am an intellectual historian and my prime interest lies in the history of ideas. Second, your ties with the IDF [Israeli Defense Forces]. I generally think that research and war should be two things kept apart from each other (by miles!). There is a particular concern with the IDF given its role in an ongoing military occupation that breaks international law.

Feel free to reach out to other professors at Yale if you don't wish to go through this process.

Except for the names, that is the entire text of the email. The young woman has made the choice not to file a complaint with Yale, no doubt reasoning, as the history of the academy demonstrates, that personal consequences can follow from being labeled a troublemaker. Oxford, it is important to add, sanctioned Wilkie that October, removing him from campus for two months without pay and requiring him to undergo equal opportunities training. As reported in *Times Higher Education* on October 31, 2003 ("Oxford rapped over Wilkie"), a leader of the British academic boycott movement, Stephen Rose, immediately protested the punishment as excessive. Wilkie resigned as a fellow. Whether Yale would similarly sanction its faculty member we will likely never know.

Whether either the Yale or the Oxford case constitutes anti-Semitism is open to debate, though both single out nationality-based army service for retaliatory action and are thus clearly discriminatory. I do not know of British or American faculty members who have taken a similar stand against admitting veterans from their own countries into their university, even though there was hostility toward Vietnam vets during the war. The passions that ignite actions against individual Jewish students and faculty, however, can lead people to cross a line into anti-Semitism. Sometimes such actions are solitary, but they can also be carried out by small groups.

It is worth quoting in detail the opening of a 2015 *New York Times* story by Adam Nagourney, "In U.C.L.A. Debate Over Jewish Student, echoes on Campus of Old Biases":

It seemed like routine business for the student council at the University of California, Los Angeles: confirming the nomination of Rachel Beyda, a second-year economics major who wants to be a lawyer someday, to the council's Judicial Board.

Until it came time for questions.

“Given that you are a Jewish student and very active in the Jewish community,” Fabienne Roth, a member of the Undergraduate Students Association Council, began, looking at Ms. Beyda at the other end of the room, “how do you see yourself being able to maintain an unbiased view?”

For the next 40 minutes, after Ms. Beyda was dispatched from the room, the council tangled in a debate about whether her faith and affiliation with Jewish organizations, including her sorority and Hillel, a popular student group, meant she would be biased in dealing with sensitive governance questions that come before the board, which is the campus equivalent of the Supreme Court.

The discussion, recorded in written minutes and captured on video, seemed to echo the kind of questions, prejudices and tropes—particularly about divided loyalties—that have plagued Jews across the globe for centuries, students and Jewish leaders said.

The video of Beyda’s interrogation and the subsequent debate, with student BDS activists eagerly leading the charge against her, was both incontrovertible and chilling. The case against her, clearly anti-Semitic in character, produced a vote against her—until a faculty member later argued that “belonging to Jewish organizations was not a conflict of interest.” Under pressure, students met again and approved her appointment to the board.

Caught on video, then driven to reverse themselves, the UCLA students had been publicly shamed and a public warning against comparable actions had been delivered. Or so one might have thought. But in the way that many stories are transformed in circulation, this one apparently arrived in some places as an inspiration to copycat actions. Two years after the UCLA incident, Hayley Nagelberg, a Jewish undergraduate on my own campus who is an active supporter of Israel and an opponent of the BDS movement, faced an almost identical anti-Semitic grilling. With campus meetings governed by the Illinois Open Meetings Law, the events once again played out in public.

As a member of the Campus Student Election Commission during a time when a divestment resolution was being debated on campus, she was accused by fellow members of being unable to make objective decisions about any issues that came before the group. They decided to remove her from the commission email list to guarantee she would have no input on any deliberations about the election, despite the fact that the Commission’s charter prohibits it from engaging “in discrimination or harassment against any person because of race, color, religion, sex, national origin, ancestry,

age, order of protection, marital status, genetic information, political affiliation, disability, pregnancy, sexual orientation including gender identity, unfavorable discharge from the military or status as a protected veteran.”⁷ She reports meeting several times with the campus Chancellor and a Vice-Chancellor, neither of whom would acknowledge that this violated her rights. They did nothing. Most alarming here is that Jewish identity was a comprehensive disqualification from participation in all the committee’s interactions and decision-making—not just votes related to Israel. Free speech rights should have assured her the ability to have a voice even in the divestment vote when it was discussed. Thus, anti-Semitism seems the probable explanation for her global disenfranchisement.

More blatantly anti-Semitic was what happened to University of Texas at Dallas adjunct faculty member Shellie McCullough in 2016 after she published a book analyzing the work of Israel poet and Holocaust survivor Dan Pagis, *Engaging the Shoah Through the Poetry of Dan Pagis*. Pagis is the author, among many other works, of the poem “Written in Pencil in the Sealed Railway-Car,” here translated from the Hebrew by Stephen Mitchell:

here in this carload
 i am eve
 with abel my son
 if you see my other son
 cain son of man
 tell him that i

The application of the Biblical story of humanity’s original murder to the Holocaust, combined with the aborted last line that cuts off the speaker’s voice in the rail car, has made this brief, exceptionally harrowing text one of the most famous and indicative poems of the Shoah. One of McCullough’s former colleagues, responding to her description of the book and accounts of the experience of researching and writing it, wrote her a series of Facebook posts, which I have read, breaking off relations with her. He faulted her posts about the book as an effort to “parrot the most imperial nations on earth.” Several other faculty members announced that they would boycott the book personally and encourage others to do so, all because it was about an Israeli poet. In response, I read her book and reviewed it in the *Journal of Jewish Identity*. Notably, none of those who wrote to McCullough took issue with a colleague who posted a picture captioned “having fun at the Dallas Nazi Cocktail Party.”

Most personal boycott initiatives, reflecting the principles articulated in the July 2014 PACBI/BDS guidelines for academic boycotts,⁸ involve

the anti-Zionist politicization of ordinary academic tasks, whether refusing to write letters of recommendation for a student who wants to study in Israel or disinviting an Israeli faculty member to campus to give a lecture. These garden variety assaults on the professional opportunities of Israeli students and faculty are usually disguised as innocently motivated. But once again the standard neutral frame is regularly violated.

Shortly after the American Studies Association passed its resolution urging the boycott of Israeli universities, a Palestinian Israeli⁹ doctoral candidate in Tel Aviv found it very difficult to locate an American faculty member willing to serve as an external examiner for his dissertation. It was an American Studies thesis written within the School for Culture Studies. Several faculty members explicitly cited the boycott as a reason for their refusal: Sorry, but we have to honor the standard to which our professional association is committed. The irony that the student is a Palestinian Israeli may have been lost on the faculty members, but they were informed of his ethnicity, and it carried no weight. The student is unwilling to reveal his name, but both he and his academic adviser Hana Wirth-Nesher, a Professor of English and American Studies at Tel Aviv University, have permitted me to go public with the story in this form.

Some faculty members honoring the ASA vote would presumably not wish to harm a Palestinian student. Yet they could as well decide that a Palestinian attending an Israeli university was violating the anti-normalization protocol. That motivated BDS faculty to condemn Lara Alqasem when she sought to attend Hebrew University. Nonetheless, this presents a challenge, since fair treatment of Arab citizens of Israel is one of BDS's three stated goals. The problem is parallel to what University of Illinois faculty member and boycott supporter Susan Koshy complained about. A boycott, she observes, is a blunt instrument; it targets innocent faculty like herself and guilty ones alike. She would apparently prefer a boycott that differentiates.

Many of those who've endorsed a boycott of Israeli universities are no doubt uninformed about the ethnic makeup of the student body and assume they are boycotting Jews. A majority of the students are Jewish, but many are Druze or Israeli Arabs: forty percent of undergraduates at the University of Haifa and twenty percent of the student body at Technion University. The boycott remains fundamentally anti-Semitic because it targets the Jewish state. And virtually all the targets of micro-boycotts are Jewish. But it also has consequences for others both in Israel and elsewhere.

The case of the University of Tel Aviv student brings us full circle to the Mona Baker affair of 2002 because it demonstrates once again how routine academic activities can be disrupted by individual micro-boycotts.

From 2012–2014, Jake Lynch, a Sydney University faculty member in the local BDS chapter, organized a successful drive to block Hebrew University political scientist Dan Avnon from spending part of his sabbatical at the Sydney Center for Peace and Conflict Studies, a status ordinarily considered nothing more than a normal professional courtesy. Avnon had also hoped to apply for a fellowship to support his stay at Sydney, but the Sydney faculty member refused to cooperate due to his boycott commitment.

There is perhaps one positive lesson to be learned from some of these cases. What damage to student and faculty rights and academic freedom can be done at the local level can sometimes be undone by local activism. When the odds are overwhelmingly against you, as they were with Janet Freedman, an education professor at the University of Massachusetts-Dartmouth and her few allies in the NWSA who wished they could change the association's anti-Israel stance, it was still possible to regroup and act in concert with like-minded colleagues. Finding herself "at a crossroads," as she put it in her video interview, divided between resigning and staying on to wage a lonely battle, she and others worked to sustain "a strong Jewish presence" in the organization. Some NWSA and ASA members left the organizations; others decided to stay and fight, though their numbers continue to decline.

Fighting back can sometimes reverse pro-boycott actions. After she graduated from Tel Aviv, Israeli student Bertha Linker applied to a web-based service in Spain to improve her Spanish. She was rejected because she was Israeli. But friends put her in touch with the Spanish embassy; with their intervention, the service backed down and enrolled her. So too with Rachel Beyda.

But a great many individual boycott initiatives remain under the radar, often because there is no smoking email as evidence and sometimes because the victims understandably do not want to suffer the professional consequences of pressing charges against the perpetrators or publicizing their cases. Still other academics self-censor to avoid paying a price for being Jewish or Israeli. As Ya'arit Bokek-Cohen of Israel's Academic College of Management Studies wrote to me, "After learning that colleagues have been summarily turned down for professional opportunities like giving a scholarly presentation or publishing a paper because they are both Jewish and Israeli, many of us have had to adapt to this highly stressful working environment. I sometimes omit 'Cohen' from my hyphenated name or refrain from giving the name of my country. That is what the BDS movement has driven us to do if we want to sustain our careers." For others the BDS movement turns a whole discipline into alien territory. As Janet Freedman agreed, "It has been extraordinarily alienating to have

my long-time academic professional association, the National Women's Studies Association (NWSA), completely overtaken by the BDS movement and its anti-Israel political agenda. It's hard to feel I still have a place in my discipline."

Some forms of BDS aggression toward individuals are designed to intimidate both them and others. That may partly explain the false accusations directed toward faculty members recounted in Andrew Pessin's and Doron S. Ben-Atar's collection *Anti-Zionism on Campus: The University, Free Speech, and BDS*. Here are a few examples (each of which receives essay-length treatment in their book):

- Shlomo Dubnov's case followed a February 2012 BDS debate at a University of California San Diego student government meeting on a divestment resolution. The resolution was defeated after Dubnov, a music professor, along with many others had spoken against it. Two days later the co-chair of the Student Affirmative Action Committee distributed an email with the subject line "URGENT: Students of Color Attacked on Wednesday 2/29," claiming that he witnessed divestment supporters being "verbally attacked and assaulted" and naming Dubnov as the perpetrator. The president of the Arab Student Union added, without identifying herself, that Dubnov verbally assaulted her on the way out of the meeting. A page attacking Dubnov was soon established on the University website; a number of SD Faculty Association members added personal letters demanding punitive action. In a violation of due process, the head of the SDEA, sociologist Ivan Evans, added his voice to those condemning Dubnov. Because the student was unnamed and there was no way to clear himself of the unofficial charges, Dubnov went to the Office of Prevention of Harassment and Discrimination and filed a complaint against himself! Videotaped evidence was cited in the original letter of complaint, but not shared. Then the video surfaced and the accusations revealed to be fabrications. Dubnov was cleared, but no action was ever taken against those who had lied. Meanwhile, as he put it in our video interview, he had learned how much "hidden, latent animosity there is in the faculty" regarding their pro-Israeli colleagues and their willingness "to tell lies and defame people."
- Jill S. Schneiderman, a Vassar College geologist, led a March 2014 class trip to Israel and Palestine to study water issues related to the Jordan River watershed. Twenty-eight students and three faculty went on the trip after six weeks of classes. After a September 2013 informational

meeting, campus protests about the course began. As Schneiderman writes, the claim was that “we were attempting to use environmental collaboration between Israelis, Palestinians, and Jordanians on water and other natural resource issues to distract from Israel’s oppressive policy toward Palestinians and Israeli Arabs” (321). Tensions mounted after the American Studies Association passed its academic boycott resolution in December 2013. In February 2014 members of Students for Justice in Palestine (SJP) picketed the course, thrusting fliers in the hands of students struggling to make their way into class: “Your participation in this class financially and symbolically supports apartheid and the degradation of Palestinians . . . The indigenous people of Palestine do NOT want you to come!” When concern was raised that blockading a class was inappropriate, that was racialized as “the response of white women to feeling threatened by brown and black bodies” (327). Protests culminated in a mass meeting organized by the faculty Committee on Inclusion and Excellence, where one of the CIE chairs announced that “cardboard notions of civility” would not guide the session. And indeed they did not: “belligerence, vilification, intimidation, and rage against Israel” dominated the meeting (324). The racial accusations escalated afterwards. One student concluded a sardonic Facebook post with “Them shits burn water, move mountains and get niggas sent to the dean’s office. All praise is due to white tears” (325). Despite the remorseless aggression, the field trip took place as planned, but the protest produced a partial BDS victory: a planned public display of student posters documenting the experience was cancelled to avoid further public conflict.

- Doron S. Ben-Atar, a historian at Fordham University, endured a protracted, Kafkaesque assault in 2014 in the wake of the ASA resolution urging a boycott of Israeli universities. At a small local American Studies faculty meeting in February, Ben-Atar announced that he would resign from the Fordham program and oppose it unless it took a stand against the ASA resolution. Shortly thereafter, he was notified by Anastasia Coleman, the director of Fordham’s Institutional Equity and Compliance/Title IX coordinator that a complaint had been filed against him. Since Title IX is a Federal statute dealing with sex discrimination, Ben-Atar had no idea what the complaint could be about and was surprised to learn it regarded the American Studies Program. But Coleman, in violation of AAUP due process guidelines, inappropriately refused to give him further detail. She was unhappy, moreover, to learn he had hired a lawyer, even though

the right to legal representation is fundamental not only to the US justice system but also to campus due process. Thus she ruled that the fact “you initially refused to participate in the investigation without your attorney present” made him subject to “a possible violation of the University Code of Conduct,” namely “engaging in, or inciting others to engage in, conduct which interferes with or disrupts any University function,” the “function” in that case being the operation of the American Studies Program. Ben-Atar never had a chance to defend himself. Indeed, he did not learn the incomprehensible nature of the charge—religious discrimination, based on his opposition to the ASA boycott and the local program—until he received a July letter exonerating him. Ben-Atar’s right to oppose the campus American Studies Program is clearly covered by academic freedom, but Coleman decided his actions were in violation of the university’s code of civility and recommended disciplinary action. She held that Ben-Atar’s decision to hire an attorney was proof of his guilt. In the end he was not sanctioned, but the process took its toll.

The book’s documentation of ad hoc personal brutality directed against pro-Israeli students and faculty includes some incidents especially notable for their crude malice. Southern Connecticut State University professor of English and Judaic Studies professor Corinne E. Blackmer was not a notable pro-Israeli activist, but she did have items on her office door proclaiming her lesbian identity and Zionist convictions. While Israel was militarily engaged in Gaza in 2008, that was enough to lead one or more people to deface her office door with “profane, hateful language that was anti-LGBTQ, antisemitic, and anti-Zionist” (76). Then a swastika was painted in mud on the door of her car in a campus parking lot and vulgar, threatening messages recorded on her phone. Julien Bauer, a political science professor at the Université du Québec à Montréal, was more outspoken in his Israel advocacy. After giving a radio interview criticizing a 2012 Montreal demonstration that featured Hamas flags and demonstrators chanting “*Ithbar Al Yahud*” (slaughter the Jews), he too found his office door defaced with anti-Semitic graffiti. Then the campaign against him spread to social media. A few graduate students demanded his resignation. His office door was vandalized again in 2015.

These and other examples of local boycott actions suggest a number of conclusions that serve as lessons for the future:

1. Some universities have only the most rudimentary and flawed procedures for due process.

2. Those individuals responsible for managing the campus investigative process may have little understanding of academic freedom or due process.
3. Cases that should be promptly dismissed may instead drag on for months, constituting *de facto* forms of punishment for pro-Israeli faculty members and their families.
4. The unbridled passions that fuel anti-Israel politics on campus mean that some people will readily lie to support charges against their Zionist colleagues; others will automatically assume pro-Israeli faculty are guilty of any charges levelled against them.
5. Unwarranted charges of racism are now a standard tactic to be exploited and used against pro-Israeli students and faculty; such charges must be forthrightly confronted.
6. A climate of fear and intimidation will prevent sympathetic faculty from publicly supporting pro-Israeli colleagues under attack; many as a result will be afraid even to offer private support.
7. A discredited smear campaign will nonetheless have a profound and sustained chilling effect on student and faculty speech.
8. Organized social support for anti-Zionist faculty meanwhile rewards those who join the chorus of accusing voices.
9. In this as in most other controversial matters, administrators are rarely sources of support for pro-Israeli faculty.
10. Sanctions against anti-Zionist students and faculty who lie in public or give false testimony in campus proceedings are unlikely.
11. Even a campus faculty association may not honor the principle of “innocent until proven guilty” when the campus climate is hostile to Israel and accusations are made against a Zionist faculty member.
12. A disturbing mob mentality may galvanize anti-Zionist students and drive them to protest or *ad hominem* attacks.
13. Administrators may decide whether to investigate an accusation not on the basis of the evidence available, but on the basis of the prevailing political climate on campus.
14. A pattern has emerged of local anti-Zionist groups creating an offensive incident, then inventing an accusation that shifts blame to the Jews in attendance.
15. Videotape evidence has sometimes been the only way pro-Israeli students and faculty have been able to disprove accusations and obtain justice; relevant public events should be routinely videotaped, and those videotapes should begin before the event starts and continue until the audience has dispersed.

16. Some individual boycott actions clearly contradict existing university opposition to academic boycotts; administrators need to condemn such actions as violations of principle.
17. As virtually all the individually selected targets of these micro-boycotts are Jewish, they send a threatening message of anti-Semitism to the campus as a whole.

In her contribution to the 2015 collection *Who's Afraid of Academic Freedom*, Judith Butler claims that the BDS movement displays “a certain studied indifference to whether or not individuals have particular political points of view, since individuals are not the focus of the boycott” (202). That observation was inaccurate even then. A few years later, in the wake of a continuing series of hostile micro-boycotts, it seems either disingenuous or completely detached from reality. When Butler tried to have me removed from a public January 2018 New York University meeting about the Israeli-Palestinian conflict, an effort noted by Liel Leibovitz in *Tablet*, her efforts did not embody a “studied indifference” to my political views. Indeed she announced that she had hoped to use the meeting to advance plans for boycott action during her forthcoming MLA presidency, but could not do so with me in the room. She then invited to pay her supporters’ travel expenses to join her in Berkeley for a BDS planning session without me.

Seeking redress in more of the cases described in this chapter might have a deterrent effect on others tempted to carry out aggressions against individual students and colleagues, but that will not suffice. Certainly students or faculty who testify falsely in university proceedings should face penalties. But the possibility that the Rachel Beyda incident had a copycat effect in Illinois, the clear evidence that efforts to shut down pro-Israel speakers feed on one another, and the chorus of support erupting in 2018 for those refusing to write recommendation letters for students applying to study in Israel all suggest additional steps are necessary. Some of these actions merit disciplinary proceedings, but many others can only be dealt with by calling attention to and condemning unacceptable behavior.

By promoting five widespread, intertwined convictions: (1) that Israel is an unreservedly demonic nation; (2) that the Palestinians are innocent victims without meaningful agency; (3) that the Israeli-Palestinian conflict is a Manichean struggle between the forces of good and evil, rather than one between two peoples with legitimate needs and claims; (4) that anti-Zionist agitators consequently occupy a position of unqualified moral superiority; and (5) that dialogue with Zionists is counter-productive and ethically misguided, the BDS movement has encouraged an ends justifies any and all means political philosophy. Hence the repeated local willingness

by anti-Zionist students to invent stories and lie to the press, the public, and the university community. The corrosive effect on university culture as a whole is so far barely being recognized, although we have already seen the willingness to shut down pro-Israeli speakers spread to efforts to cancel as well a whole range of rightwing speakers who students and faculty find objectionable.

We have to conclude that awareness of and respect for the rights and practices that should govern academic conduct is weak both nationally and internationally. It needs to be recognized, for example, that it is unacceptable to honor the PACBI/BDS principle that “international faculty should not accept to write recommendations for students hoping to pursue studies in Israel.” Faculty members are free to write or not write letters as they choose, but the standard should be the student’s accomplishments and capabilities, not a faculty member’s political opposition to the country where a student wishes to study. Similarly, the guidelines object to “Institutional cooperation agreements with Israeli universities or research institutes” and describes them as “schemes”; the freedom to negotiate such interinstitutional agreements and research relationships and participate in them is fundamental to academic freedom. One may complain about them, but not seek to obstruct them. That means education about professional values at all levels needs to be supplemented both locally and throughout the West. The benefits of an academic environment that promotes dialogue and mutual respect will need to be taught. Faculty and administrators need to promote that principle, and teachers need to embody it in the classroom.

The BDS movement, conversely, calls on its endorsers to implement the boycott on their own campuses by working to curtail collaborative efforts with Israeli universities and scholars; shut down events featuring Israeli leaders or scholars organized by faculty or students; boycott their university’s educational programs in Israel; deny students support for study abroad in Israel; and interfere with the equal, non-discriminatory treatment of all applicants for admission to graduate programs on their own campuses. All these actions to implement academic boycotts of Israel subvert the scholarly and educational opportunities or curtail the academic freedom of colleagues and students who are members of our own campus communities. Some of the actions above, along with other forms of personal assault, are carried out by students as well. Treating one’s own students or one’s student or faculty colleagues as collateral damage to a political agenda is wrong and violates the principles of collegiality and academic integrity central to our institutions. We must condemn such behavior in the strongest terms.

Until recently, we did not know whether any faculty members had acted on the BDS prohibition against writing recommendation letters for

those seeking to study in Israel or whether that simply remained a dormant, hypothetical tactic. But in September 2018 tenured University of Michigan American Culture faculty member John Cheney-Lippold emailed undergraduate student Abigail Ingber to say he just realized she was applying to study abroad at Tel Aviv University. In compliance with the boycott movement, therefore, he was withdrawing his offer to write a recommendation on her behalf but was happy to write her a recommendation for institutions outside Israel. He thus confirmed in writing that that he had no doubts about her academic record, which would be a valid justification for refusing to write a recommendation. Indeed he was clear that his motivation was political:

I am very sorry, but I only scanned your first email a couple of weeks ago and missed out on a key detail:

As you know, many university departments have pledged an academic boycott against Israel in support of Palestinian living in Palestine. This boycott includes writing letters of recommendation for students planning to study there.

I should have let you know earlier, and for that I apologize. But for reasons of these politics, I must rescind my offer to write your letter.

Let me know if you need me to write other letters for you as I'd be happy [sic].

In November 2018, the Academic Engagement Network and the Anti-Defamation League developed a joint policy on letters of recommendation that includes suggested language for faculty handbooks:

Faculty with teaching duties are often asked to write letters of recommendation. Such faculty are free to write or refuse to write letters of recommendation based on a range of considerations, including the number of requests, time to fulfill them, familiarity with the requesting student, and an assessment of the student's work. When faculty are asked to write letters of recommendation, their primary considerations ought to be academic merit and the student's qualifications. At times, faculty may also wish to consider institutional accreditation and quality of the program. But the decision to express or withhold support for students in the form of recommendation letters should not be influenced by political considerations. Considerations of academic merit, knowledge, preparation, and achievement are the appropriate metrics that should guide faculty in making decisions to write and in preparing such letters.

To impose a political litmus test on recommendations and refuse to write to a university in a particular country for that reason violates a student's right to apply for admission to his or her program of choice. Cheyney-Lippold told *Inside Higher Education* "I have extraordinary political and ethical conflict lending my name to helping that student go to that place." Yet Cheyney-Lippold confessed to the *Detroit News* that he had written letters for study in Israel until his tenure was approved, demonstrating that high principle was not his only guiding light. The argument, as put forward in other BDS contexts, is that opposition to Israel has a moral status that trumps lesser principles like academic freedom. After initially offering a weak expression of regret at Cheyney-Lippold's action, Michigan imposed reasonable sanctions: cancelling his scheduled merit increase and delaying his sabbatical. Meanwhile, multiple petitions and letters supporting Cheyney-Lippold appeared online, among them a rogue endorsement by the New York University AAUP chapter. Many students applying to study in Israel are Jewish and Israel is a Jewish state. Thus there is arguably an element of discrimination based on peoplehood, religion, and national status in this BDS strategy. That adds significantly to the need for clear university policies barring actions against students like those promoted by BDS advocates. There is urgent need for campus action developing such policies.

But we must also promote alternatives to the polarization of campus life encouraged by BDS strategies. The struggle to win back the campus as a place for reasoned discussion and analysis will be long and difficult. There is no assurance of success. The overall polarization of American political life, moreover, means that the polarization of engagement with Israel and Palestine has a ready-made structure to occupy. Our one overall option is to persist in advocating for justice for both peoples whatever the odds. That is the goal I outline in the next chapter.

CHAPTER TWO

FIVE COMPONENTS OF A PEACE PLAN

INTRODUCTION: THE REAL PRIORITIES IN ISRAEL AND PALESTINE

If the goal is progress toward peace and eventual implementation of a final status agreement with justice and political self-determination for both peoples, how do we get there? As I have begun to show—and will demonstrate more fully in the chapters that follow—the BDS agenda actually militates against these goals. How might we proceed instead? Much of the international effort to date has concentrated on identifying the main features of a peace agreement. That is essential work and fundamental to any analysis, but it is conceptually and politically inadequate. We must work both back from and forward beyond a hypothetical peace agreement. What can we do to create an environment in which peace negotiations seem desirable and realistic to *all* parties? What steps for implementing a peace agreement can help make it a success? This chapter aims to give concise answers to these questions.

A full treatment of how the peace process might be advanced would be the subject for another book, but I want to give an indication here of what

real priorities are for advocacy and action regarding Israel and Palestine. It is worth keeping the steps listed in this chapter in mind when we consider what BDS faculty offer us. I break this alternative agenda into five topics: (1) Governing principles for a two-state solution; (2) Solutions to two-state problems; (3) Improving West Bank Palestinians' lives; (4) What the people of Gaza need now; and (5) What those of us who share these commitments can do. I offer these ideas in the form of concise lists to enable their immediate use.

Debates about the Israel-Palestinian conflict in both Europe and the US most often take a familiar reified form. Israel's opponents attack the Jewish state and its defenders defend it. The exchange is binary; there is little room for sophisticated perspectives. Then the cycle repeats itself. And this goes on for months and years. Even severe critics of Israeli government policy who support the existence of a Jewish state find it difficult to escape this dynamic. The stalemate neither promotes understanding nor advances the cause of peace.

The consequences are increasingly severe. The endless cycle of attack and defense makes it difficult for people in the international community to promote solutions or encourage others to think about them. The PACBI/BDS opposition to any interaction that promotes "normalization" exacts yet a further price: it becomes difficult to advocate for significant improvements in the daily lives of Palestinians because such improvements require that the parties to the conflict work together in good faith and without hatred.

In Israel, Britain, and the US, NGOs have recently succeeded in putting flesh on the two-state solution, turning it from a slogan into a program, answering the challenges that have long been voiced, and identifying positive steps that could be taken now to build trust and keep the final goal alive. Despite a largely depressing political context for action, impressive progress has thus been made in analyzing the two-state goal and in proposing fresh, detailed, and very practical solutions to the problems two-state advocates confront. Yet to become familiar with the work that has been done takes a fair amount of reading and study. What follows adapts from and condenses these efforts into a manageable agenda for action.¹⁰

The BDS movement's refusal to promote any detailed or nuanced discussion of Palestinian needs makes progress in the areas addressed below nearly impossible. Debates on campus and in professional associations are deflected into mutually exclusive and hostile pronouncements, and opportunities to develop informed constituencies or cultivate expertise are seriously curtailed. Consider the single most pressing of the five sections below, the fourth in the series, "What the People of Gaza Need Now."

Some of the recommendations for Gaza, like increasing the fishing limit, could be initiated immediately. If that requires more extensive monitoring by the Israeli Navy to prevent weapons from being smuggled in, so be it. That is one of the humanitarian requirements of maintaining the blockade. Other steps, especially construction projects, will require an extended truce to be agreed upon and honored. That possibility was certainly under discussion again in 2018, though Hamas's capacity to control all groups in Gaza remains uncertain. While Israel, moreover, is always reluctant to appear to be rewarding terrorist violence, conditions in Gaza necessitate setting that concern aside.

By chance, two important and dramatically different books about Gaza appeared within a few days of one another in February 2018, Norman Finkelstein's *Gaza: An Inquest into Its Martyrdom*, published by the University of California Press, and *The Crisis of the Gaza Strip: A Way Out*, edited for Israel's Institute for National Security Studies (INSS) by Anat Kurz, Udi Dekel, and Benedetta Berti. As Finkelstein's past work and his book's subtitle suggest, *Gaza* is primarily devoted to making the case for condemning Israel. Little if anything is offered to provide a way forward; practical reform of Israeli policy is not part of Finkelstein's detailed critique of Operation Cast Lead or Operation Protective Edge.¹¹ The INSS volume, conversely, consists of fifteen coordinated essays by specialists addressing such topics as Gaza's interconnected water and energy crises, its economy, and its governance; individual chapters are devoted to the political and material roles Egypt, the Gulf States, Iran, Israel, Turkey, and the US have played. It is an extremely fine-grained analysis of Gaza's needs and the political routes and impediments to filling them. The two books would initiate two wholly different conversations about the Israeli-Palestinian conflict, one focused on demonizing Israel, the other focused on improving the lives of Gaza's residents.

The INSS book should be paired with "Ending Gaza's Perpetual Crisis: A New U.S. Approach" (Amr et al), the equally helpful and important report issued jointly by the Center for a New American Security and the Brookings Institution's Center for Middle East Policy in December 2018. It combines frank analysis of all the local and international interests affecting Gaza's future, along with detailed specifications for immediate and long-term relief. As the title suggests, it also seeks to redefine America's role in Gaza. Among the report's notable features is a compelling seven-step account of the cycle of violence in Gaza (9-11).

The challenge is to change the character and focus of the conversation on campus, in local communities, and in governments. Perhaps this chapter can help by getting people interested in reading more widely and

by establishing a series of talking points, discussion topics, and actions to promote. Too much emphasis for years—often an exclusive emphasis at the governmental level and in the international community—has been placed on final status negotiations. Action instead is needed soon on urgent needs in East Jerusalem, Gaza, and the West Bank.

If people find these suggestions worth further action, then they should advocate for them in their communities. Student and faculty groups can adopt subsets of these recommendations and promote them, beginning with focused educational projects. People who teach courses on the conflict can devote time to discussing them. Academic meetings can include sessions devoted to these ideas. It would also be helpful if some prominent Jewish organizations educated their members about these options and committed themselves to promoting them. All these groups should also organize to urge their elected representatives in Congress or Parliament to promote them and urge Israel to act on them. In some cases, the recommendations that follow entail reversing the Israeli government's current positions; in most cases, however, it is a matter of doing things not presently being done or doing them more aggressively. Promoting practical solutions will do greater good than voting for academic boycotts or building apartheid walls on campus, both examples of symbolic politics that promote hostility and have no practical effect.

Some Israelis on the right hope that improving Palestinians' lives will make them contented with the political status quo. BDS advocates actively fear the same result. While people with jobs, homes, families and the sense of a future, people who have something to lose, are less likely to risk them by engaging in violence, they will not abandon their drive for political self-determination. Strong evidence for that is apparent in the post-1967 history of the West Bank. From 1949-1967, the Jordanians never implemented a higher education system for the West Bank. After 1967, the Israeli military authority did approve the creation of Palestinian universities, and the resulting access to advanced training and education produced improved opportunities for many. But it also increased Palestinian political aspirations. Palestinian university communities did not become quiescent, contented enclaves.

But carrying out a relevant, strategic, and effective politics that promotes the agenda outlined below will not be easy. The BDS movement will not adopt these ideas, at least not in the foreseeable future. At the January 2017 Modern Language Association meeting I distributed a two-sided, single sheet flier with one side devoted to suggestions for Gaza and the other devoted to the West Bank. At an anti-Zionist session a friend and I put them on all the chairs before people arrived. Two Duke University

faculty members took seats in the front row, scanned the flier, then stood up, turned around and faced the audience, and each ostentatiously tore the flier into tiny pieces and threw the fragments to the floor.

Promoting these ideas will require a far more fine-grained conversation than we are having now, one that will need willing participants. It will also demand different forms of scholarship than prevail now. It will necessitate identifying priorities and organizing on that basis. Many of the issues raised below will be entirely unfamiliar to both BDS activists and supporters of Israel. Thinking about them will require going well beyond the well-worn slogans that have energized constituencies in the West so far. Yet it is not an insurmountable challenge; interested groups can begin by differentiating between the short-term and long-term goals they want to promote. The immediate task is to identify priorities and advocate for them both individually and through collaborative political action. Instead of succumbing to despair, those who believe in a two-state solution should mobilize for its realization.

1. GOVERNING PRINCIPLES FOR A TWO-STATE SOLUTION

(A) As part of a two-state agreement, Israel would (1) explicitly abandon all ambitions to establish a Greater Israel encompassing the West Bank; (2) commit itself to accepting a modified version of the pre-1967 borders; and (3) agree to the division of Jerusalem with East Jerusalem as the capital of a Palestinian state. The Palestinians would (1) specify that a final status agreement would settle all issues and end the conflict; (2) recognize Israel as a homeland for the Jewish people, and agree that the right of return for Palestinian refugees would be limited to returning to a Palestinian state and, except for those who have immediate family members who are Israeli citizens, not to Israel; and (3) accept a form of non-militarized sovereignty consistent with restrictions to guarantee Israel's security. Despite public posturing by both parties, there has already been basic agreement on these points among participants in negotiations. One general principle that can guide negotiations is that a solution will combine separation and collaboration. Physical separation into two states, with a physical barrier, can include cooperation in security, infrastructure, and economic development. That will make it possible over time to relax security constraints.

(B) Even with a final agreement in hand, achievement of a Palestinian state could not be fully realized overnight. Full implementation could take

a decade, though progress toward its realization should begin now, even before formal negotiations commence.

(C) Implementation would occur as “a conditions-based, performance-dependent area-by-area phased redeployment of Israeli security forces with target timetables, benchmarks, and an effective remediation process.”¹² As I detail in Chapter Eleven, a chapter effectively paired with this one, the first area targeted for redeployment might be the northern area of the West Bank—between Jenin and Nablus—given the relative lack of Israeli settlements to be evacuated and the economic and political practicality of anchoring the area with Palestinian cities at each end.

(D) The Palestinian Authority would maintain an enhanced security force equipped with mutually agreed-upon weapons. It would include an elite counter-terrorism unit capable of handling internal threats both to its own and Israel’s security. That security force would be composed of “vetted and protected personnel, including intelligence officers to detect terrorist activity, counter-terrorism forces to raid sites and arrest perpetrators, forensics experts for site exploitation, pretrial detention officers to ensure prisoners do not escape, prosecutors and judges to conduct trials and issue warrants, and post-trial detention officers to ensure prisoners are not released early; and stand-alone detention facilities.”¹³ The security force would be equipped to handle potential terrorist attacks by spoilers opposed to an agreement and strong enough to prevent the overthrow of the legitimate governing authority by force. Although cooperation between Israeli and Palestinian security forces has generally been effective for some time, the full spectrum of Palestinian capacities listed here does not yet exist; it would have to be developed and strengthened over time.

(E) Israel would not continue to limit Palestinian mobility within an established Palestinian state and would not intrude on Palestinian territory with ground forces short of a grave emergency like a foreign army invading the Palestinian state. An agreement might establish conditions in which Palestinians could request Israeli military assistance, but it is highly unlikely the Palestinians would sign one providing for Israeli re-entry. Israel, however, “is a sovereign state that enjoys the right of self-defense,” and it could invade another state if necessary.¹⁴

(F) Israeli settlers would be financially rewarded for willingly leaving areas east of the security barrier and in a staged process those refusing to leave would be physically removed by the IDF from a future Palestinian

state. They would be given new housing in exchange for the loss of their homes and be reimbursed for moving costs. Israel needs to pass legislation to enable the first of these goals. Settlers would also have incentive to move because of the loss of IDF troops stationed near their settlement.

(G) The overall goal is the creation of a single Palestinian state composed of both the West Bank and Gaza and governed by the Palestinian Authority, but a condition for its realization is a complete dismantling of Gaza's offensive military capacities, including all attack tunnels and rocket and missile systems.

(H) Israeli, Jordanian, and Palestinian Security Forces would share data from a detailed traveler database encompassing watch lists and biometric data for secure identification. This would ease the transit across borders for pre-approved travelers.

(I) In the interim period prior to the establishment of a Palestinian state, Israel must enforce law and order on the West Bank, prosecuting violations by both Israelis and Palestinians under the same legal standards.

(J) In the interim period prior to the establishment of a Palestinian state, Israel must take responsibility for restoring law and order to Palestinian neighborhoods in East Jerusalem and villages nearby, meanwhile upgrading municipal and welfare services there and making them comparable to those available in West Jerusalem. Economic investments in East Jerusalem should be encouraged both regionally and internationally. A continuous police presence is needed to eliminate illegal weapons and curtail criminal activity. The goal is to increase personal security for both East and West Jerusalem, while giving economic hope to those who presently lack it.

(K) There must be no formal Israeli annexation of any West Bank territory prior to a negotiated settlement.

2. SOLUTIONS TO TWO-STATE CHALLENGES

This is not intended to be a comprehensive or fully detailed list of problems and solutions, but rather a representative list of frequently raised issues. The sources I list in the notes and bibliography provide further detail.

(A) PROTECTING BEN-GURION AIRPORT. Border areas near Ben-Gurion airport would not transition to Palestinian control until some years into the implementation of the two-state process. Construction would be restricted in sensitive areas. Building and even agricultural crop height would be restricted.¹⁵ Confidence in the enhanced counter-terrorism capacities of the Palestinian security forces would be a precondition for the final phase of Israeli withdrawal from areas near Israel's airport.

(B) THE JORDAN VALLEY. The rise of ISIS and Iran's intrusion into Syria have increased Israeli concern about the security of the Jordan Valley under a Palestinian state. The defeat of ISIS did not convince Israelis that other regional actors will not present a security threat. Proposals to answer these concerns include establishment of a two-kilometer wide security zone along the Jordan River. It would parallel and be comparable to the security zone Jordan has established on its side of the Jordan Valley. Palestinian security forces would monitor their side of the border but with participation of American military and limited presence of non-uniformed Israelis. Given Israeli lack of confidence in the United Nations, American military representatives would be the international force of choice. A physical barrier would supplement the monitoring personnel. Discussions with Palestinians suggest that they would not find construction of such a barrier to be politically acceptable until a final status agreement was signed. The multi-layered physical barrier would be supplemented by electronic surveillance.¹⁶

(C) INTERNAL SECURITY OF THE PALESTINIAN AUTHORITY
(see the GOVERNING PRINCIPLES section above)

(D) A PALESTINIAN AIRPORT. It would be a matter both of pride and economic opportunity for a Palestinian state to have its own airport. Despite restrictions necessary to Israel's security, arrangements for both a Palestinian airport in the Jordan Valley and an offshore Gaza port facility are possible and desirable. The airport would be restricted to licensed commercial carriers, as well as medevac flights, helicopter airlifts, and counterterrorism units. Private civilian flights would not be allowed. Palestinians could exercise sovereignty from the ground to 10,000 feet, with Israeli Air Force planes free to traverse Palestinian territory above that level. Palestinian pilots and air traffic controllers would be carefully vetted and monitored for security clearance. Regional coordination of flights would be maintained, with provision for Israel taking temporary control of Palestinian airspace in the case of a national defense emergency.¹⁷

(E) JERUSALEM. Israel must revise its policy by stating clearly and unequivocally that it has no claims to sovereignty over the Palestinian neighborhoods and villages of East Jerusalem. In 1967, Israel annexed the Palestinian neighborhoods and villages surrounding Jerusalem to the city's municipal jurisdiction, despite the fact that they had not previously been part of the city. This hasty and coercive move was an error of historic proportions.

3. IMPROVING WEST BANK PALESTINIANS' LIVES

Both for humanitarian and strategic reasons there is cause for Israel to move efficiently to improve the quality of daily life and economic opportunity on the West Bank. "Ending Gaza's Perpetual Crisis" has a useful chart comparing Gaza, the West Bank, and Israel which reports a West Bank unemployment rate of 18 percent (13).¹⁸ A 2018 World Bank report, however, points out that the poverty rate in the West Bank has been reduced from 18 percent to 13 percent since 2011.¹⁹ Reducing resentment, tension, friction, and antagonism can counteract the impulse toward violence and help build the trust and sense of hope necessary to resolve the continuing Israeli-Palestinian conflict. A short-term decrease in tensions, it is important to realize, will not reduce the Palestinian determination to achieve their national ambitions through statehood. Improving the prospects for statehood, however, depends on an internationally supported project to improve the Palestinian economy by developing concentrated Palestinian industrial zones, including zones near the border with Israel. As of 2015, international priorities had shifted and West Bank economic growth had declined. The Syrian refugee crisis led to further shifts in international priorities. It should be noted that there is strong support in the Israeli military for improvements in West Bank infrastructure. I also believe that economic development must be linked to convincing progress toward a two-state solution. That goal can be partly strengthened by changes in Israeli government political policies, but it will also require a significant action that dislodges the political status quo with a material change in West Bank political arrangements. Here are steps Israel can take that could reduce conflict and lead to increased support for a two-state solution:

(A) Announce a formal policy decision ending settlement expansion east of the security barrier.

(B) Issue a firm declaration that Israel has no permanent territorial ambitions east of the security barrier.

(C) Strengthen the formal commitment to maintaining the status quo on the Temple Mount/Haram al-Sharif.

(D) Expand the collection of biometric data for Palestinians seeking to work in or visit Israel. Use that data to vet and pre-approve thousands of Palestinians for rapid entry into Israel. Establish separate fast lanes at checkpoints to make transit for those Palestinians much easier and more efficient.

(E) Issue 50,000 additional work permits for Palestinians seeking employment in Israel proper, in addition to those announced from 2016-2018. The February 2016 decision to issue 30,000 additional permits was an important first step. The additional 20,000 announced in 2018 helps. Unemployment is a major source of suffering and discontent, and the West Bank economy is intricately bound up with Israel. Those Palestinians who want to work in Israel should be able to do so. Unlike the 50,000 Palestinians who work in Israel illegally, Palestinians with work permits can easily return to their homes at the end of the day.

(F) Complete the missing sections of the security barrier, making adjustments in its route as appropriate and implement a strict border control regime along its full length. Violence is typically perpetrated by Palestinians passing through gaps in the security barrier, not by those Israel approves for passage from the West Bank through checkpoints.²⁰ Gaps in the security fence also make it possible for Israelis to smuggle weapons onto the West Bank. Reducing Palestinian violence would reduce support for punitive actions like house demolitions and increase confidence in the peace process. Reducing the flow of weapons into Israeli settlements should help curtail Israeli violence as well. If the fence and those monitoring it can assume more of the burden of guaranteeing security it should be possible to reduce the level of Israeli intrusion into Palestinian life.

(G) Assist with laying down new water lines in the West Bank to help further develop Palestinian agriculture. Increase water allotments for Palestinian farmers, and encourage use of recycled water, a practice that works very well for Israeli agriculture.

(H) Make it easier to ship Palestinian agricultural products and manufacturing goods across the West Bank into Israel and to port facilities for shipment elsewhere, including to countries that do not trade with Israel. Additional paved roads should be constructed in Palestinian areas.

(I) Increase ease of financial exchanges between Israeli and Palestinian banks and improve internet connections and wireless communications on the West Bank. A November 2015 agreement between Israel and the Palestinians was designed to enable Palestinian telecom companies to provide 3G service to the West Bank, but Palestinians should have immediate access to a 4G broadband mobile network.

(J) Establish an international small business loan fund to support initiatives in the West Bank.

(K) Approve new West Bank Palestinian cities, including a second model city like Rawabi.

(L) Arrange for approval of Palestinian building permits and begin planning for the transfer of ten percent of Area C to Palestinian control under Areas A & B, thereby linking many of the fragmentary segments of Areas A & B, as designated by the Oslo Accords, into continuous territory before a settlement agreement is reached. Transferring this relatively small amount of territory to Palestinian Authority control will strengthen the PA's ability to secure law and order, enhance its capacity to govern its people, strengthen the Palestinian economy, and legalize thousands of homes currently under threat of demolition. It will also be a politically persuasive step toward a two-state reality. A more limited territorial transfer now, as detailed in Chapter Eleven, could make this more ambitious step plausible and jump start the peace process.

4. WHAT THE PEOPLE OF GAZA NEED NOW

A group of over 280 former Israeli generals, security officials, and high-level police officers have confirmed a United Nations warning supported by a number of international sources: without significant interventions, the Gaza Strip may be largely unfit for human habitation by 2020. In its 2018 book, *The Crisis of the Gaza Strip: A Way Out*, which, along with "Ending Gaza's Perpetual Crisis," are the two best guides both to Gaza's needs and to the political maneuvering by several countries that affects

any effort to meet them, Israel's Institute for National Security Studies (INSS) confirms Gaza's humanitarian crisis. Even if the 2020 threshold for unlivable conditions in Gaza, which is only a year away, proves overstated, the assessment in "Ending Gaza's Perpetual crisis" stands: "Its nearly 2 million residents live amid a man-made humanitarian disaster, with severe urban crowding, staggering unemployment, and a dire scarcity of basic services, including electricity, water and sewage treatment . . . Gaza's instability further fosters instability in neighboring Sinai while creating opportunities for external extremist influence (2)."

"Ending Gaza's Perpetual Crisis" lists Gaza's unemployment rate at 53 percent (12). Its poverty rate increased from 39 percent to 53 percent from 2011 to 2017 (12). "By any measure, Gaza's economy is failing" (11). Israel Policy Forum's online summer 2018 project "50 Steps Before the Deal" adds further detail and numerous supporting videos. Nearly 20,000 apartments or houses were destroyed during the summer of 2014; as of May 2017 30,000 people still had only temporary housing. The electrical grid is disintegrating and is currently only intermittently functional, having been limited to four hours service per day. A November 2018 agreement brokered by Egypt, Israel, Qatar, and the UN arranged for Qatar to fund \$10 million in fuel for Gaza from Israeli suppliers each month; though there is no guarantee it will not collapse, it increased the daily electrical supply to twelve hours or more (Halbfinger). Sewage treatment is essentially nonexistent, with substantial raw sewage flowing in the streets, deposited in the Mediterranean, saturating the water table, and contaminating coastal areas in Gaza, Egypt, and Israel. The risks to health are substantial and pandemics a real possibility. The shortage of drinkable water is acute, with almost all the water in Gaza's coastal aquifer now contaminated and undrinkable. Unless averted, this humanitarian crisis is likely to produce a political crisis of considerable dimensions. Hamas seems largely uninterested in improving residents' lives, the Palestinian Authority is reluctant to enhance Hamas's status by doing so, and Egypt is unwilling to open the Rafah crossing on Gaza's southern border permanently or assume any responsibility for Gaza's humanitarian needs. But Israel has a vested humanitarian and security interest in ameliorating what appears to be an impending disaster. Although Israel left Gaza in 2005, it still controls access by sea, supplies much of the area's energy needs, and oversees its coast and its northern and eastern borders. A coordinated effort to improve Palestinian lives in both the West Bank and Gaza simultaneously should help persuade people that Hamas is not being rewarded for its pursuit of violence. But that will not be sufficient. Whatever is done in the West Bank will have to include a very persuasive action that reinforces movement toward a two-state solution

so that improvements in both areas are linked to political progress. My Chapter Eleven represents my suggestion for an action that will send that message. Meanwhile the humanitarian crisis in Gaza opens opportunities for still more violent actors to seek advantage there, including ISIS spinoffs, Palestinian Islamic Jihad, and Iranian proxies. Israel should help achieve these short-term needs and long-term goals:

(A) Increase the number of trucks delivering basic goods that pass from Israel into Gaza through the Kerem Shalom and Erez crossings (at Gaza's southeast corner and northern borders, respectively). Encourage Egypt to reopen the Rafah crossing on Gaza's southern border permanently, with appropriate vetting to prevent travel to Iran for military and arms manufacture training. Eliminate the smuggling of weapons, many of them supplied by Iran, through remaining underground tunnels between Egypt and Gaza. Establishing an additional commercial crossing point between Israel and Gaza would help Gaza's economy and relieve the overburdened Kerem Shalom crossing.

(B) Urge the Palestinian Authority to accept and cooperate with the necessity of humanitarian aid to Gaza. The PA has followed a policy of denying resources to undermine Hamas.

(C) Expand Gazan fishing rights in the Mediterranean to at least fifteen miles, which is still less than the twenty miles promised in the Oslo Accords. The distance has been set at six and nine miles recently, though during periods of crisis it has been reduced still further. In summer 2018 it was cut to 3 miles. There would be both economic and nutritional benefits. Estimates are that even increasing the limit to 12 miles would increase the catch by fifty percent.

(D) Issue additional permits for Gazans to work in Israel, with thorough security vetting, and activate those permits. Ease entry restrictions on travel to Israel for medical services. Amr et al report that nearby farming communities in Israel are eager to hire Gazans. One could begin by approving people who worked there previously. There is a critical multiplier effect achieved by adding to the salaried Palestinian workforce; each salary supports on average seven people.

(E) Proceed expeditiously to build the large solar field in Israel near the border to supply Gaza with additional electricity. A solar energy field can be built fairly quickly and inexpensively.

(F) Assemble an international coalition to meet Gaza’s acute sewage treatment needs.

(G) Expand opportunities for Gazans to study abroad; work with Egypt, Jordan, and the Palestinian Authority to enable more Palestinians to exit through the Rafah crossing and travel through Cairo or Amman for that purpose. Institute a pilot program for carefully vetted Gazans to study in the West Bank.

(H) Curtail Hamas’s diversion of materials and resources into tunneling activity and military buildup. Encourage internationally supervised expenditures on reconstruction of Gazan housing, medical facilities, and infrastructure. The UN has so far failed to enforce the 2014 Gaza Reconstruction Mechanism that was designed to prevent repurposing materials for military use. Explicit sanctions to be applied if Hamas repurposes aid need to be put in place, and reconstruction work needs to be internationally monitored. These moves should enable Israel to relax its restrictions on movement of dual-purpose items into Gaza.

(I) Encourage additional agricultural and manufacturing exports from Gaza to Israel, the West Bank, and elsewhere. Imports and exports do not present comparable security risks for Israel. Although transport of goods from Gaza has been substantially increased since 2011–2014, the 2016 level was still only 15% of what it was in 1999.

(J) Call on international aid organizations to help fund and carry out the reconstruction of Gaza’s electricity infrastructure, including upgrading transmission lines, expanding the capacity of Gaza’s power station, and facilitating the Gaza power station’s transition to natural gas. Israel on its own should increase the electrical power it supplies to Gaza and connect Gaza to its natural gas transmission network. Gaza’s small power plant is supplemented by Israeli and Egyptian electricity, but the combined electricity supplies less than half the need. “Ending Gaza’s Perpetual Crisis” recommends doubling the Egyptian supply to over 50 megawatts and doubling the Israel supply to 200–240 megawatts.

(K) Make completion of a new water pipeline from Israel to Gaza an urgent priority. Help establish substantial desalinization capacity in Gaza. The European Union and USAID are scheduled to fund the second stage of the Deir al-Balah desalinization plant, work on which began in 2018; Israel is to assist with coordination. But substantially more desalinization

capacity will be necessary to meet Gaza's long-term water needs. Those plants cannot operate without adequate power. Gaza would further benefit from an additional, internationally financed water reservoir. Meanwhile, Gaza's exceptionally leaky water pipes should be repaired and Israel should double the amount of water it supplies.

(L) Continue upgrading the security barrier along the border with Gaza and continue to develop and apply tunnel construction detection technology. Successful interdiction of Hamas violence decreases the need for military responses that put ordinary Gazans at risk.

(M) International organizations like the United Nations Relief and Works Agency (UNRWA) should eliminate anti-Israel incitement from textbooks supplied to Gaza schools and substitute arguments favoring coexistence.

(N) Establish an international small business loan fund to support private initiatives in Gaza.

(O) Construct a rail line from the Erez crossing on Gaza's northern border to Israel's Ashdod port on the Mediterranean to facilitate exports from Gaza.

(P) Move forward on the widely discussed offshore Gaza port based on an artificial island in the Mediterranean. Israel would monitor and inspect all shipping and approve all human entry. The Israeli government has also proposed establishing a dedicated floating pier in Cyprus as an alternative. That would probably be less expensive and could be established more rapidly. Whether it would be as versatile or have the same capacity as an offshore port is less clear, but it could be a good interim option.²¹

(Q) Begin plans for foreign development of a natural gas field off the Gaza coast. Development could be completed in three years.

(R) There is huge potential for the development of a tourism industry along the Gaza coast, but not without international confidence in long-term peace. Hamas would have to establish and honor a coastal demilitarized zone as a first step and then move comprehensively to reject violence.

5. WHAT THOSE OF US WHO SHARE THESE COMMITMENTS CAN DO

(A) Pressure the US government, Israel’s main international source of funds, to take stronger action opposing settlement expansion east of the security barrier; this presents the most serious threat to any future negotiations. Organize to encourage other governments to take similar action. The US has so far been unwilling to focus its objections to settlement expansion on the area east of the barrier, a distinction that would acknowledge the likelihood that the settlement blocs to the west would remain in Israel and be compensated with land swaps.

(B) Investigate, expose, and shame both private and foundation funding for Israeli settlements east of the security barrier. This funding trend has been given a political free pass for much too long. It needs to become controversial and its damage to the potential for peace dramatized. *Haaretz* has published useful studies of foundations—like The Hebron Fund—whose activities are damaging the cause for peace.

(C) Support a carefully worded UN Security Council resolution laying out the principles of an agreement to resolve the Israeli-Palestinian crisis. Such a resolution should not include a deadline. It should guarantee a Palestinian capital in East Jerusalem, state unconditionally that a universal Palestinian right of return to Israel proper—a right that Israel disputes and will never accept—will not be imposed, specify that a Palestinian state will be nonmilitarized, outline land swaps that would enable Israel to retain the settlement blocs close to the Green Line, define appropriate levels of international support for economic development on the West Bank, and demand and enforce an immediate cessation of violence and incitements to violence from all parties.

(D) Give public support to Israeli actions that would improve peoples’ lives in Gaza, as listed in the “What the People of Gaza Need Now” section above, from a loosening of the blockade that limits fishing rights to enhanced provisions for Palestinian exports to be transported and marketed both in the region and elsewhere. Such actions should not be tied to agreements with Hamas or to any requirements for reciprocity.

(E) Promote international requirements for greater financial transparency and accountability from the Palestinian Authority. That will be necessary if the PA is to regain the trust of its people.

(F) Publicize, celebrate, donate to, and participate in the many NGO projects designed to increase empathy and mutual understanding between Israelis and Palestinians, meanwhile widely condemning BDS's anti-normalization campaign.

(G) Study and promote the possibility of coordinated unilateral Israeli withdrawal from segments of the West Bank, beginning with the north central area bounded by Jenin and Nablus. Israel needs to begin ceding control over the small amounts of Area C that fragment the West Bank and prevent the PA from governing substantial areas of continuous territory. The north central area could be turned into Areas A & B without evacuating settlements, though some outposts would be eliminated. It could be a major Israeli action designed to break the negotiating stalemate.

(H) Promote the notion that the controversy over Temple Mount / Haram Al-Sharif will have to be resolved either by granting Israelis sovereignty over the Western Wall and Palestinians sovereignty over the elevated platform, perhaps within the context of a special regime designed to handle the Old City, or by some other solution. The inescapability of this or another reasonable solution may need to be established beforehand if any negotiations are to succeed.

(I) Promote nuanced teaching about Jewish and Palestinian history and culture and the Israeli-Palestinian conflict on campuses throughout Western countries. Expose faculty efforts to demonize Israel in the classroom. Schedule individual campus events devoted to either Israeli or Palestinian points of view but avoid debate formats that only exhibit hostility.

(J) Increase international participation in nonviolent protest against land confiscation, house demolitions, and other unacceptable practices in Israel and the West Bank. The full potential of nonviolent demonstrations has yet to be exploited.

(K) Propose and promote these and other actions as productive alternatives to the BDS campaign to delegitimize and dissolve the Jewish state.

CONCLUSION

This agenda rejects fatalistic despair about the potential for progress, just as it rejects the various pathologies of hope and despair that have led to unworkable, naïve, utopian, or hostile one-state solutions. Although there are no guarantees built into the proposals above, there is a staged verification process, and there are also no self-indulgent dreams. The fundamental question for individuals is how to move forward, what to do when you get up in the morning, what to do next week, how to contribute toward a solution to the conflict, and how to act with humility rather than with unqualified political confidence. We may remind ourselves of Antonio Gramsci's motto—pessimism of the intellect and optimism of the will. There are many reasons for pessimism regarding the Israeli-Palestinian conflict, but there are also many actions to take and reasons to do so, to exercise the will in the service of this tremendously important goal.

While a final agreement depends on the character not only of the Israeli government but of all the other players in the region and of the willingness of the international community to work on joint projects, advocacy for change must not be paralyzed by the prospect of confronting intransigent players in the political arena. I believe an unemotional cost/benefit analysis can help persuade some Israeli and Palestinian stakeholders alike that movement forward is in the interest of all parties.

Some high priorities for political action seem clear: pressing the Israelis to forbid settlement expansion east of the security barrier and applying unequivocal American and European opposition to annexation of any kind. Among items of material aid, water, gas, electrical supplies, food insecurity, and sewage control for Gaza take precedence. Pressing the PA to end all educational and political incitement against Israel is one reasonable and necessary show of good faith to be expected from their side, as is a cessation of all hostile military action from Gaza.

A detailed fall 2018 analysis of Palestinian textbooks for grades 1-12 by Eldad Pardo from IMPACT-se at the Hebrew University of Jerusalem shows that earlier anti-Zionist radicalism has not been moderated. Ending this form of incitement is a high priority:

One dimension of such radicalism is manifested in the severe demonization of Israel, almost always referred to as the “Zionist Occupation” which includes anti-Semitic motifs. Another component incorporates themes of heroism and martyrdom in a sophisticated program to lure Palestinian boys and girls to their deaths in clashes with Israelis. A third aspect is the focus on a massive “return” into Israel

proper, with a detailed example of moving the Gazan population into the Israeli south. Finally, a comprehensive strategy of revolution has been modeled after Saladin's victory over the Crusades. Similar models of "phased" struggles and conquests are also presented, including various twentieth century liberation movements and the early battles of Islam. The effort to gain international support is critical. In sum, the PA elites are teaching Palestinian children that there can be no compromise. Israel is an occupying colonial power. The conflict will remain alive and violent until such time as a new Arab or Muslim coalition emerges and removes all things Israel and Israeli from the landscape. Once the liberation war ends in victory, a stage of cleansing all colonial cultural remnants will be unleashed.(4)

An equally vexing issue regards who among us in Israel, Palestine, and the West is ready to undertake the broader discussion we need both as individuals and as members of existing groups and constituencies. A majority of Israelis and Palestinians alike would support a two-state solution if it seemed a realistic political possibility, but the weakened Israeli left shows little capacity to engage its fellow citizens in a national debate. On the other hand, much of the American left is so taken with anti-Zionist slogans—and so determined to idealize Palestinians as pure victims—that it refuses to scrutinize BDS propaganda, let alone critique and reject it.

The underlying assumption behind the BDS agenda—for those not committed to Israel's demise—is that unqualified condemnation and demonization of Israel will lead it to reform its policies. The fact that the desired policy changes have never even been enumerated, let alone promoted, makes the base assumption at best incoherent, at worst willfully deceptive. Nonetheless, this fictitious devotion to policy change remains part of the unexamined self-understanding of some BDS members. But why, in any case, would one expect policy change, rather than a hardening of those very policies, from a strategy of unrelieved hostility?

Perhaps the chapters that follow will persuade some readers that the most ambitious pro-BDS books and essays by academics are poorly informed, flawed, and unreliable. They may also learn that these projects undermine a potential peace agreement rather than promote it. That recognition could lead to a more nuanced conversation. Some Christian communities, notably, have a deep and overriding commitment to peace and reconciliation, which has led them to reconsider what their anti-Zionist friends have urged them to believe; others still see the Holocaust as one of the defining events of the last century and are reluctant to urge the

dissolution of the Jewish state. They could benefit from serious discussion of the BDS agenda; I've tried to provide that throughout this book.

The Jewish community in the US, meanwhile, is deeply divided on whether the risks inherent in a peace process are worth it, with an influential minority fearful of moving forward. Like the Likud government, many more conservative Jews would rather try to manage the status quo than risk a Hamas takeover of the West Bank. The preceding pages may suggest that there are less risky options than simply walking away from the West Bank, as Israel did with Gaza. Those of us who believe a two-state solution remains the only viable alternative to continued conflict must initiate that conversation and carry it through, however difficult that may prove to be. If West Bank residents see substantial progress toward their own state, along with increased economic opportunity and more reason over time to respect the PA, support for Hamas will decline.

While a conversation about these issues cannot take place within the Jewish community alone, there is also good reason why it must be partly that. If Israel is the homeland of the Jews, then Jews everywhere should think deeply about Israel's present and future. The call of the Jewish homeland—and its capacity to liberate Jews from centuries in which Jewish creativity was shadowed by victimizing forces—still resonates. It is deeply embedded in the psychology of what it now means to be Jewish, even among the minority of Jews who wish it were not so. No diaspora Jew lives only in one place or one country. There is another place, a Jewish state, that gives all of us a unique, dynamic two-part geographical identity. We each have another self who lives there as well as here. Israel is a part of who we are; it is part of our identity.

With the resurgence of anti-Semitism in many parts of the world has come growing demonization of Israel and its Zionist inspiration. The rebirth of far right political groups and continued propagandizing by the BDS movement both contribute to this wave of hatred. The October 2018 murder of eleven Jews in the Pittsburgh Tree of Life synagogue has ended the American illusion that we are immune. We need to remind ourselves that Zionism was born as a national liberation movement. That foundational history was not erased once the primary goal of creating a Jewish homeland was accomplished. Nor is it erased because centuries of discrimination and violence against Jews is now balanced by a Jewish state capable of defending itself. The long arc of that history and the need it demonstrated still culminate in the gift a homeland gives to Jews worldwide. Jews in many countries cannot feel liberated where they are without Israel as both a source of pride and a practical option.

Strong progressive Jewish communities within and outside the academy believe both in a Jewish state and in the need for Palestinians to realize their national ambitions. They can take responsibility for initiating and guiding conversations within the Jewish community. This book can offer them a better understanding of how misguided is the BDS assault on the principle of two states for two peoples and in turn strengthen the two-state option within Israel advocacy. If the guiding principle is that both peoples deserve to have their histories and their national ambitions recognized, that the military occupation of the West Bank must end, then the pressing question is how to bring those goals to fruition. As this book will show, even the most ambitious pro-BDS faculty publications serve only to undermine those goals, not advance them.

PART TWO

FOUR BDS FACULTY PORTRAITS

CHAPTER THREE

JUDITH BUTLER: A PHILOSOPHER PROMOTES A ONE-STATE FANTASY

The millennium in which national differences will disappear, and the nations will merge into humanity, is still invisible in the distance. Until it is realized, the desires and ideals of the nations must be limited to establishing a tolerable *modus vivendi*.

—Leo Pinsker (1882)

The only solution worse than dividing this land into two states is creating one state that would devour itself.

—Yossi Klein Halevi, *Letters to My Palestinian Neighbor*,
120

INTRODUCTION

Not long after 2014 came to an end, in the wake of continuing international condemnation of Israel's conduct of Operation Protective Edge in Gaza, what had been the central drama of Jewish anti-Zionism disappeared from the academy. Until then, Jewish faculty members opposed both to Israeli government policy and to the very legitimacy of the Jewish state played a specific role on public occasions where Israel was being debated: dramatizing the agony of a personal moment of revelation and their consequent conversion from Zionism to its opposition. The revelation was the moment they became convinced of Israel's fundamental perfidy, including its supposed betrayal of humane values in war and its West Bank occupation practices. To be effective, actors in this drama had to convey a visceral betrayal, the loss of a defining childhood innocence in which they had been coopted into adulation for an ideal and honorable Israel, for some a socialist utopia, that, as they learned too late, never really existed. One recurrent story told of collecting coins to pay the cost of planting trees in Israel. It would take faculty members like W. T. J. Mitchell to tell us, as I will elaborate in Chapter Five, that the trees were not designed to turn the desert green but rather to recreate the dark wood of Teutonic fantasy and horror. For Jews—but not for anyone else—the transformation to unbelief had to embody a dark night of the soul, a perilous and painful journey to the searing truth of Israel's evil.

Bruce Robbins's 2013 documentary "Some of My Best friends Are Zionists" is an online film devoted to such conversion stories.²² Judith Butler's performance is particularly telling: "I remember," she declares about her conversion to anti-Zionism, "not being able to sleep and feeling rage doubt fear, then kind of getting it. I brought some of Edward Said's [work] home to my mother who is a relatively intelligent and well-read person, and she became so angry at me that I remember her lifting up the dinner table where we are and throwing it against the wall, at which point I realized [it] wasn't gonna be a conversation we're gonna be able to have very easily." Butler then explains the mixture of inner agony and community rejection she felt: "If you started to call into question the mandate for the state of Israel it seemed that you were insensitive to the plight of the Jews, that you underestimated anti-Semitism, that you didn't take seriously

what the Nazis had actually done . . . to take that linkage apart was to cleave my own soul, was to literally come apart, to tear myself apart, to tear myself asunder.”

Perhaps it is this performance that helps her get away with statements that are factually inaccurate. She tells us “What’s absolutely clear is that it is the case that only Jews have full rights of citizenship,” a false legal argument disproven here in the Makdisi chapter. Then she adds to her imaginary list of unimpeachable clarities: “If there’s a shortage in employment, a Jew will get employment before a Palestinian.” She says this even though employment discrimination is illegal in Israel. If the law needs to be enforced more vigorously, then it should be, but there is no dominant pattern of discrimination of the sort she implies. Qualified Israeli Arabs occupy senior positions in fields like education and medicine. “If there are only a few places in the university, they will go to Jews before they will go to Palestinians,” she adds, promoting another blatant falsehood. Students are admitted on the basis of test scores, not religion or ethnicity. With an aggressive program to recruit Israeli Arabs for Israeli colleges and universities well under way and showing considerable success by 2010, it is remarkable for someone who broadcasts her commitment to reasoned analysis to say such things. Put forward without evidence, these statements amount to a magnet to attract viewer bitterness. Unlike the rather lurid claims Jasbir Puar makes, Butler’s are prosaic and thus potentially believable, but they are contrary to fact and no more credible.

The passage from Zionism to anti-Zionism may have been traumatic for her, but her awakening began, as she tells it in the film, in a conversation with a member of her Cleveland Jewish community that took place when she was twenty, almost forty years earlier. How much of her traumatic memory is real, how much practiced and performed for the camera one cannot say. But everyone in the documentary is in one sense performing a narrative of betrayal followed by conversion. They are doing so to invite other Jews to undertake the same rite of passage and to lend authenticity to their narratives. By the time she utters what is now her stock view of Israel as “a pernicious colonialism that calls itself a democracy” in a 2013 Brooklyn College lecture, it is clear that rage has supplanted trauma.²³

Equally performative was the artificial humility front-loaded into that influential 2013 talk (“I am not even a leader of this movement”). She was already a leader of the movement by any rational standard and has arguably since become even more one. A professor of comparative literature and rhetoric at Berkeley, she is a public intellectual making a political commitment to the BDS movement by writing and speaking on its behalf. She

signed the July 2002 *New York Times* “Open Letter from American Jews on Israel/Palestine,” then regretted that “it was not nearly strong enough: it did not call for the end of Zionism.” That was in her 2003 essay disputing the link between anti-Zionism and anti-Semitism, making an argument that has become the founding mantra of Jewish Voice for Peace (JVP), on whose advisory board she serves. Founded in 1996, JVP established itself as the major Jewish organization aiding and abetting the eliminationist agenda for Israel. She has since added to her activist credentials. Shaul Magid opens a supportive 2014 essay by anointing her “the intellectual and philosophical foundation of the contemporary anti-Zionist left, both Jewish and non-Jewish” (237).²⁴ More than any other faculty member, Butler works to persuade people that anti-Zionism must be at the core of any credible contemporary ethical system.

Her commitment is to both writing and activism. At a January 2018 public meeting at New York University she offered to fund student and faculty members in the Modern Language Association to come to Berkeley to help plan ways to promote the BDS agenda during her upcoming 2020 MLA presidency. Her studied denial of virtually any persuasive intent at her Brooklyn lecture (“I am not asking anyone to join a movement this evening”) I count as merely performative as well. She was not there just to expose the audience to ideas. She was there to persuade, and litanies of purported crimes like those she recited—“inequality, occupation, and dispossession”—can be persuasive.

What is remarkable about the Bruce Robbins film now is that, within a couple of years of its release, it was obsolete. The presence of Jewish anti-Zionism in the academy was so well established by 2015, that the sell-by date for Jewish conversion narratives had passed. Jews declaring themselves anti-Zionists were no longer required to mimic Saint Paul on the road to Damascus. Robbins, a Columbia University professor of English and comparative literature, had his stock narrative as well. I witnessed him perform it at a series of annual meetings of the Modern Language Association. He would put his head in his hands, mime going through an inner struggle, then look up and firmly declare, “As a Jew I cannot tolerate Israel doing these things in my name.” The performance was always staged to give the appearance of great difficulty, even though he had it readily available for any public meeting devoted to debating a boycott resolution. It was also designed to be beyond critique. You could argue over whether Israeli universities were complicit in the occupation, but you couldn’t dispute Robbins’ personal pain. I saw this routine several times over a period of years, but so far as I know 2014 was the last performance. Like Butler’s crisis of Jewish conscience display, it was no longer needed after that.

But alienated Jews did not exit the stage. They were needed for a new role. They were recruited to perform resolute, unruffled, self-righteous, rather than anguished, anti-Zionism. And they would do so at the front of the stage at event after event across a spectrum of institutions, from academic conventions to stockholder meetings to annual gatherings of religious denominations. The Jews were on display to testify by their presence that it is not anti-Semitic to be anti-Zionist. Butler soon helped flesh out that argument, and she has continued to do so to the present day. Jewish testimony sought sacred status. If the Jews were originally chosen to bring the world the Ten Commandments and the lessons of the Torah, now they had a special moral responsibility to testify to the corrupt and unjust status of the Jewish state. If they failed to do so, they were betraying not only the cause of justice but themselves. In *Contemporary Left Antisemitism* David Hirsh has ably summarized the social and political roles anti-Zionist Jews play:

This minority often mobilizes its Jewish identity, speaking loudly “as a Jew.” In doing so, it seeks to erode and undermine the influence of the large majority of actual Jews in the name of an authentic, radical, diasporic and ethical, but largely self-constructed Judaism . . . It tempts non-Jews to suspend their own political judgment as to what is and what is not, antisemitic. The force of the “as a Jew” preface is to bear witness against the other Jews. It is based on the assumption that being Jewish gives you some kind of privileged insight into what is antisemitic and what is not—the claim to authority through identity substitutes for civil, rational debate. Antizionist Jews do not simply make their arguments and adduce evidence; they mobilize their Jewishness to give themselves influence. They pose as courageous dissidents who stand up against the fearsome threat of mainstream Zionist power. (228)

The argument that criticism of Israel is not anti-Semitic is the main focus of JVP’s 2017 book *On Antisemitism: Solidarity and the Struggle for Justice*, which comes to us with a foreword by Butler. There she asserts that “The claim that criticisms of the state of Israel are antisemitic is the most highly contested of contemporary views” (viii). Except that it is not. Butler, JVP, and their allies have long protested that the main response to criticism of Israeli government policy is to attack it as anti-Semitic. In fact, at least on North American campuses, that accusation is rarely if ever heard. Contesting it is a distraction that sets up a straw man. Butler goes on to tell us the accusation

is complex and dubious for many reasons. First: what is meant by it? Is it that the person who utters criticisms of Israel nurses antisemitic

feelings and, if Jewish, then self-hating ones? That interpretation depends on a psychological insight into the inner workings of the person who expresses such criticisms. But who has access to that psychological interiority? It is an attributed motive, but there is no way to demonstrate whether that speculation is a grounded one. If the antisemitism is understood to be a consequence of the expressed criticism of the State of Israel, then we would have to be able to show in concrete terms that the criticism of the State of Israel results in discrimination against Jews. (viii–ix)

This argument helps her muddy the key distinction between the content of anti-Semitic speech and its intent, the latter certainly often being unknowable. The claim of unknowability can then be extended to anti-Semitic content: “The notion that the critique of Israel by Jew or non-Jew is antisemitic only makes sense if we accept that the State of Israel *is* the Jewish people in some sense. Indeed, that particular identification would have to be very firmly consolidated for the position to take hold that criticism of the State of Israel is hatred for, or prejudice against, the Jewish people in general” (ix). So, when criticism of Israel—and the boycott movement Butler helps lead—generates discrimination against Israelis it is merely coincidental that they are Jews or that nearly half the world’s Jews live there. Equally incidental is the hateful speech directed against Israel’s Jewish supporters throughout the West, whether in Dublin or in Chicago. Anyone who claims that criticism of Israel is anti-Semitic, she adds, “would have to explain whether every criticism of Israel is a sign of an antisemitic motive, or only some criticisms” (x).

Israel Denial devotes no small number of pages to identifying which arguments by Steven Salaita, Saree Makdisi, W. T. J. Mitchell, Jasbir Puar, and others are anti-Semitic, but, setting that aside, Butler’s hubris in declaring that “Jews must reclaim a politics of social justice” by castigating Israel, when Jews supporting Israel have never stopped devoting themselves to social justice causes, is outrageous. The performance of Jewish righteousness Butler and other JVP activists display is, indeed, partly designed to draw a line between good Jews and bad Jews. As Russell Berman argues, for Butler that entails “setting herself up as the arbiter of Jewish authenticity and effectively excommunicating those who disagree.” The implicit casting out of bad Jews is sharpened when she asks “under what conditions does a passion for justice become renamed as antisemitism?” She wants us to believe all Jewish charges of anti-Semitic content are really hurtful personal attacks, “meant to cause pain, to produce shame, and to reduce the accused to silence . . . the charge of antisemitism has become an act of

war.” Not that there is any reduction of anti-Zionism to silence on major campuses today, but the fiction of anti-Zionist victimhood helps Butler and privileged faculty members dramatize themselves as besieged. No longer suffering because of their Jewishness, they can now suffer at the hands of their opponents.

Despite her willingness to indulge herself in the BDS movement’s more manipulative tactics, Butler remains its foremost philosopher and political theorist.²⁵ Her work, which carries significant authority among humanists, helps us get to the heart of the movement’s guiding principles, while also promoting arguments either unique to or developed more fully in her work. The critique I will offer thus addresses both her distinctive contributions to the movement and the theoretical framing of the whole BDS movement by way of Butler’s approach to Israel and the Israeli–Palestinian conflict. She has complained that pro-BDS arguments do not receive detailed analysis. I make every effort to provide that here.

BUTLER’S MANDATE FOR JEWISH IDENTITY

The core argument in Butler’s *Parting Ways: Jewishness and the Critique of Zionism* is that the long diasporic history of the Jewish people has instilled an essential and unqualified rootlessness in Jewish souls. That for her is what it means to be a diasporic people. But there are consequences to having a fundamentally diasporic character. The key political consequence for her is that the desire to have one’s own nation state contradicts the basic disposition not to want or need a national home. As in a traditional anti-Semitic trope, Jews are meant to be wanderers.

Butler believes Zionism has misled the Jewish people and turned them into nationalists, thereby distorting the basic nature of Jewishness. She claims Zionism has turned support for Israel into an inflexible requirement of Jewish identity; most of those I know who identify as Zionists would find such a “requirement” completely absurd. As Julie Cooper puts it, Butler believes Zionism has advanced “a philosophically naïve and morally reprehensible theory of Jewish identity” (82). Cooper goes on to explain, “To encourage a rupture with Zionism, Butler would disabuse Jews of the fantasy of sovereign subjectivity, beseeching them to heed external demands that fissure the self” (91). Moreover, Butler believes that, by emphasizing the Jewish people’s history of dispossession and victimhood, Zionism has turned them into particularly paranoid and ungenerous nationalists, unsympathetic to the humanity of other peoples, most relevantly the Palestinians. Her solution is for Jews to embrace their true nature and

transform their identities into something so thoroughly relational that it incorporates no traditional selfhood: “to ‘be’ a Jew,” Butler writes, “is to be departing from oneself, cast out into a world of the non-Jew” (15). Identity will then paradoxically function as non-identity, enabling a full embrace of others: “only through this fissuring of who I am do I stand a chance of relating to another” (6). As Cooper writes, Butler insists “that Jews can only arrive at ethical relationality—and by extension, the critique of political Zionism—through the self’s dispossession” (92).

Writing in an era of identity politics, Butler first disparages Jewish identity then rescues it in a contrarian model of identity as non-identity. Cooper identifies the controlling irony: “Butler simultaneously expounds on what it is ‘to be a Jew’ and denies that the Jew has a stable ontology” (90). This is not an arrogant imposition on Jews worldwide, Butler supposes, because it speaks to what Jews really are, if only the veil could be lifted from their eyes. She will help them do that.

Yet it does not actually require this radically decentered identity to experience enough empathy and respect for another people, namely the Palestinians, to want them to live in a place, namely a West Bank Palestinian state, where they can define their own culture and shape their political destiny. The whole point of the arguments that frame this book is that a two-state solution supports the self-interest and humanity of both peoples. Indeed, the only properly democratic way to preserve Israel’s Jewish character is to separate it from two million West Bank Palestinians. Since two states for two peoples is the only way to meet the imperatives of an Israeli Jewish identity, you do not want to decenter Jewishness. You want Jewishness to drive the will to negotiate a two-state solution. Zionism cannot be fulfilled in a Palestinian majority state. When you combine Zionist nationalism with traditional Jewish ethics you become committed to justice for both peoples through a two-state solution.

But Butler is opposed to a two-state solution. She dangles a binational one-state alternative before us, but that is merely a fantasy. In reality, in a binational state Jews would be best advised to leave if they did not wish to face armed conflict. And since they would not willingly leave—unless, as Butler insists, as dispersed, selfless souls—fight they would. Simply to leave would be a form of spiritual and cultural suicide. The fact that Butler wants Jews in the Diaspora to undergo this unlikely transformation and realize who they truly are only makes the absurdly idealist character of her political analysis more evident. Would selfless non-identitarian American, Argentinian, British, Canadian, German, and French Jews become artists, own businesses, run for political office, and pursue careers competitively? Butler herself has no interest in excising her ego and abandoning her

privilege and prestige. Why, one needs to ask, is this a special task for Jews to take up; she is not requiring it of Palestinians or anyone else. But in Butler's work it is not a task laid out for Jews either. As Cooper rightly specifies, "she has not written a book delineating the contours of post-Zionist polity—she has elaborated an ethics of dispossession" (94). Her supporters in the diaspora are all too eager to assume that the general ethic of dispossession does not really apply to them, since the only thing they need to dispossess themselves of is Israel.

Butler's take on the way Zionism has corrupted Jewish identity relies on what is in essence a thoroughly depoliticized view of its history. Zionism becomes a unitary juggernaut, driving Israel's practices and destiny inexorably. Butler embraces the overall project, as Einav Yogez describes it, of "the undermining of the Zionist past and putting it on trial" (114). Not in the past, the present, or the future for Butler has Zionism seriously confronted and negotiated choices. It has been and will be a monolithic force. The polity it has produced therefore cannot be reformed. And the Israeli people, like the alien-possessed children in the 1984 film *Children of the Corn*, are effectively all of one mind.

THE BDS MOVEMENT AND THE ACADEMY

Butler's gift to Jews worldwide is of course offered in the context of a specific political movement, and it is offered as the movement's philosophy and rationale. At the core of the BDS debates, contradictions abound, some unacknowledged and others that Butler has tried to address. A standard BDS claim is that a university president who speaks out against academic boycotts is intimidating those faint faculty hearts on campus that would beat to a different drummer. In this age of administrative timidity, a robust presidential defense of academic freedom may be uncommon, but it remains part of the job; many have consequently stood up against academic boycotts.²⁶ As Jonathan Marks points out in "Academic Boycotters Talk Academic Freedom," the same BDS advocates who lauded Brooklyn College President Karen Gould when she quite properly defended her political science department's right to bring BDS-cofounder Omar Barghouti and Butler to campus to speak have not adequately reflected on the fact that she is now among more than 250 college and university presidents opposing academic boycotts on the same ground: defending academic freedom. The irony went unnoticed among BDS acolytes at the time, although a number of BDS-allied students and faculty soon began to attack academic freedom itself.

Perhaps the most recurrent BDS claim is that a boycott of Israeli universities targets institutions, not individuals, an argument whose falsity I demonstrated in Chapter One. Yet in a 2014 Modern Language Association panel presentation, Barghouti conceded that individual faculty members would pay a personal price in an academic boycott. He simply said the price was worth it. It was disappointing that Butler in a December 2013 column, “Academic Freedom and the ASA’s Boycott of Israel,” retained the mantra of denial, again asserting that “BDS targets institutions and *not* individuals.” Perhaps Butler believes this, since she keeps repeating it. Elsewhere she distinguishes between “a boycott focused on institutions that ratify and normalize the occupation and individuals who happen to work in those institutions,” as though students and faculty are the equivalent of sparrows that just happen to land in the school cafeteria.²⁷ She has friends who teach in Tel Aviv—including a progressive photographer and a filmmaker who focus on West Bank subjects—so it is unreasonable to imagine she wants to undermine their intercollegiate relationships, their mechanisms for professional advancement, or their academic freedom. Yet that is exactly what an academic boycott resolution will do, indeed what boycott advocacy has already done.

Irene Tucker finds “the values articulated by the idea of an academic boycott to be in fatal contradiction with one another” (16), a fact nowhere more evident than in Butler’s work. As we will see, a number of boycott proponents now disparage academic freedom in the service of a greater good. But Butler tries at once to mount a strong defense of academic freedom and to promote an academic boycott. Her defense promotes academic freedom as the source of university heterogeneity, establishing the campus as a place where competing claims and ideas are tested. She knows very well she cannot say that is untrue of Israeli universities, which are sites of robust debate. But she sees them as monolithically supporting the occupation; then she wants those universities to take a unified stand against government policy, thereby abandoning the plurality she values as a product of academic freedom.

The practical effects of an academic boycott are no better. Although Butler says a boycott would deny Israeli faculty the right to use Israeli university funds to travel to conferences in the United States, she reassures us they would be free to “pay from their own personal funds.” This is hardly a realistic option for most, given that many have relatively low salaries. Academic salaries in Israel are so low that universities routinely provide funds for overseas travel in compensation. The fact that Israeli faculty would still be free to make the trip without financial support enables her to announce solemnly “that the only version of BDS that can be defended

is one that is compatible with principles of academic freedom.” American Studies Association (ASA) leaders predictably object to any effort to prohibit universities from funding *their* travel to the annual meeting. Both the American Association of University Professors and I agree and consider such prohibitions to be violations of academic freedom. Either one honors this principle comprehensively, opposing any political litmus test on scholarly travel, or it will likely not be honored at all. Those legislators or pro-Israeli organizations advocating ideological restrictions on state-funded faculty travel should realize that, as political winds shift, these punitive measures may target their own constituencies. Travel funding to scholarly organizations that morph into political ones could, however, be vulnerable.

Travel is not the only serious limitation faculty would face. A significant number of American, Israeli, and Palestinian faculty are involved in interinstitutional research projects funded both by their own universities and by grants their universities administer. These critical collaborations would collapse under a boycott regime. Butler says she has “no problem collaborating with Israeli scholars and artists as long as we do not participate in any Israeli institution or have Israeli state monies support our collaborative work.” Refusing such financial support is a good deal easier for a philosopher than a scientist or an engineer who requires lab space, equipment, and staff to carry out research. Academic freedom includes the right to pursue the research of your choice, including collaborative research, and the right to pursue the funding necessary for that work. Butler dismisses the limitations a boycott would impose as a mere “inconvenience,” but faculty members who find their collaborative research projects on desalination or solar energy torpedoed are certain to use stronger language.

She generates an unnecessary contradiction when she claims, “Academic freedom can only be exercised when the material conditions for exercising those rights are secured, which means that infrastructural rights are part of academic freedom itself.” She had first raised that argument in 2006 in “Israel/Palestine and the paradoxes of academic freedom.” Academic freedom protects your right to seek infrastructural support, but it does not guarantee you will get it. A physicist who cannot find the money to buy a linear accelerator has not had his or her academic freedom violated. The allocation of infrastructural support is determined by disciplinary, institutional, and political priorities, as well as available resources. Butler can certainly plead for more infrastructural support for Palestinian faculty, but it is inappropriate to make guaranteed funding a part of academic freedom.

Butler expands on her stand about the material support necessary for exercising academic freedom in “Exercising Rights: Academic Freedom and Boycott Politics,” in which she announces she “would like to redefine

academic freedom so that its institutional conditions are part of its very definition” (295), a confusion of categories that would not only politicize the concept but also elevate necessarily variable and contingent funding into an inflexible principle. She decries “the preemptive foreclosure of the right to academic freedom by depriving students and faculty of the effective power to exercise that right” (299), an argument that helps BDS allies complain that travel restrictions violate academic freedom. But travel restrictions involve precisely those material contingencies Butler insists one observe. Travel approval can also involve security criteria such as a history of advocating for terrorist organizations or literally recruiting for them, matters I address in my chapter on “Academic freedom in Palestinian Universities.”

From its first year (1915) to the present, the American Association of University Professors (AAUP) has devoted as much time to policing the conditions for academic freedom, as evidenced by its annual reporting on and censuring of colleges and universities, and to refining and adapting its principles to evolving conditions (such as the development of email, an issue the organization did not, needless to say, address in either 1915 or in 1940). It cannot in any way be charged with following a “persistently one-sided conception of academic freedom as an abstract right” (297). Butler insists “there is no way to think of the right of academic freedom apart from its exercise” (299), but whether considering Birzeit University or the University of Kansas you only lose clarity by obliterating the relationship between the abstract principle and its local application.

Fairness is an issue in negotiating that difference, but Butler applies fairness selectively. She directs her dismissive “inconvenience” remark about available resources to constraints on Israelis, whereas her insistence on extending academic freedom to cover funding only addresses constraints on Palestinians. Israelis, meanwhile, are to be denied one of the most common forms of infrastructural support: travel funds. Butler frequently fails to apply a principle in an evenhanded fashion or to distinguish between an abstract statement and its practical effects, a problem that infects all of her writing about Israel.

Butler and other BDS loyalists do not understand that you cannot control the consequences of a political movement by putting a couple of sentences in a resolution or manifesto. Some faculty feel morally and politically driven to put a “symbolic” or nonbinding boycott resolution into practice by boycotting individuals in addition to institutions. A section of Chapter One—titled “The BDS-Inspired Assaults on Individuals”—supplies representative examples from 2002 to the present. Butler now considers some of these acts “misguided and self-righteous” (306), but that

does not prevent micro-boycott actions that follow upon boycott votes in academic associations. Some university administrators are likely concerned about liability as a result of faculty or departmental actions that would count as discriminatory, especially admissions decisions, but there are as yet no firm regulations to discourage them. An academic boycott of Israeli institutions should be called out for what it is: a selective anti-faculty, anti-research, and anti-student agenda.

In addition to endorsing an academic boycott of Israeli universities, Butler endorses a broad boycott that would extend to all Israeli “cultural institutions that have failed to oppose the occupation and struggle for equal rights and the rights of the dispossessed, all those cultural institutions that think it is not their place to criticize their government for these practices When those cultural institutions (universities, art centers, festivals) were to take such a stand, that would be the beginning of the end of the boycott.” As she says in “Exercising Rights, “To engage the boycott is simply to say that there can be no relationship to Israeli institutions that do not actively oppose the destruction of Palestinian livelihood” (312). Butler expects all these Israeli institutions to endorse the comprehensive right of Palestinian return that would abolish Israel as a Jewish state, dissolving the very government that funds those institutions.

Most faculty members in the United States expect their universities *not* to take political positions. Doing so could jeopardize their tax status; institutional neutrality in political matters also protects the right of individual faculty and students to take a diversity of positions and avoids any implication that the university speaks for its students and faculty on political matters. Both US and Israeli universities, however, will speak out and oppose government policies that threaten higher education, especially when those policies impact university independence or academic freedom. Israeli universities do so both individually and collectively. The main vehicle for group statements is VERA, the Association of University Heads that represents the Presidents, Rectors, and Directors General of eight of Israel’s research universities. When Education Minister Naftali Bennet asked Asa Kasher to draft a universal code for faculty political speech and pedagogy in 2017, VERA opposed the effort. When the government in 2018 used its ill-advised anti-BDS legislation to block US graduate student Lara Alqasem from entering the country after she had been accepted to study at Hebrew University, VERA once again opposed the decision. That helped convince Israel’s high court to overturn the government’s action and admit her to the country. While the Israeli right regularly attacks the court’s rulings, the court has so far held to its judicial independence. As both the political

speech and Alqasem stories demonstrate, moreover, there is no monolithic “Israel” meriting censure.

Meanwhile, although Butler, Barghouti, and other key BDS spokespersons have unequivocally endorsed a Palestinian right of return and the BDS website lists it as one of its three nonnegotiable demands, they insist that the movement currently has no “official” position on the matter and that people who sign BDS petitions or otherwise endorse the movement are free to adopt their own stands. This amounts to a bait and switch operation, as people are hailed by calls for “justice” and then drawn into a movement whose past history and current advocacy prescribe a more radical agenda.

A political litmus test for cooperating with Israeli universities, theater groups, symphonies, and art museums is bad enough, but their individual cooperation with this impossible demand would only *begin* the process of ending the boycott. It would continue, Butler writes, until “conditions of equality are achieved.” Then the boycott would be “obsolete,” but then there also would be no Israeli institutions left to boycott. In case this leaves anyone anxious, she reassures us the BDS movement “seeks to use established legal means to achieve its goals.” Just what the legal mechanisms are for dissolving a nation she fails to say. Meanwhile the continual drumbeat of Butler’s references to “rights” and “justice” helps blind her audience to her real agenda. Those who follow the implications of her words might understand they amount to war by other means.

While the assertion that established legal means would be sufficient to dismantle the existing Israeli state may comfort some US audiences, no such plausible route exists. Having supported their country through a series of wars, Israeli citizens are not likely to rise up in nonviolent revolution, Eastern European style, to overthrow it. An Israeli vote to dissolve the state would require a constitutional provision to do so and is equally improbable. A flotilla of US warships enforcing a comprehensive economic blockade won’t happen either.

Nonetheless, Butler’s repeated assurance of nonviolence helps the movement. Boycott advocacy has now been enhanced by pro-boycott or related resolutions introduced by other faculty associations. In addition to the ASA, the Asian American Studies and Native American and Indigenous Studies associations endorsed academic boycotts of Israel in 2013. The National Women’s Studies Association endorsed a very broad boycott resolution in 2015. Whether the BDS wagon train is gaining momentum is impossible to say, given that in November 2013 the American Public Health Association rejected a resolution that attacked Israel for its medical practices toward Palestinians, and the Modern Language Association soundly defeated an academic boycott resolution in 2017. The American

Historical Association has consistently voted against one. But BDS is certainly getting more visibility. Each of these debates, however, converts some people to the BDS cause, though now without the drama Butler embodied six years ago.

ANTI-SEMITISM AND BUTLER'S AGENDA

The context for Butler and others in the West is different from the context that Palestinians and Israelis face. She is not prey to a desire to live in an ancestral family home in Tel Aviv, clinging instead to a distinctly American politics based on an idealist fantasy of historical possibility. She holds out the ideal of “a just and peaceable form of co-existence” in “a place beyond war.” But that place for her has a name, Greater Palestine, and it properly would have a people in command called Palestinians. This peaceable kingdom fantasy, of a binational state in which everyone just “gets along,” has great appeal to the American left, which partly explains Butler's influence. It is an abstract, idealist solution—underwritten by Edward Said's equally unrealistic observation that Israelis and Palestinians are both diasporic peoples whose parallel histories should generate compatibility. It is a peaceable kingdom that neither Middle Eastern politics nor history can deliver. Are Jews who have lived all their lives in Israel supposed to have inherited their diasporic souls genetically? Or did they acquire this identity by listening to stories of their grandparents' lives? Yossi Klein Halevi in *Like Dreamers* describes “the rapidity with which the rerootedness of the Jews had occurred” in a kibbutz in the 1960s. Is this simply to be dismissed, since it does not fit the theory? As he writes, “In a single generation . . . the kibbutz had created young people who seemed to lack even a genetic memory of exile” (14).

There are traditions of assigning common psychological identities to racial, ethnic, sexual, and religious groups, but that has hardly been an admirable enterprise. One may cite as an example Jewish apostate Otto Weininger's immensely popular *Sex and Character*, published in Vienna and Leipzig in 1903 shortly before he committed suicide. Its main argument was that women have no souls, but in the thirteenth chapter, “The Jewish Character,” Weininger points out that the Jews are a “feminine race” and thus have no souls either. Nor, he adds, do they play sports or sing. Jews, he advised, need to resist their fundamental nature. Butler wants Jews to succumb to what she supposes is their fundamental nature, and she thinks it a virtue, not a flaw. This entire enterprise reopens the territory to less positive and fundamentally racist speculations about Jewish identity. This

game cannot be controlled once the play begins. Jews have a shared history as a people, but that does not install a uniform character in people with different life histories and nationalities.

Butler's fantasy notion that Israeli Jews would willingly submit to Arab rule is grounded in yet another hypothetical piece of invented diasporic psychology: "one of the most important ethical dimensions of the diasporic Jewish tradition, namely, the obligation of co-habitation with those different from ourselves." In *Parting Ways*, as Seyla Benhabib points out, Butler develops her distinctive notion of cohabitation as an ethical imperative from a reading of Hannah Arendt: "This is a strange attempt to interpellate Arendt for Butler's own social ontology via the use of terms, such as 'cohabitation,' that are not Arendt's at all" (154). It is an effort "to tease out what she calls a 'principle' out of Arendt's text." "This may be Butler," Benhabib concludes, "but it is certainly not Arendt. Arendt writes of 'plurality' and not of 'plural cohabitation.'" Most importantly, Arendt considered plurality part of the human condition, not something particular to the diasporic experience of Jews.

It is remarkable that Said believed this tenuous level of identity could sustain a shared national allegiance, especially given that the Palestinians blame the Israelis for their diasporic condition. But perhaps, as Butler suggests, Said was just conducting a thought experiment. Of course some theorists do not readily distinguish between a thought experiment and a policy proposal. Butler's analysis is divorced from history and would present a grave danger were it to become the centerpiece of US Mideast policy. Meanwhile, it represents a delusional form of false consciousness for American students and faculty. Butler is marketing a very unhealthy solution to her readers. But they love the emotional high it gives them, grounded in a confident and absolute division between good and evil and a vision of transcendent justice that justifies the absolute victory of the former over the latter.

There is a signal moment in Butler's 2013 *Nation* essay when we can see the price a frustrated idealist can exact when real bodies embedded in history are subjected to the idealist gaze. It is when she engages those "smaller forms of binational cultural communities in which Israeli Jews and Palestinians live and work together." There have been local realities of this sort repeatedly over the last century in Palestine, and they persist in some places and in some contexts today, despite the wave of nationalist sentiment that swept through Palestinian communities in the 1920s and 1930s and that transformed the conflict thereafter.

What is astonishing and disturbing in Butler's analysis is that she finds the lives of such people unacceptable unless they take on the larger

oppositional agenda she wants to promote. Some years ago, in “Jews and the Bi-National Vision,” she was comfortable hoping that “modes of civil and economic cooperation would lead organically to a form of government that would be based on a shared way of life between Arabs and Jews.” She imagined then that “such alliances could provide the foundation and the model for collaborative associations seeking just, non-violent solutions to conflicts that appear intractable.” Now she displays the impatience that frustrated utopians on the left and the right have shown many times when people in local communities are satisfied to live their lives as they see fit. “The only question,” she writes, “is whether those small communities continue to accept the oppressive structure of the state, or whether in their small and effective way oppose the various dimensions of subjugation and disenfranchisement.” Coexistence is insufficient, misguided, lacking, Butler argues in a contribution to BDS’s anti-normalization agenda, unless it matures to join “solidarity struggles.” “Co-existence becomes solidarity when it joins the movement that seeks to undo the structural conditions of inequality, containment, and dispossession.” Of course, then it is likely to cease being coexistence. Discontent with those uninterested in reshaping their lives to fit an overarching political agenda not infrequently produces intolerance and violent strategies—leaving millions of dead in the USSR in the 1930s and again, decades later, in Cambodia. What is one to do in the end when people just will not listen to those who know better? They will need to be reeducated. It will require a cultural revolution.

Butler makes much of the nonviolent character of the BDS movement. It is “the only credible non-violent mode of resisting the injustices committed by the state of Israel.” Does she assert this because BDS works through discourse and protest? In fact, it is only nonviolent as a fantasy structure. Butler invokes this fantasy when she protests that “BDS is not the same as Hamas.” Of course, they aren’t the same. BDS is a political movement, though it offers no real prospect of improving the lives of the Palestinians it claims to speak for; Hamas has historically provided social services in Gaza, but it is increasingly less interested in doing so. It has sought ways to get the Palestinian Authority to take responsibility for social services in Gaza, meanwhile overall losing interest in governing. Hamas remains largely both a political movement and an armed terrorist group, with most of its energy going to preparing for military conflict with Israel. The BDS movement and Hamas share the same goal, the elimination of the Jewish state, and Hamas has never embraced nonviolence. BDS and Hamas are conceptually and politically linked, even though Butler and BDS pretend that a peaceful transition to majority Palestinian rule is plausible. The Jews give up the State of Israel and with it all their religious and political commitments and

submit to a Palestinian majority. An earlier left-wing fantasy, voiced before suicide bombers visited Israeli cities and crude Qassam rockets arrived from Gaza, characterized Palestinians as uniquely peace-loving and gentle among the peoples of the earth. We like to project our fantasies of saintly virtue onto political victims, as some did during the Vietnam War, but doing so makes them something other than what they are.

There is a remnant of that celebratory left-wing dichotomy in what Benhabib describes as Butler's "simple equivalences between rationalism, the sovereign subject, Eurocentrism, and Zionist colonialism" (157). Opposed to this epistemology of mastery is what Butler sees as a blameless anti-colonialist Palestinian resistance movement, but, as Benhabib adds, "We know that anti-colonial movements are not always emancipatory and that political action in the name of oppressed peoples can also carry the seeds of oppression within it." Butler, she concludes, "seems beholden to an anti-imperialist jargon of the politics of purity" (157).

Butler sustains the relative purity of the opposition in part by minimizing its anti-Semitism. "Some forms of Palestinian opposition do rely on antisemitic slogans, falsehoods, and threats," she writes, and "all these forms of antisemitism are to be unconditionally opposed." Thus, she reduces Palestinian antisemitism to a distasteful rhetorical strategy, trivializing its significance, and discounting what Israelis know to be true: that anti-Semitism often represents deep-seated conviction. Even the most vocal of Israel's internal critics acknowledge the level of local and regional anti-Semitism that Israel faces. Israeli faculty member Eva Illouz, a fierce critic of Israeli policy, in "47 years a slave" writes, "Some Palestinians are virulently antisemitic and are supported by even more violent antisemites in the surrounding Arab countries." It does little good for Butler to confidently denounce slogans—though also, oddly, often in the passive voice—when Israel is confronting long nurtured hatred and resentment. Does Butler think she can reform Palestinian feelings and beliefs simply by censoring their language? Courtesy of Jeffrey Herf's *Nazi Propaganda for the Arab World*, we know that German anti-Semitic radio broadcasts in Arabic in the 1930s and 1940s helped prepare the ground for opposition to Israel's founding and for the first Arab-Israeli war.

Nor does it help to address anti-Semitic impulses within BDS philosophy by defensive denial—countering that "it would appear that no oppositional move . . . can take place without risking the accusation of antisemitism." Israel is surrounded by undemocratic regimes intolerant of religious diversity. While it may be a conflicted democracy with serious problems, Israel proper remains a remarkably free society by any comparison with its neighbors. One may fairly wonder why American BDS

followers single it out as a rogue state. Is one left with the flippant “Why not?” response to boycott proposals that the late Barbara Harlow offered at MLA years ago? Dialogue with the imaginary group of people who argue that any criticism of Israeli policy amounts to anti-Semitism might be impossible, but a brief for the BDS movement that defends its challenges to Israel’s existence with a blanket denial of anti-Semitism is no better than its more extremist hypothetical opposition.

The main cultural and historical tradition that makes it possible to isolate Israel conceptually and politically from all other nations is anti-Semitism. The long and abiding international history of anti-Semitism makes Israel not only available to be singled out but also always already singled out—set apart, *othered*. Anti-Semitism is a fundamental condition of possibility for unqualified opposition to the Israeli state. It is certainly not the only motivation fueling opposition to Israel. Some feel betrayed by conditions on the West Bank because they long championed Israel as an example of liberal democracy. But opposition to Israel also provides anti-Semitism with its contemporary intellectual and moral credibility. Anti-Zionism is thus anti-Semitism’s moral salvation, its perfect disguise, its route to legitimation. Absolute opposition to Israel’s existence—not merely to its actions, but to its presence—increases anti-Semitism’s cultural and political reach and impact. Arguments about whether a given opponent is or is not anti-Semitic are thus necessarily at least in part irrelevant. If you augment and empower anti-Semitism unwittingly, it does not matter what is in your heart. In that light, denial of anti-Semitism among those who reject Israel’s right to exist counts only as affirmation. Thus, Barbara Harlow’s seemingly empty answer “Why not?” actually speaks to the existential reality. Why not single out the country that already stands alone in our minds, that was destined to do so before it existed? Indeed, it continues to stand alone in the minds of Jews and non-Jews alike.

Some Jews, including some who testify in the Bruce Robbins film, feel an overwhelming need to expel Israel from themselves, to convince both themselves and everyone else that they do not harbor Israel—to use a Derridean metaphor—encrypted within. That may explain the intensity with which some Jews reject the very existence of an Israeli state. Holocaust scholar Michael Rothberg told me, in a remark that echoes Butler, that the only Jewish philosophy he could endorse would be one opposed to the existence of a Jewish state. For Jews Israel always seems to be encapsulated, warded off within, so among Jewish opponents of Israel the passion for expelling it escalates. It is a dynamic and progressive process. The well-known accusation of Jewish self-hatred is thus a simplification and a slander. They hate and fear but part of themselves. The impulse is an opportunity

to invert the biblical story of the first murder and find redemption. They imagine that Abel can kill Cain. Cain of course is an Israeli.

Asked why they are determined to condemn Israel for practices comparable to those many other nations engage in, some Jews like Bruce Robbins claim to do so as a birthright. That forestalls further discussion. As I suggest in *No University is an Island*, I have heard some opponents of Israel, Jews and others, speak with such uncontrolled venom that I am convinced anti-Semitism is in play whether they know it or not. When the facts about Israel do not warrant that rage it is difficult to arrive at a better explanation.

Anti-Semitism enables and underwrites castigation of Israel whenever it is based on practices typical of other countries, not different from them. Israel's sameness applies not only to fact-based comparisons but also to invocations of cultural and political categories: Israel discriminates against segments of those under its control; Israel is a religious state, and we object to religious states on principle; Israel's warrant to exist as a nation state implicates power dynamics, not some inevitable destiny; other populations believe they have equal or greater right to the land; Israel's borders have not remained the same since its founding; Israel's human rights record in areas over which it exercises control is imperfect. All these concerns are less applicable to Israel than to more than a score of other countries in the Middle East and elsewhere, yet BDS advocates consider Israel alone a pariah among nations. It is no surprise, moreover, that BDS advocates discount both past and future violence against Israel and that anti-Semitism makes it possible to do so. Everything that might be done to a group of Jews has already been done, has already happened. Such violence is not a risk; it is a historical given.

In the context of celebrating BDS nonviolence, Butler dismisses the accusation that BDS leaders indulge in extremely hateful speech as categorically absurd. She rejects the argument that she and other BDS leaders have "spawned a set of variations" that include "hate speech directed against either the State of Israel or Israeli Jews." Certainly, rational arguments against Israeli policy do not constitute hate speech. There can be no meaningful political dialogue or debate unless people are free to criticize a nation's policies. The problem arises with Barghouti's, Butler's, and other BDS figures' intense and unqualified rejection of the Jewish state and with the fierce moral outrage they direct toward Israel. That outrage is not directed toward Israeli policy alone. It is an existential rejection of Israel's cultural institutions and of its right to exist. It is filled with hostility. And it encourages inflamed rhetoric that crosses the line into hate speech. As Americans and others in the West are once again learning, hate speech can and does promote violence.

There is no nonviolent route to Judith Butler's peaceable kingdom nor any reason to suppose the kingdom would end up being peaceable. "Is it possible," she asked in Brooklyn, that words might "bring about a general ethos of non-violence?" As a political theory, that speculation and the BDS goal she offers for Palestine have no relation to reality. It is a fantasy that could only play out in violence. However nonviolent the fantasy is in intent, therefore, it could only be violent in effect. Yet Butler may well believe this illusion. While she may have been merely performative in her lead-in to the *Nation* piece, I believe she had drunk her own Kool-Aid by the end: "My wager, my hope," she writes, "is that everyone's chance to live with greater freedom from fear and aggression will be increased as those conditions of justice, freedom, and equality are realized." At that point feelings of ecstatic self-love sweep over American audiences, and the applause rises. They can imagine themselves to have entered that "ec-static relationality, a way of being comported beyond oneself, a way of being dispossessed from sovereignty and nation" that Butler repeatedly and irrationally invokes in *Parting Ways* (9). Of course that fantasy of a move beyond nation is one that American exceptionalism and power make rhetorically possible for US citizens. Speaking from the security and power of the American nation state, one may imagine the antiquated nation state form is already disappearing from the world. But the vision in the Pinsker epigraph to this chapter will have to be deferred still longer. It would not find such a warm reception in the Middle East. Indeed, with the exception of Israel's Jewish and Arab citizens, there is no evidence that the majority of Palestinians or Israelis *want* to live together.

Although those who have not read basic histories of Israel may not realize it, Butler does invoke the right context for discussions of the origins of the Arab-Israeli conflict. She realizes that the incompatible "claims of 1948" still underlie positions today. Unfortunately, she overlays those competing claims with the absolutist moral stance that dominates BDS discourse. Instead of acknowledging competing claims for national identity and sovereignty over the land, she contrasts the "Israeli demand for demographic identity" with "the multivalent forms of dispossession that affect Palestinians." What are parallel but competing nationalist and religious ambitions are transformed into a simple binary of Israeli dominance and Palestinian subservience.

Such binaries permeate BDS ideology: Israel is a state; the Palestinians are a people. Israelis assert privileges; Palestinians seek rights. Israel is a monolithic and authoritarian state; the oppressed Palestinians are a pluralistic people. The conflict embodies an opposition of wealth versus poverty, white European colonialism versus brown indigeneity, and finally the

demonic versus the saintly. These dichotomies underwrite and reinforce the convictions BDS advocates display in their self-presentation.

The history of the Jewish people in the land of Israel, the land's connection to Judaism, all this has no meaning for Butler. She simply "eschews the Zionist linkage of nation to land" (15). Instead of seeing the conflict as one between two peoples with ties to the land, she credits only one. Justice is thus all on one side, and the conflict is to be resolved by granting the Palestinians everything they wanted from the moment that war broke out on November 30, 1947. In *Parting Ways* Butler explicitly lists "the massive dispossessions of Palestinians in 1948" (2) as one of the wrongs that must be righted. Indeed, she goes on to say misleadingly that "Israel has been built on a series of land confiscations that preceded 1948" (205).

A frank account of violence on both sides may be found in Benny Morris's *1948: The First Arab-Israeli War*. Ari Shavit's powerful and disturbing chapter "Lydda, 1948" has convinced many for the first time that they need to recognize why that year was a tragedy for the Palestinians. But the fact that the Nakba was a tragedy does not mean the founding of Israel was a tragedy as well. For Butler, it's not only the post-1967 borders that are illegitimate. There *are* no legitimate borders. She believes that a fully ethical Judaism would require the rejection of the very existence of a Jewish state, not just its policies. Does she really think she can preach that sermon to Jews worldwide with a commitment to a Jewish state, let alone to Israelis themselves? If not, what is her audience for that argument, and what would their motives be for endorsing it? Since she cannot persuade Israelis to abandon their country, all she can do is energize BDS.

Butler disparages "the football lingo of being 'pro' Palestine and 'anti' Israel." "This language is reductive," she adds, "if not embarrassing." But her decontextualized and ahistorical notion of justice allows her to duplicate exactly that dichotomy in a moral economy of right and wrong. Repairing all the components of Israeli "injustice" then becomes the one priority and only goal for the region. And we are assured that the result "might one day become a just and peaceable form of coexistence": that is, if we create a state with a Palestinian majority, a state that by its very nature grants "justice" to only one party to the equation. Butler maintains that justice only inheres in the Palestinian cause. For her there is no valid case to be made for Israelis as citizens of a Jewish state. In the rhetorical economy of her work there are no competing arguments. It is a conflict between truth and error. That model provides no basis for negotiation or compromise, but only for continuing struggle and eventual Israeli capitulation.

The BDS movement is not interested in reflection or conversation. That would "normalize" the enemy. Whatever willingness Butler herself

might have to discuss these matters does not carry over to the BDS movement as a whole. BDS supporters overall accept the logic that transforms parallel claims into a moral opposition of right and wrong, infecting BDS discourse with a presumptive sense of moral superiority that need not be examined further. If you sign on to BDS discourse, you sign on to its conclusions. Indeed you may take refuge in its rallying cries—"justice," "colonialism," "oppression." BDS converts sometimes do not need to think any further. That is why Butler's Brooklyn College invitation to a dialogue is in reality disingenuous. The portion of the American left that has adopted the BDS mantra revels in the confidence that they are in the right. In actuality, the only real hope for peace lies in a cold recognition that the opposing forces can only be accommodated by stable, negotiated forms of partition. If you are committed to promoting solutions, slogans will not suffice. That gives BDS an advantage with impressionable students and faculty hungry for a cause to embrace.

BDS discourse can only sustain this moral absolutism by erecting a series of prohibitions against speaking the words that must be spoken if honest debate is to proceed. There is first of all the virtual prohibition against mention of Palestinian violence, violence that includes not only Jewish victims but also Palestinians killed for suspected collaboration with Israelis and those killed in disputes between Palestinian factions. Butler shows no concern about the effect on Israelis of suicide bombings whose victims have included both Jews and Palestinians, nor of continuing threats from Arab and non-Arab states in the region, Iran being the most worrisome. If she talked to someone who escaped an explosion at a favorite café by a few minutes, she might feel differently. I spoke at length with an Israeli whose daughter lost both legs in a Second Intifada bombing and who has begged for death repeatedly in the years since. Then there are the BDS prohibitions against granting any legitimacy to the concept of a Jewish state and admitting what the fate of Jews would be in an Arab-dominated state.

And finally, there is the "third rail" of all US debate over opposition to Israel, the role of anti-Semitism. As Robert S. Wistrich writes in his contribution to Rosenfeld's *Resurgent Antisemitism*, "Even to raise the issue is often considered by leftists and some liberals, too, as an act of Zionist 'intellectual terrorism' primarily designed to silence justified opposition toward Israel" (411). In an effort to counter this strategy, faculty in support of Israel have been working to turn the issue of anti-Semitism in anti-Israel groups from a prohibited topic into a valid academic subject for research and analysis, and they have made notable progress. As I argued above, it is not that "any and all criticism of the State of Israel is antisemitic" (*Parting Ways* 2)—the sad defensive position that Butler unnecessarily

debunks—but that any solution that involves dismantling the Jewish state is anti-Semitic in effect and fueled, as Butler seems not to understand, by anti-Semitic traditions that make a long-dispossessed people, the Jews, secondary or expendable. Many BDS advocates become agitated when the subject of anti-Semitism is broached, especially in conversation, branding as irrational suggestions that Jews would fare poorly indeed under Arab nationalism and Muslim fundamentalism.

Larry Summers, then Harvard president, argued in a 2002 presentation that the divestment movement was among the anti-Israel causes he found “anti-Semitic in their effect if not in their intent.” Since then, Butler has taken this to mean that Summers and others irrationally regard all criticism of Israel as anti-Semitic. As I said at the outset, virtually no serious commentators do so, and thus Butler is torching a straw man. Her detailed response to Summers occurs in “The Charge of Anti-Semitism: Jews, Israel and the Risks of Public Critique,” a chapter in her 2004 *Precarious Life*, and in “No, it’s not anti-semitic,” an essay published the year before: “Summers’s distinction between effective and intentional anti-semitism cannot hold.” We might ask whether she would refuse a similar distinction between effective and intentional racism or homophobia. “The only way to understand effective anti-semitism,” she argues, “is to presuppose intentional anti-semitism: the effective anti-semitism of any criticism turns out to reside in the intention of the speaker as retrospectively attributed by the listener.” This is an odd piece of logic, elaborated in *Parting Ways*, that is divorced from any understanding of human behavior, since people routinely make statements without understanding the effect they might have. Statements about Israel and international politics in general, moreover, are commonly naïve, misinformed, or ignorant. People often have no idea what cultural traditions their statements echo, revive, or help mobilize in the present. The distinction between effective and intentional anti-Semitism is both realistic and useful. Without it, we cannot say of anti-Zionism’s many uninformed followers what Jesus said of the Roman soldier, as reported in Luke 23:34 “Father, forgive them; for they know not what they do.” Some who repeated the blood libel that Jews were poisoning the wells of Europe no doubt did so in the ignorant belief they were trying to protect their families. So too perhaps with those today who echo the unwarranted slander that Israel is engaged in genocide.

In *Precarious Life*, Butler tries to discredit the Summers distinction by adding that “the only way a statement can become effectively anti-Semitic is if there is, somewhere, an intention to use the statement for anti-Semitic aims” (106). Perhaps, though an anti-Semitic agenda can be launched halfway across the world; a statement can be part of a series of claims

launched with anti-Semitic intent; a statement can trigger a chain of consequences with anti-Semitic effect. The required analysis is more complex than Butler allows. She pushes her exercise in speculative reasoning by saying that Summers was effectively urging us to consider all criticism of Israel anti-Semitic, but there is no evidence of that. I have often criticized Israeli policy, including the recent law making it possible to bar entry to BDS advocates, but I am not in fear of being labeled anti-Semitic. I state my objection to a number of Israeli policies in *Israel Denial* and recommend specific changes in Chapter Two and elsewhere. Butler also argues that repeated false accusations of anti-Semitism weaken the effect of warranted charges. That would be true, but it is also true that JVP's incessant objections to nonexistent charges of anti-Semitism dilute the power of a warranted charge.

In *Precarious Life* Butler argues that Summers's distinction between intent and effect "relies on the full and seamless identification of the Jewish people with the state of Israel, not only an 'identification' that he makes in coupling the two, but also an 'identification' that he assumed to be subjectively adopted by Jews themselves" (111). But nothing suggests this identification is seamless; indeed, Butler's poststructuralist conception of identity, one I share, posits identity as plural, unstable, and often conflicted. A Jew is never only a Jew; each of us possesses a complex and hybrid identity. The history of movements that insisted a Jew is only one thing—from Christian supersessionism to Nazism—is one that Butler might wish to contemplate.

Butler unfortunately solves this problem of complex identity by implicitly distinguishing between good and bad Jews, the latter guilty of defying Butler's vision of Jewish identity. She thus embraces a version of the choice structuring so much Christian anti-Semitism: Jews can remain demons or they can convert. As I showed at the outset, the Bruce Robbins film celebrates those conversions. Yet many Jews worldwide feel a deep connection to Israel, seamless or not. It can be anti-Semitic to deny their sense of peoplehood by urging the Jewish state's dissolution and denying its citizens the right to political agency. One can hate the bad Jews and admire the good ones, the latter including JVP members. Jews can reject any identification with Israel, as Butler does, but they nonetheless retain a relational identification with it. Even defenders of the Jewish state can be many other things in addition to being Zionist.

Helen Fein's 1987 definition of anti-Semitism describes it as "a persisting latent structure of hostile beliefs towards Jews as a collectivity" (67). The European Monitoring Centre on Racism and Xenophobia observed that anti-Semitism could be embodied in verbal attacks that "target the

State of Israel, conceived as a Jewish collectivity.” Butler’s counter strategy is to insist she is “holding out for a distinction to be made between Israel and Jews.” Fair enough. But that does not give her license to imagine that dissolving the state of Israel would be neutral or beneficial for the six and a half million Jews living there, roughly half the population of Jews in the world. Even if Butler’s professed intent is redemptive and utopian, calling for the end of the Jewish state has powerful anti-Semitic effects. While Butler complains that nothing tells us how to differentiate between criticism of Israel that is and is not anti-Semitic, that is simply not the case. I try to distinguish the two throughout this book. Criticism that pressures Israel to improve its laws and practices, that helps Israel see its way toward a negotiated solution, that would lead to withdrawal from the West Bank—while reaffirming Israel’s right to exist as a Jewish state within secure borders—is not anti-Semitic. Claims that Israel has no right to exist as a Jewish state, that it was an illegitimate colonialist enterprise from the outset, are indeed anti-Semitic in effect.

That does not mean these distinctions are easy. As David Hirsh reminds us in *Contemporary Left Antisemitism*, there is “a constant interplay between our emerging definitions of antisemitism and our understanding of which cases can plausibly be seen as examples of it” (138). Moreover, “the quest for an automatic and uncontested formula which can tell us what is antisemitic and what is not is going to be unsuccessful” (139). But that is quite different from disallowing the search for appropriate criteria, which is what Butler and JVP are seeking. As Hirsh argues, “antisemitism is a consequence, intended or not, of antizionism” (184), a consequence the Summers model allows us to conceptualize.

It needs to be clear just how much Butler is disallowing by rejecting the Summers distinction. In “Is Judaism Zionism?” she states that criticism of Israel that is anti-Semitic “must be distinguished” from criticism that is not” (73). But disallowing the effort to identify anti-Semitic effects leaves us no way to do so. Disallowing anti-Semitic effects eliminates a statement’s semiotic consequences, its social and political consequences, and its intertextuality. It leaves us with intrinsic meaning, which is often unreadable and undecidable. Considering a statement’s effects is no guarantee that meaning can be definitively decided, but it is better than severing its complex relations with history, which is what Butler urges.

The consequence of Butler’s position is that no anti-Zionist or anti-Israel statements would qualify as anti-Semitic. No hostile deployment of “Zionism” or “Zionist” would cross the line into anti-Semitism. Yet we all know that, in addition to its prohibitions, BDS has its epithet of choice: “Zionist.” In “Normatizing State Power,” Steven Salaita tries to fudge

the reality: “Although I try to avoid employing the descriptor ‘Zionist’ as either insult or accusation, I do conceptualize it as connotative of unjust and unethical viewpoints” (223). Butler helps solidify that epithet, as Alan Johnson points out in a review of *Parting Ways* in *Fathom Magazine*, by creating “what Marx would have called an ‘ahistorical, eternal, fixed and abstract conception’ of the history of Zionism and Israel from which is missing actual experience and real emergence, from which has been erased all concrete differences (between periods of Israeli history, between different wings of Zionism, between different political parties within Israel, between different Israeli social classes.” There are other Zionisms in her account, but not constitutive of the monolithic Israeli state she has constructed. Indeed, although she acknowledges “the singular history of Jewish oppression” (29), her theory of Jewish identity relies on the same unitary model of Jewish history, homogenizing it as a rich broth exhibiting multiple forms of cohabitation with non-Jews. That leaves all Jews, though some would be surprised to learn it, with identities founded in “an impurity, a mixing with otherness . . . an ineradicable alterity” (31).

Ineradicable? What is Butler thinking? She attributes the concept of “an ineradicable alterity” to continental philosophy, but then decides herself it is “constitutive of what it is to be a Jew” (31). So Jews can never be truly assimilated. They never have been and never will be. Even though Butler wants to celebrate the post-nationalist consequences of this otherness as a virtue, it remains a burden. And despite her decision to affirm her and my alterity, it remains a racist construct. For how can a relativist poststructuralist sustain alterity as a transhistorical, culturally constructed category? For the Nazis, it was race. And for them it was a feature of the eternal Jew, “*Ewige Jude*.” Now with Butler the eternal Jew returns to disavow Zionism.

As I suggested earlier, one can hear in Butler’s insistence on a unitary and transhistorical Jewish identity based on otherness and exile an echo of the anti-Semitic myth of the “Wandering Jew” or “*le Juif errant*,” which was first popularized in the Middle Ages and spread through Europe in the Renaissance. Long thought to be the punishment for the supposed crime of killing Christ, it is now to be fulfilled as the punishment for the Nakba. In a more politically targeted modern version, the earlier brand of eternal exile was embodied in the anti-Semitic designation for Jews worldwide that Stalin’s propagandists coined after World War II—“rootless cosmopolitans.” As James Loeffler puts it, “all Jews were simultaneously bourgeois Zionists, wedded to their particular nation, and deracinated cosmopolitans who stood perennially apart, incapable of truly belonging to any one country or culture.” Although Loeffler does not provide a list, Butler clearly

belongs among “those Jewish intellectuals who have refashioned the anti-semitic libel into a proud trademark of diasporic universalism” (xv).

This primal crime means that there can be no redemptive element to Zionism. Butler makes the absurd demand, in play for over a century, that “the historiographical presumption of progressive history that supports the idea of Zionism as the unfolding realization of an ideal can and must be countered by a critique of that form of progressivism” (99). Has she read any reliable histories of Israel? She could start with Anita Shapira’s *Israel: A History*. The history of Zionism is complex and never without self-critique. Zionists often had competing aims and beliefs, but now it seems mere belief in the validity of a Jewish state can be belittled as a Zionist obsession, often with the implied slander that Zionism equals racism. That is where a portion of the American left, including part of the Jewish left, now stands. American Jews young enough to have grown up feeling fully assimilated find the controversy over Israel increasingly uncomfortable. It sets them apart, othering them within the left in ways they have never experienced before. And so they seek sometimes to rejoin their comrades by paying the only price that is acceptable: equating the occupation with the very existence of the Jewish state and implicitly advocating its delegitimization and dissolution. They join a long and troubled tradition of Jews who flee their heritage out of fear and a desire for acceptance.

In *Parting Ways* Butler makes clear that for Israeli Jews this would entail an “obligatory passage beyond identity and nation as defining frameworks” (5) so as to conceive “complex and antagonistic modes of living together” (4). Palestinians, a subjugated people, are apparently not required to abandon nationalism. Toward the end of *Parting Ways* she poses this as a question: “Do we want to oppose the nationalism of those who have yet to see a state, of the Palestinians who are still seeking to gather a nation, to establish a nation-state for the first time”? (205) So until a Palestinian state fully embodies nationalism’s inevitable limitations and value distortions, Palestinian nationalist ambitions should remain intact and uncriticized. Tony Judt notoriously declared nationalism to be an anachronism in his influential 2003 *New York Review of Books* essay “Israel: The Alternative,” but now, nearly two decades later, ethnic nationalisms remain alive and well in Europe and elsewhere. At times the international anti-Zionist left muses that all nationalisms are on their way to being abandoned, but the exceptionalist opposition to Israel in practice means that all national aspirations are valid except those of the Jews.

What Butler, in a gesture of extraordinary arrogance, actually means is that binationalism requires Israeli Jews not only to cease being Israelis but also to cease being Jews. The history of both European and Arab

anti-Semitism, we will remember, includes no few examples of such advice delivered in more violent form. In that light, Butler's demand for "an indefinite moratorium on the Law of Return" (209), which gives Jews worldwide the right to immigrate to Israel, may seem almost modest. Since Israel is not a legitimate state, why should it have a right to an immigration policy? Stripped of its drama, that's really all the Right of Return is: an immigration policy with a preference established by a state created to be a homeland for a particular people—a state, however, in which diverse religions flourish.

Chaim Gans explains how Butler's theory of Jewish identity justifies her idiosyncratic speculation about a binationalist political entity: "By binationalism she does not mean a legal arrangement that allows two nations to live together side by side in one polity under equal conditions, but rather a society and a polity whose citizens are binational at the level of their personality-identity She wants Israel/Palestine to be a political entity that is inhabited by Jews and Palestinians who first have deconstructed their particular mono-national identities and then reconstructed themselves with binational identities." This "would turn Israel/Palestine into a binational state in the sense that it would be populated by individuals with binational personality-identities." She offers no timeline for this imperative transformation. I used the word "entity" above to distance us from the absurd, frankly lunatic character of this agenda. It is not a state in any realistic political sense; it is a hypothetical psychological condition. In its determination to eliminate the Jewish state and to purge its citizens of their existing personalities it is far worse than presumptive. As an actual political proposal it is immensely dangerous.

Some of Butler's critics claim she is anti-Semitic. I have no knowledge of what is in her heart, but the accusation often gets in the way of countering her specific arguments. The point she has difficulty addressing is that her positions have anti-Semitic consequences and lend support to anti-Semitic groups and traditions. She says two things in response: first, that opposition to the very existence of the state of Israel is not equivalent to anti-Semitism, since Jews should be ready to give up an outdated, fundamentally unJewish nationalism; second, that she is indebted to an alternative Jewish philosophical tradition that is truer to the heart of Judaism than the politics that drive her opponents. But it is to a significant degree a tradition she has had to construct, not one she has inherited. And, in any case, that supposed intellectual loyalty has no purchase on political advice that would have disastrous consequences.

JUSTICE AS AN AHISTORICAL ABSTRACTION

Foremost among Butler's strategies in all her pro-boycott work—and central to her appeal and success—is the deployment of an abstract, universalizing concept of “justice” detached from any serious contextual challenge. In “Deconstructing Israel,” a review of *Parting Ways* first published in German and then translated, Stephan Grigat points out that her main strategy is to mobilize an abstract and ahistorical universalism against all the historical particularities of Zionism. The only particularities she does cite are Israeli-imposed injustices suffered by Palestinians. But nothing happens to historicize the concept of justice itself in her work on the Middle East. Butler's application of an abstract concept of justice to the condemnation of Israel is one of her major contributions to the boycott movement. That abstraction has lured thousands of students and faculty to anti-Zionism. It did not originate with Butler, but she has made a substantial contribution to its organizing utility.

It is ironic that this abstract version of justice is being deployed by the author of *Gender Trouble*, a book I have long admired, have taught repeatedly, and whose model of gender as socially and historically constructed (and thus learned and performed) I have largely internalized. While gender and justice are concepts that operate in different registers, both are socially and historically constructed. An abstract notion of justice can serve as a social good and can hail people's sense of identity and their patterns of behavior, but it has no place in discussions of the Middle East without historically-based qualifications. Like other BDS advocates, Butler takes political self-determination as an unqualified, independent good for Palestinians, an end result that then becomes a *sine qua non* for any acceptable resolution of the conflict. They should be able to decide their own future without regard to the political wishes of Israeli citizens. Anything less than that, she believes, will not constitute justice. And Americans, especially on the left, like to believe they stand firmly for justice.

Like other BDS proponents, she avoids any serious reflection on what would constitute political self-determination for Israelis, save for the implication that Israeli hearts can never really be at peace until Palestinians have secured all their wishes. That, however, is precisely what cannot be achieved in a “just” resolution of the conflict. For too many Palestinians “justice” means Palestinian sovereignty throughout the land between the Mediterranean and the Jordan River, a dream that perhaps too many Israelis share in reverse, in the form of ambitions for a “Greater Israel,” though it is not a majority view despite the inclinations of the current

government. The main Israeli constituency for that perspective is those far-right West Bank settlers who believe they have a divine mandate to be there. If peace is to be achieved, many on both sides will have to relinquish a model of justice designed to benefit only one party to any negotiations. So would Butler if she were to imagine a solution adapted to political realities. *Israel Denial's* Chapters Two and Eleven offer proposals directed toward that goal.

Everyone will have to settle for less than they imagine “justice” to entail. For neither the Palestinians nor the Israelis will give up their ambitions for sovereignty. Both sides will have to settle for less land over which their sovereignty will reign. But a two-state solution will not, contrary to Nathan Thrall’s 2018 claim, produce a West Bank Palestinian state that preserves the noncontiguous, fragmented reality established by the Oslo accords. The territorial compromises instead will unify the Palestinian state, withdraw settlements, and include the establishment of a Palestinian capital in East Jerusalem. For some Jews, this last condition is a betrayal of a legacy at once religious and historical, a betrayal therefore of their notion of justice. Yet Jerusalem has evolved into a city with interwoven working relationships between Arabs and Jews and with public services that crisscross any conceivable boundaries. So it will have to be divided but integrated. Significant local cooperation will be necessary.

We thus get nowhere by holding aloft a lantern called justice and letting it blind us to complexities of culture, history, and national desire, along with the realities of economic and social integration. That lantern also blinds Butler to the diversity of Palestinian experience and desire. As Benhabib writes, “The number of Arab youths who are now perfectly bi-lingual is growing and, along with it, their political capacity to engage Israeli society directly. Many Palestinian Arabs living in occupied East Jerusalem would much rather become Israeli citizens in an open and gender-egalitarian society than live under the Islamist rule of a party” (159).

That is one reason why Butler cannot simply assert that non-Jewish Israeli citizens fundamentally feel unhappily bound “to a specific and controversial, if not contradictory, version of democracy.” Israel, like the United States, is a flawed democracy that cries out for reform, but those reforms are possible within the framework of its Basic Laws and its historic Declaration. As a literature scholar, I might add this: does anyone imagine that the Palestinian novelists and poets who write in Hebrew would choose to dismantle the state of which they are citizens? Their readership and their professional and social relationships are part of a Jewish state.

Butler’s decontextualized, abstract notion of justice also helps her give strong literal endorsement to the Palestinian “right of return” to reside in

Israel. They could choose compensation instead, she acknowledges, but compensation could not be the exclusive option. “People who have been made stateless by military occupation,” she remarked to *Open Democracy*, “are entitled to repatriation.” Yet an unqualified right of return policy means the end of the Jewish state, not a problem for Butler but a consequence most BDS supporters either ignore or discount. It may be possible to endorse a symbolic right of return as an abstract principle, not as a way literally to return to Israel, but as a way to regain something of what was lost, to acknowledge that wrongs were done, and so to confirm some version of belated compensation, while fully admitting that actual physical return for most cannot possibly be put into practice. Affirmation of the principle then becomes a form of historical witness. Butler, however, as with her account of academic freedom, cannot reliably negotiate distinctions between an abstraction and the complexities of social life. Since many Palestinians want the right of return as a way to leverage the demographics of the Israeli state, the symbolic statement would work only if it were clearly accepted as such in a negotiated agreement.

Again, Butler leaves the specifics of how the right of return would be put in place to speculation—would it be managed over time or immediately granted to millions—but her conviction that Israel is an illegitimate state creates impediments. Is every existing deed to Israeli land to be voided? How can an illegitimate state issue new deeds that would be valid? Or are we to wait until the incorruptible Palestinian Authority can assign ownership? Perhaps an Oklahoma-style land rush can be scheduled, with Palestinians lined up on the border waiting till the starting pistol signals the chance to claim a homestead.

“It is not possible,” Butler argues, “to restrict the problem of Palestinian subjugation to the occupation alone.” Apparently, the problem in Israel proper is not discrimination but something further along the spectrum to slavery. Many believe that were Israel to abandon much of the West Bank in a peace agreement—a solution I think not only morally and politically necessary but also inevitable if Israel is to save its democracy by freeing itself of an internal subject population—BDS would lose its *raison d’être* and quickly wither away as an organization. But everything Butler says argues for the opposite outcome. So long as the children and grandchildren and extended families of Palestinians who once lived within Israel’s 1948 borders cannot return to surviving homes, she believes, so long as they cannot return to rebuild villages razed in 1948 or later, justice will not be served. Indeed, as early as her 2004 essay “Jews and the Bi-National Vision” she called for “the just reallocation of arable land” in Israel proper.

Contrary to Butler, it is entirely *possible*, politically and logically, to confine the problem of Palestinian *subjugation* to the West Bank. She doesn't like that possibility, but that does not make it impossible. As several of *Israel Denial's* chapters document, subjugation hardly describes the status of Palestinian citizens within Israel proper. Whatever inequalities affect Israel's Arab citizens could be more readily resolved if the threat of a Palestinian majority were taken out of the equation and the fears of one Palestinian state from the river to the sea were eliminated by a peace agreement. But Butler and too many other BDS supporters insist that a Palestinian majority must become a reality, just as it remains a sacred principle for some Palestinian political groups.

As Chapter Eleven demonstrates, unilateral Israeli withdrawal from portions of the West Bank will not require abandoning all the settlements outside the settlement blocs; it would be politically impossible to do so absent an agreement, but it will be possible to withdraw from most of Area C of the West Bank as part of an agreement. Complete withdrawal now would leave Palestinians no incentive to negotiate further and thus no way to agree on territorial swaps. Israel would also face serious security risks, not the least of which is the possibility of a Hamas takeover on the West Bank, an area only twelve miles from Israel's Mediterranean coast. Real peace cannot be achieved without an agreement that provides for Israeli security. Chapter Two points out key ways to assure that security. We can be sure that limited withdrawal would not relieve Israel of international pressure. But it could involve abandoning enough settlements (including Hebron) except those close to the border to give Palestinians more contiguous territory to govern and separate Israel from large numbers of Palestinians. That would undercut, though not eliminate, the popular left-wing claim that Israel is a colonialist power.

Limited withdrawal would not resolve the most difficult problems, but it could give the two-state solution significant momentum. It would also eliminate many of the oppressive features of West Bank Palestinian life, or at least those that are consequences of Israeli policy, an outcome that must occur sooner rather than later. Peter Beinart has pioneered the use of the term "nondemocratic Israel" to describe conditions on the West Bank. That seems a useful way to distinguish the West Bank from the robust democracy that prevails in Israel proper. I believe Israel has no choice but to separate itself from its undemocratic territory.

Internal resistance to unilateral withdrawal has increased because many Israelis feel the withdrawal from Gaza was a disaster. Israelis saw the struggle between Fatah and Hamas culminate in a Hamas victory in 2007. A continuing series of rocket attacks on Israeli towns and cities followed,

along with cultural changes in Gaza like the imposition of limitations on women's rights—none of which Butler or the BDS movement have seen fit to criticize. In a 2006 Q&A at a UC Berkeley teach-in, Butler remarked that “understanding Hamas, Hezbollah as social movements that are progressive, that are on the Left, that are part of a global Left, is extremely important,” despite their official state department classification as terrorist groups. Her remarkably modest qualification—“that does not stop us from being critical of certain dimensions of both movements”—does not undercut her basic claim. In a 2010 interview she reiterated that Hamas and Hezbollah “are ‘left’ in the sense that they oppose colonialism and imperialism,” while rejecting their “tactics,” as though Hamas's violent homophobia, its fierce anti-Semitism, and its embrace of *The Protocols of the Elders of Zion*, the most virulent fabrication of the conspiratorial version of a Jewish plan for global domination ever written, are merely tactical (Zimmer).

In a 2012 *Mondoweiss* piece, Butler backtracked by saying “those political organizations define themselves as anti-imperialist, and anti-imperialism is one characteristic of the global left, so on that basis one could describe them as part of the global left.” She repeated her rejection of state violence, but still could not bring herself to condemn Hamas. If asked to comment on a particular suicide bombing with named civilian casualties, Butler would likely repeat her standard “I reject violence” rejoinder. Nor does she admit that Hamas is a fundamentally anti-Semitic organization. Nonetheless, in my view Israel is still better off without Gaza than with it. Ari Shavit in *My Promised Land* acknowledges that, but suggests accurately that the experience of withdrawing from Gaza recommends a staged withdrawal from the West Bank. The *Jerusalem Post* reported similar recommendations by Amos Yadlin, a former Israeli chief of military intelligence. I return to that view in Chapter Eleven.

ONE STATE AND THE RIGHT OF RETURN

Butler is correct that there never was a possibility for a Jewish state in Palestine without the partial dispossession of Arab lands. What she does not confront is the fact that Jews purchased land that was owned by wealthy Arabs, and that some tenant farmers lost their right to live there as a result. As Asher Susser writes in *Israel, Jordan, and Palestine*, “Until 1948 the Zionists, as opposed to classical colonial movements, did not conquer the land, but bought it on the market from local as well as nonresident landowners.” Jews also owned land in the region before the nineteenth century, and

much of the land in the area fell under Ottoman administrative rule, rather than being in private hands. In confronting the genuine tragedy of 1948 for Palestinians, Butler is not much interested in acknowledging that five Arab states launched a war against Israel that year. But the fact remains that Palestinians lost their homes and saw their communities destroyed. Displaced Palestinians should have been offered reconstruction of their villages and full citizenship in other Arab countries at the time, not confined for decades to refugee camps and subjected to relentless discrimination in Lebanon and elsewhere. The United States should have offered to cover much of the relocation cost. But that option was lost in the sands of time. Also missing from Butler's account is the fact that 850,000 Jews were forced out of their ancestral homes in Arab lands as a consequence of the establishment of Israel; they and their descendants make up the majority of Israeli Jews today. Needless to say, Jews are not demanding a Right of Return to Iraq, Egypt, Syria, or other Arab countries, places where neither their freedom of speech nor their physical security can be guaranteed.

One does not find BDS supporters sympathizing with Jews from Arab countries who lost their homes, their lands, and their businesses, or calling on Arab governments for reparations. Why is it that "justice" does not include full justice for those displaced Jews? For many Jews from Arab lands it was not the Nazi Holocaust they had to flee but rather the risk of a similar fate at Arab hands. If the creation of Israel intensified Arab anti-Semitism, it also gave Jews from Arab lands a haven and a home. Justice for them would not be enhanced by dismantling that home.

Financial compensation to Palestinian families displaced in 1948 can be part of an agreement without destroying the State of Israel. As part of its commitment to creating two viable states, encouraging recognition of Israel by neighboring countries, and guaranteeing Israeli security, the United States today should shoulder most of the cost, with Israel contributing according to its ability. The relevance of a literal right to return has diminished as Palestinian exiles who lived within Israel's pre-1967 borders have aged and died. Fewer than five percent of those who fled or were expelled in 1948 still live. The right of later generations to return to a home they never lived in is less a human right than a political weapon. Its emotional power has been sustained by prolonged life in the refugee camps, during which people felt they had no home with a future. As Amira Hass, an Israeli critic of her country's policies has acknowledged in her essay "Between Two Returns," "With the passing of the years, as many first-generation refugees age and die, the return home becomes increasingly transtemporal, metareal" (183). The sense of loss is thus metaphysical, not material, and can be unlearned, especially if other benefits and possibilities

accompany it. But a Palestinian state would be free to adopt its own immigration policy. Does anyone doubt that such a policy would give preference to returning Palestinians, as one would properly expect it to?

Butler again deploys her abstract notion of justice to decry the contradiction between a right of return denied for Palestinians and a Law of Return affirmed for Jews. It is a contradiction, but it is one that Israel must sustain if it is to remain a Jewish entity. As United States history might have led Butler to acknowledge when she states in *Parting Ways* that “no democratic polity has the right to secure demographic advantage for any particular ethnic or religious group” (210), democratic polities have repeatedly done precisely that; such rights are partly a function of historical circumstance and relative power. As Alexander Jakobson and Amnon Rubinstein point out in *Israel and the Family of Nations*, democratic polities frequently seek demographic advantage. The Scandinavian countries have immigration policies that grant preferential treatment to other Scandinavians. Germany gives preferential treatment to ethnic Germans. Those are two examples among many. BDS advocates typically either sidestep such detailed comparisons with other nations’ policies and practices or they accept only irrational and unsupportable comparisons with some of the most odious states in modern history, namely Nazi Germany and white-dominated South Africa.

Butler claims that a UN resolution affirms the Palestinian right of return, but then a UN resolution established the State of Israel as well. That said, UN Resolution 194 does not actually speak of a *right* of return. What it says is that “refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so.” As Asher Susser writes, “the resolution spoke of a permission that ought to be granted rather than an inherent right to return.” Given that Resolution 194 came but a year after Israel was founded, one may conclude that “living at peace” with one’s Jewish neighbors did not entail opposing the state whose creation the Jews had just celebrated. The resolution was also part of a peace plan indexed to the conditions of the moment. There is no reason to suppose it stated a principle that should not be modified to reflect conditions nearly three quarters of a century later.

Ben-Gurion might well have been advised at the time for both moral and pragmatic reasons to make the return of refugees conditional, rather than refusing to accept any. The opportunity for that solution has now passed. Divested of most of the West Bank now, however, Israel could make certain that no forms of discrimination persist within its borders. Israeli politicians should find the resolve to do what a majority of Israelis want, for example, and make provision for civil marriages to be carried

out within Israel. Legal means are readily available to prevent discrimination in areas like housing, employment, and municipal services, and Israel must strengthen enforcement to protect its Jewish minorities as well as its Palestinian citizens. Enforcement requires commitment, but that is not unimaginable either. Symbolic issues (the flag, the national anthem) will still mark difference, but the benefits of a democratic society can counter-balance them. If what Butler actually wants is “that the State of Israel consider undertaking formal acts by which equality might be more inclusively allocated and contemporary forms of discrimination, differential violence, and daily harassment against the Palestinian people [be] brought to an end” (33), then Jews need neither ground their identities in diaspora nor dissolve their nation. They need to apply their laws to foster equality internally and abandon the bulk of the West Bank so the Palestinians living there can govern themselves. To be a refugee, to be stateless, is an unacceptable condition, but that does not mean Palestinian refugees need to live in Tel Aviv.

Given Butler’s unreservedly idealist agenda, it is possible she believes in her “single state, one that would eradicate all forms of discrimination on the basis of ethnicity, race, and religion.” The problem is that no major players in the Middle East believe that goal is realistic and most have no interest in it. When Palestinian political groups announce that they acknowledge the existence of Israel, they refer to a place where Jews and Arabs live. They do not affirm Israel’s right to exist as a Jewish state. That is not surprising, given that endorsing Israel’s Jewish identity conflicts with the goal of implementing a massive return of diasporic Palestinians that would turn Jews into a minority. Over time, the Nakba (the flight and expulsion of Palestinians in 1948) and the right of return have become the central features of the Palestinian historical narrative. Indeed, as Benny Morris argues in *One State, Two States*, Palestinian insistence on the right of return is “code for the elimination of Israel and the conquest of all of Palestine” (172).

Butler really has no answer to the challenge Morris offers to happy-family prospects for the Middle East: “What Muslim Arab society in the modern age has treated Christians, Jews, pagans, Buddhists, and Hindus with tolerance and as equals? Why should anyone believe that Palestinian Muslim Arabs would behave any differently . . . ? (168–69). In *Israel and the Family of Nations*, Yakobson and Rubinstein offer equally pertinent observations about why one state embodying all of Palestine would cease to have any Jewish character and would not be hospitable for its Jewish residents:

In order to believe that such a state would in fact be binational, a number of wildly implausible assumptions need to be made: that

the Arab-Palestinian people would agree over the long term that its state—the only state it will have—would not have an Arab character and would not be regarded as part of the Arab world; that it would agree to be the only one among the Arab peoples whose state would not be officially Arab, would not be a member of the Arab League and would not share, by declaration, the aspirations for Arab unity; and that the Palestinian people would agree to make this concession—a declared relinquishing of Palestine’s “Arabness,” something which no Arab nation has agreed to do in its own state for the sake of the non-Arab native minorities— or the sake of the Jews, widely considered “foreign intruders” and “colonialist invaders” in Palestine, whose very claim to constitute a nation is no more than “Zionist propaganda.” (10)

Meanwhile the troubling results of the Arab Spring confirm Morris’s tough judgment that “the Palestinian Arabs, like the world’s other Muslim Arab communities, are deeply religious and have no . . . tradition of democratic governance” (170). That does not mean Arab countries cannot develop democratic institutions over time, but it does mean that a minority Israeli population will have reason to fear that neither their rights nor their physical security would be guaranteed in the critical first years of a binational state’s existence. Does anyone actually think Israelis would willingly sign on to that risk?

By addressing only the most apocalyptic risks of violence in calls for the abolition of the Jewish state, Butler is conveniently able to dismiss all lesser but still consequential risks of violence. If a BDS proponent argues that Israel is not a legitimate state, she complains, “that is taken to be a genocidal position,” a “wish to see a given population annihilated.” She can then come neatly to the conclusion that “no thoughtful discussion about legitimacy can take place under such conditions” (19). Except for her idiosyncratic theory that Jews should so thoroughly internalize their diasporic history that they are led to embrace statelessness, however, there is little hope that anything but a bloodbath would follow any attempt to dissolve the Jewish state. BDS advocates call that an alarmist response to a one-state proposal, but I believe it is coldly realistic.

Given that Butler’s diasporic identity theory is phantasmagoric at best, one may reasonably ask why she invokes it. Perhaps, although she gives no sign of being willing to admit it, it is because she realizes at some level that the BDS movement is fundamentally coercive. We might call it coercive non-violence, since it relies on the prospect of international pressure forcing the Israelis to do something they are otherwise altogether determined not to do. She offers them an improbable route to delegitimization based

on self-realization and inner transformation. As Hussein Ibish writes in *What's Wrong with the One-State Agenda?*, the idea that they would “let bygones be bygones, forego their national identities and independence and join the vanguard of enlightened humanity transcending the most fundamental of modern identity categories” (58) is equally improbable. What sovereign nation has ever been asked to do this? Butler presents us with a twofold utopian model: first, Jews will take diaspora into their hearts, then Palestinians will choose not to dominate a state politically, ethnically, culturally, and religiously while they will certainly dominate it numerically.

In her interview with *Open Democracy*, Butler implies that Jews and Palestinians would learn to control “whatever murderous rage” they have, but I doubt if many outside the United States find that reasoning reassuring. And Americans as well, Jews now among them, must contend with the consequences of murderous rage. The fact that only a very tiny percentage of Americans actually want to kill homosexuals, Jews, or Muslims is not a reassuring statistic. In any case, it is hardly reliable to extend standards of familial and interpersonal relations to interactions between hostile political movements and nation states.

There is also a broader lesson here. As Butler well knows, the diaspora is not only an abstract principle of dispersal and exile. It is a material history that includes discrimination, inequality, demonization, isolation, and periodic mass murder. Jews who took their British, French, German, Hungarian, Polish, Russian, or Spanish identities into their hearts remained in part both “othered” and internally divided. Butler’s rhapsodic mystical journey toward diasporic inwardness should prompt serious examination of the relationship between abstract theoretical speculation and the responsibilities entailed in making policy recommendations. Becoming enamored of a thought experiment, however elegant and internally logical it may seem, does not justify advocating its application to real world politics.

What Butler’s BDS-style one-state solution would actually produce is a Muslim Arab-dominated state devoted to ethnic cleansing of the Jewish population. But Israelis would not go peacefully into that dark night. They would fight. At best a civil war like that following the Arab uprising of 1936–39 would ensue, leading now to untold deaths of Jews and Palestinians and serious regional economic and humanitarian disasters. We have Syria as a model for how much worse a civil war could be today. I do not accept a Holocaust analogy for the prospect, but I do believe we would see both general clashes and innumerable local acts of hatred and revenge. Butler’s claims of a nonviolent route to a single state are naïve, dangerous, and bear no relation to reality. They demonstrate what happens when a skilled theorist turns to real world politics she does not or will not comprehend.

The binationalism she advocates, she acknowledges, “is not love, but there is we might say, a necessary and impossible attachment that makes a mockery of identity, an ambivalence that emerges from the decentering of the nationalist ethos and that forms the basis of a permanent ethical demand” (53). Good luck with that. Does she think millions of Arabs and Jews are mere clay she can mold to fit her fantastical ambitions for them?

Those who question where Butler’s heedless pursuit of an abstract logic of justice would take us should read carefully the sometimes-oblique sentences she crafts. In “Jews and the Bi-National Vision” she simply declared that “the institution of a Palestinian state will not by itself nullify the claims to the land or the petition for restoration” and added “I don’t believe that the Israeli state in its current form should be ratified.” But toward the end of *Parting Ways* she suggests that any *relationship* with a Jewish state is morally and politically unacceptable. “Palestinians who have been forced to become diasporic” should not even have to contemplate a “colonial power” that “stays in place and out of sight” (216). According to her, the two-state solution would be psychologically and politically corrupted by the past. Palestinians would be living in juxtaposition with their former oppressors. “If coexistence requires working within the disavowed framework of colonial power, then colonial power becomes a precondition of coexistence” (216). This parallels Barghouti’s argument, in a 2009 *Electronic Intifada* interview with Ali Mustafa, that coexisting Palestinian and Israeli states would create an unacceptable appearance of moral equivalence: “I am completely and categorically against binationalism because it assumes that there are two nations with equal moral claims to the land.” Neither Butler nor Barghouti are troubled to acknowledge that Jews in a Palestinian-dominated state would be living next to members of terrorist groups. Apparently that example of moral equivalence carries no weight.

Following this logic, the establishment of a Palestinian state will do nothing to stop the ongoing tragedy of the Nakba, for a Palestinian state would still bear within itself, be the product of, that foundational and eternally intolerable expulsion. Butler’s reasoning is quite strange at points. “As the homogenous nation moves forward,” she writes, “it continues to spit out and pile up those who are no longer supported by a history that would establish them as subjects. They are, rather, expelled from the nation as so much debris, indiscernible from a littered landscape” (102). Apart from her indifference to those of Israel’s Arab neighbors who have far more homogenous societies than Israel, Butler cannot mean that Israel would expel its own Arab citizens following a formal two-state solution. Perhaps what Butler means is not only that those who fled in 1948 continue to live as victims of expulsion, that the present time continues to reenact the past,

but also that any Palestinian who doesn't have free choice of residence throughout Palestine lives in an intolerable condition of exile. Butler's solution: "the undoing of Israeli colonial power and military force" (217). Setting aside her appalling tendency to forget that Israel includes millions of human beings, not just the mechanized colonialist entity she has constructed in her mind, one may say simply that Butler has crafted a recipe for war.

A certain studied indifference to Israel's citizens also informs this last abstract claim. Following the standard BDS effort to *delegitimize* the Israeli state, she argues, as Elhanan Yakira points out in his contribution to Alvin Rosenfeld's edited collection *Resurgent Antisemitism*, "that Israel either never has been 'legitimate' or that it has lost its legitimacy by its allegedly criminal behavior" (53). What is odd about this argument, as Yakira elaborates, is that a nation's legitimacy is first of all established and sustained as a pact between a government and its citizens, and the citizens of Israel overwhelmingly want the Jewish state to persevere. For Butler, despite the UN vote that legitimized Israel's creation as a state, Israel's legitimacy can only really be established by the true citizens, the Palestinian descendants of those who once lived there, few of whom live there now. The numbers mean Israeli Jews would have no say in their own country's future. For Butler, Israel would merely be "changing the foundations of its legitimacy," the latter concept being Butler's contribution to the political logic of Arab domination.

In reality, Butler's and the BDS movement's first goal is to maximize international hostility toward Israel, a project destined to harden positions, not move the peace process along. To resolve the conflict, we need to embrace the Palestinian right to self-determination *within* agreed-upon borders, fair compensation to families displaced in 1948 or 1967, and to secure borders for a Jewish state. We can work back from that goal to see what steps are most likely to lead there. As Kenneth Waltzer observed in "Arguing With Judith Butler," "she says nothing about how we might get from here to there." What vague hints she offers, as in "Jews and the Bi-National Vision," where she invokes a future "decided through radically democratic means by all the inhabitants of these lands," is once again not reassuring. What she seems to be advocating—and here she is, I believe, being willfully vague for tactical reasons—is a "democratic" vote by Israelis, West Bank residents, and *the entire Palestinian diaspora* to decide the future of Palestine. That radical, indeed apocalyptic, plan offers no achievable benefit to any of the parties. Perhaps that is what David Lloyd, a cofounder of the US Campaign for the Academic and Cultural Boycott of Israel, means in his 2014 *Los Angeles Review of Books* essay when he writes

“it is not the armed resistance of Palestinians that poses the greatest danger to Israel, but the nonviolent claim to legal and political equality. The greatest challenge to the state that often preposterously claims to be the only democracy in the Middle East turns out to be the demand for democracy.”

Demonizing and delegitimizing the State of Israel will not help move us from here to *anywhere*. But perhaps the worst thing about one-state fanaticism is that it offers no realistic route for political independence and full citizenship for Palestinians. Israel will certainly not accede to these radical demands. The practical effect is thus that Palestinians would remain in their powder keg limbo. BDS offers nothing whatsoever to the Palestinians it purports to champion. All it offers is a way to mobilize hatred as a political identity in the West.

If Butler is the best BDS can offer in the way of a rational case for their cause, and her work is fundamentally flawed by its unmitigated hostility toward Israel, American academics instead might begin their own education by reading what Israeli historians and journalists have to say about their own country, one they know and understand. Israel’s politics cannot be reduced to ahistorical platitudes. We should encourage respect for all parties, empathy among those who lack it, and the recognition that no one can win everything in Palestine. Butler assures us, adapting a traditional trope from Christian anti-Semitism, that if we wandering Jews look into our deeply diasporic hearts, as she has, we will discover we do not actually want a state; the Jews in Israel who do so will voluntarily give up their state and perhaps choose to leave.

BUTLER AND THE HOLOCAUST

In *Parting Ways* Butler draws on a number of philosophers who happen to be Jewish, though no one from a rabbinical tradition, in order, as Russell Berman describes it, “to provide her own anti-Zionism with a false genealogy” and convince readers that opposition to a Jewish state is a core Jewish tradition. In a project of remarkable hubris, she also aims to construct what she believes is the proper identity and form of subjectivity for Jews worldwide, both for Israelis and for those in the diaspora. Eva Illouz argues that “much of the author’s thinking amounts to nothing more than a grand project of essentialization of Jewishness” (318). Sarah Hammerschlag points out that Butler is “passing over the traditional canon of modern Jewish thought and formulating an alternative canon at the margins of the tradition” (367).

My main concern is not so much with the accuracy of her readings of Emmanuel Levinas, Walter Benjamin, Martin Buber, Hannah Arendt and others but rather with what she purports to extract from them in the service of her project to reform Israeli and diasporic identity and her still more troubling goal of convincing readers that the State of Israel should be dissolved.²⁸ Irene Tucker argues that “what is remarkable about *Parting Ways* is how little either the specific arguments that these individual authors present or the particular analyses Butler makes of them matter to the book’s overarching argument” (218). Few readers will change their views of Israel based on whether they agree with any of Butler’s readings. As abstract, metaphysical speculation, her spiritual and argumentative journey toward what she considers ideal Jewishness would have no real significance. But it is troubling and dangerous to offer it as a mandate for personal, social, and political change.

Her primary motive in writing the Primo Levi chapter is not to explicate Primo Levi, but rather to use his reservations about Holocaust discourse to delegitimize the Israeli state.²⁹ In an odd way, this turns Levi, the author of *The Drowned and the Saved*, who was a moral witness against injustice to Palestinians, into a voice warning us that Israel’s founding rationale and continuing existence are corrupt, even though Butler acknowledges that “in actuality he was taking a public stand against some Israeli military actions, not Israel itself” (187) and “he clearly valued the founding of Israel as a refuge for Jews from the Nazi destruction” (186). Her bottom line is that Levi “asserts the ‘I’ that would not instrumentalize the historical memory of the Shoah to rationalize contemporary military violence against Palestinians” (188).

Who could disagree that “it will not do to call upon the Shoah as a way of legitimating arbitrary and lethal Israeli violence against civilian populations” (187)? Indeed, some of the most intense debates about the meaning of the Holocaust in contemporary life occur among Israelis. The books Butler cites to support her claim that Holocaust allusions are used to justify Israeli policy are Idith Zertal’s *Israel’s Holocaust and the Politics of Nationhood* and Avraham Burg’s *The Holocaust is Over: We Must Rise from Its Ashes*. Both are Israeli authors. Zertal demonstrates that Holocaust references were widely used during Israel’s founding (when their relevance is a historical fact), during the 1948 war when the fledgling state felt militarily threatened, and returned with every subsequent war. Holocaust allusions are again warranted as the world faces the risk that Iran will acquire nuclear weapons. Burg’s claims are more inflammatory; he argues the Holocaust is used to justify every government policy and has permeated Israeli culture as a whole. Holocaust references do occur in political discourse, but they

do not overwhelm Israeli policy making. There is no evidence that the Holocaust is routinely invoked to justify every policy in the West Bank. There remains as well a chilling anti-Semitic, anti-Israel discourse among some Arabs and Europeans alike that regards the Holocaust as unfinished business. We should recall, moreover, that in the first decade after Israel's founding about a quarter of the population were Holocaust survivors and many more had been powerfully affected.

Yet as Dan A. Porat points out in "From the Scandal to the Holocaust in Israeli Education," the Holocaust was not front and center in Israeli public life in the country's first years. Nor did it play a significant role in Israeli education for decades. The country wanted to promote collective strength and pride, which made a story of mass slaughter counterproductive. When the Holocaust did come up, it was often to celebrate moments of resistance like the Warsaw Ghetto Uprising. The picture began to change with the Eichmann trial in 1961, which emphasized victim testimony, after which Holocaust commemoration became more visible in public life. Yet it was not until the Yom Kippur War in 1973 and a heightened sense of national vulnerability that young Israelis took a major interest in the darkest period of Jewish history. That was finally reflected in the country's educational curriculum after 1980, and trips to Auschwitz became common. Before that, the Holocaust was consistently marginalized in Israeli high schools; thus most senior Israeli politicians missed encountering the Holocaust in their education.

The claim that young Israelis and the political culture are now obsessed with the Holocaust is unsupportable. Even after the Holocaust began to play a role in Israeli education, the image of the Jew as a victim never supplanted the figure of the Sabra who possesses agency and the capacity to control his or her fate. The contrasting images instead competed in Israeli culture. Some grew up in the shadow of the Holocaust, while others did not. By that time, moreover, 850,000 non-Ashkenazi Jews had emigrated from Arab countries and begun raising families. Not being from Europe, they felt less connected to the events of World War II. They had their own narratives of historical trauma to communicate.

Unsurprisingly, then, Butler's story does not encompass Israeli government policy either. Is it the Holocaust that governs Israel's relations with European countries complicit in the Shoah? Is it the Holocaust that led Israel to cede territory to Egypt? The fact that some Israeli constituencies misuse Holocaust references does not justify condemning the entire state on that basis, as Butler would have us do. Menachem Begin, dead for decades, used Holocaust allusions to justify Israeli policies, as does Netanyahu, but Begin and Netanyahu do not represent all Israeli politicians, then or now.

Burg is a former Knesset Speaker and thus has a political history himself. As a shorthand way to distinguish between history and current policy, we could say that the Holocaust helps justify the creation and continuing existence of a Jewish state, but not building settlements on the West Bank.

Although Butler does not detail these arguments, her complaints about Holocaust references usually assert that they are used to exempt Israel from all moral responsibility for its policies and actions. As a homeland for history's ultimate victims, Israel's security needs consequently at once trump the rights of its neighbors and the Palestinians in the West Bank. According to anti-Zionist arguments, Israel's security thus falsely functions as a higher morality. Yet the very incommensurability between the Holocaust and the myriad local decisions required to maintain Israel's security should be enough to suggest that the Holocaust is not routinely invoked whenever policies are being formulated or put in place. Invoking the Holocaust would make most policy debates unintelligible. When the founding of the Israeli state is under discussion, however, the Holocaust is part of the historical record.

As Seyla Benhabib has written in an essay review of *Parting Ways*, "Had it not been for the Holocaust, the small community of idealistic dreamers in Palestine would have held the sympathy of the world Jewish community, but sooner or later they would have disappeared as a separate political entity" (158). On the other hand, as Dina Porat writes in Alvin H. Rosenfeld's collection *Resurgent Antisemitism*, "Had there not been a 600,000-strong Yishuv (the Zionist Jewish entity that resided in pre-State Israel) the 360,000 survivors would not have found a shelter" (477). For Butler, as she argues in "Jews and the Bi-National Vision," accounts of the relationship between the Holocaust and the founding of Israel are not historical facts but merely "founding narratives," which once again adopts a radical post-structuralism that denies any irrevocable relationship between historical fact and its narrative conceptualization. While one never gets past narrativity to arrive at absolute facticity, that does not mean there are no actual events and circumstances to be narrated. But for Butler it is imperative to "rethink and rewrite the history of the founding of the Israeli state" so as to "unlink the way in which the Nazi genocide continues to act as a permanent justification for this state."

Decades of debates about the meaning of the Holocaust have left a complex legacy that doesn't merit Butler's reductive summary. In a later chapter we will read the Palestinian poet Samih al-Qasim's poem "Buchenwald," which challenges Israelis to apply the lessons about human sympathy learned from the Holocaust to relations with Palestinians. That is just one example of the ways the Holocaust can be invoked in meaningful ways.

Butler instead characterizes Holocaust references as a “cynical and excited recirculation of traumatic material—a kind of traumatic spree.” Since she has come up with that abusive language, one may fairly ask whether she, Barghouti, and others are doing anything else themselves with their litanies of anti-Palestinian violence? It was theologians and poets who first warned us that what the Holocaust teaches us about human beings leaves doubts about the meaning of life itself. Butler would have been better served by consulting Israeli philosopher Elhanan Yakira’s *Post-Zionism, Post-Holocaust: Three Essays on Denial, Forgetting, and the Delegitimation of Israel*. One conclusion we can draw from Holocaust testimony and Holocaust literature is that the Holocaust casts a shadow over everything we say and do; it casts a shadow over Butler’s Holocaust discussion as well, one she does not confront. In “Some of My Best Friends are Zionists,” there is a moment when Butler displays visible irritation at evidence the Holocaust was directed mainly toward the extermination of the Jews.

Keeping the burden of that legacy in mind is the challenge, among other texts, of Primo Levi’s utterly unsparing poem “Shemá,” written in 1946 as the Nuremberg trials were beginning.³⁰ It is here in a translation by Ruth Feldman and Brian Swann. The *Shema* is the principal prayer in Judaism: “Hear, O Israel: the Lord is our God, the Lord is one.” “Shemá,” the poem’s title, translates as “Hear,” the first word of the prayer. It is the central text of the morning and evening prayer services for observant Jews and traditionally recited by Jews at the moment of death. By putting his poem in the place where the day begins and ends, Levi tells us that, post-Holocaust, death and the memory of the Shoah frame every day:

You who live secure
 In your warm houses
 Who return at evening to find
 Hot food and friendly faces:

Consider whether this is a man,
 Who labors in the mud
 Who knows no peace
 Who fights for a crust of bread
 Who dies at a yes or a no.
 Consider whether this is a woman,
 Without hair or name
 With no more strength to remember
 Eyes empty and womb cold
 As a frog in winter.

Consider that this has been:
I commend these words to you.
Engrave them on your hearts
When you are in your house,
When you walk on your way,
When you go to bed, when you rise.
Repeat them to your children.
Or may your house crumble,
Disease render you powerless,
Your offspring avert their faces from you.

CODA

As Eva Illouz writes in a review of *Parting Ways*, “Judith Butler should not be read as someone who has something to tell us about political problems and their solutions” (319). Julie Cooper insists that Butler and her allies “lack a compelling vision for diasporic politics” (82): “*if only* Jews were operating with a post-structuralist account of subject formation, *then* surely alterity ethics and democratic political practices would follow.” The incongruity between Butler’s promotion of critical theory and political reality is striking. Bringing Israelis and Palestinians the compelling news that she has a fresh, contrarian reading of Levinas will not lead them to abandon their antagonism and live happily together ever after.

“Were it not for pollution,” the poet Mahmoud Darwish suggests, we “would have embraced the other bank” of the river. Believing that Butler purifies the air, however, will not turn people in the West into anything other than dangerous agents of deception. Butler concludes *Parting Ways* with a lovely analysis of Darwish’s poem “Counterpoint,” a poem dedicated to Edward Said. I quote from Fady Joudah’s translation in Darwish’s *If I Were Another*. “The outside world is an exile / and the inner world is an exile” Darwish writes, “I don’t completely know myself.” With “I am two in one / like a sparrow’s wings,” he explicitly invokes the dualities of identity. Israelis and Palestinians who actually work together reach such conclusions without reading Levinas or his interpreters. And they may well have poetry in their hearts as a consequence. But they also know poetry is not a peace plan, a political program, or a negotiating strategy, elements of which Butler is ready to disparage: “if we imagine that addressing this or that change—the settlements, the Likud party, the wall—will provide the solution to the colonial subjugation and expulsion of the Palestinian people, we have not grasped the catastrophe in its enormity and repetition”

(224). Alluding to the Nakba and to Zionism, she tells us only the compensatory expulsion of the Jewish state and perhaps its citizens can provide the final solution. That is an allusion merited by the fact that nowhere in her work does Butler give any indication she understands the enormity of the Holocaust.

Darwish is described as a poet of exile. As his work evolved, exile became an increasingly more capacious subject. It never lost its primary referent—exile from his Palestinian homeland—but it also became a metaphor for the human condition. Often hostile to any kind of rapprochement with Israel, he eventually endorsed a two-state solution as the only realistic option. But the antidote to exile was always to return home, at least to a home somewhere in Palestine. As Julie Cooper writes, Butler prefers, for Jews alone, “to speak of ‘diaspora,’ rather than ‘exile,’ to jettison the latter term’s theological baggage, as well as its suggestion that dispersion is a plight to be rectified through return to the homeland” (84). “In Rabbinic texts,” she points out, “exile is a theological condition, a geographical location, and a political status,” but Butler’s alternative endorsement of diaspora limits it to a problem of identity that not only does not require a Jewish homeland but actually finds that goal to be loathsome. Exile for Palestinians merits statehood as a corrective, for Jews not. But then Jews, as Butler writes in *Parting Ways*, have had an identity fix that eliminates “any enclosed and self-referential notion of belonging” (127). By redefining exile as diaspora and investing diaspora with mystical ecstasy it becomes wondrous dispersion. In “Is Judaism Zionism?” Butler calls this exile that disavows return “the scattering of light” or “the nonteleological form that redemption now takes” (81). It is among those “scattered and quasi-angelic illuminations that break up the suspect continuity of the present along with its amnesia” (83).

I admire Mahmoud Darwish and write about him in Chapter Eight. I have argued for the political efficacy of poetry for years. Poetry can teach empathy, change consciousness, dislodge embedded beliefs, clarify history, build solidarity and community, open people’s hearts to political understandings they have resisted, and inspire action. But poetry alone will not suffice. That is where Butler misleads. For theory too is a kind of poetry, even if the sentences that embody it are, in Butler’s hands, sometimes painfully unpoetic. For that we need something different, a need that relentlessly demonizing Zionism and Israel only subverts.

In her 2011 interview with Udi Aloni she indulges herself in a redemptive binational fantasy, without any indication that getting from here to there presents immense difficulties, clear impossibilities, and a timetable for its fulfilment not likely to be completed in her lifetime:

There has to be a cultural movement that overcomes hatred and paranoia and that actually draws on questions of cohabitation. Living in mixity and in diversity, accepting your neighbor, finding modes of living together, *ta'ayush* [coexistence].³¹ This is obviously absolutely crucial. And no political solution, at a purely procedural level, is going to be successful if there is no bilingual education, if there are no ways of reorganizing neighborhoods, if there are no ways of reorganizing territory, bringing down the wall . . . And one has to be committed to living beyond racism and ethnocentrism. (218–19)

You cannot make this peaceable kingdom a reality with mere exhortation. This feel good agenda may seem inspiring to some in the international left, but it bears only marginal relation to reality. There are many groups working successfully to overcome hatred between Israelis and Palestinians, though not on the basis of BDS. Butler calls for doing so on a foundation of opposition to the Jewish state. The realistic route to mutual respect and successful collaboration begins with some of the steps outlined in Chapter Two and works toward a two-state solution.

CHAPTER FOUR

STEVEN SALAITA: THE FLUID LINE BETWEEN ANTI-ZIONISM AND ANTI-SEMITISM

The most theoretically problematic aspect of academic freedom is extramural expression. This dimension of academic freedom does not concern communications that are connected to faculty expertise, for such expression is encompassed within freedom of research, a principle that includes both the freedom to inquire and the freedom to disseminate the results of inquiry. Nor does extramural expression concern communications made by faculty in their role as officers of institutions of higher education. Freedom of extramural expression refers instead to speech made by faculty in their capacity as citizens, speech that is typically about matters of public concern and that is unrelated to either scholarly expertise or institutional affiliation.

—Matthew Finkin & Robert Post, *For the Common Good*, 127

Zionist academics and organizations focused on the academy, both liberal and conservative, are without question the largest impediment to the development of justice oriented intellectual communities in American universities.

—Steven Salaita, “Normalizing State Power,” 224

DISCOVERING WHAT DOES NOT EXIST

About twenty years ago a graduate student in Oklahoma had a career-defining eureka moment. Long opposed to the very existence of the state of Israel and repulsed by Zionism, he would later say that the word hate sufficiently defined his anti-Zionism. He was working in Native American Studies when he thought he had found a way to combine the two hemispheres of his intellectual life. He found one casual reference to American Indians in a little-known Israeli text. Having limited grounding in historical research and its standards for evidence in judging a historical thesis, he felt he had established what could become the core of a dissertation. His doctoral committee, which included Robert Warrior, an enrolled member of the Osage Nation, apparently did not see the student’s references as less than convincing either. They approved the dissertation grounded in his claims, which later became its author’s second book, *The Holy Land in Transit: Colonialism and the Quest for Canaan*, issued by Syracuse University Press in 2006.

Steven Salaita’s dissertation was completed in 2003, the book published three years later. In 2013, then teaching at Virginia Polytechnic Institute and State University, he would be offered a tenured faculty position in the American Indian Studies Program at the University of Illinois at Urbana-Champaign. Warrior, by then at Illinois and the director of the program, was not on the search committee, but the committee was aware that Warrior and the prospective faculty member had a long relationship. The candidate’s application letter made a point of emphasizing that.³² In recommending that Salaita be hired, however, the search committee members were unlikely to have been seeking to please their unit head. In what

follows, although I am not a faculty member in the program, I will try to show, with the assistance of confidential informants who were involved in the search and review process, that the evidence suggests the committee members were acting out of political solidarity and intellectual conformity with the candidate's views. That doesn't mean they were conspiring to do so; it means they and Salaita share convictions about the world. They consider their shared views and values, including their take on the Israeli-Palestinian conflict, to be accurate, to be on the right side of history. As *Warrior* would later say to Gale Courey Toensing, a reporter from *Indian Country*, "What became compelling about his work is the comparative analysis of the experiences of American Indian people and Palestinian people, which is at the heart of his work."

My investment in the Salaita case reflects my twenty-year history in the elected national leadership of the AAUP. I served as its president from 2006 to 2012 and am the coauthor of a number of its official reports and statements of principle. I differ with the current AAUP leadership over the definition of extramural speech and the role academic freedom plays in the case. But the understanding of extramural freedom I endorse, offered in the epigraph by Finkin and Post above, comes from two of the most distinguished veterans of the national organization's Committee A on Academic Freedom and Tenure. I served on that committee for nine years. Its statement is a valid disagreement about principle, not a simple matter of who is right and who is wrong. As a faculty member in the English department on the campus at the center of the Salaita controversy, I am also invested in and familiar with campus hiring standards and procedures. Though I never communicated with the administration about the appointment, I did publicly support the August 2014 decision not to proceed with it once that decision was announced.

In what follows I will briefly reprise the widely debated issues about the final phase of the Illinois hiring process, issues that I have also written about in other venues.³³ Many humanities faculty members and students at Illinois and elsewhere have proclaimed Salaita a world-class scholar without actually knowing his work. It is time someone tested that claim, and thus determined whether he is a good fit for a major R-1 institution, by examining his accomplishments. I will discuss the major arguments of his books, the kinds of evidence he does or does not provide, the validity of his historical claims, and the relationship of his tweets to his books and essays. I will also explore the character of the original search process at Illinois, asking whether appropriate expertise was brought to bear on Salaita's publications and whether appropriate academic judgment was compromised by political convictions.

In 1989, Robert Warrior published his influential essay “Canaanites, Cowboys, and Indians” in *Christianity and Crisis*. Although his graduate studies had included ancient history, Warrior nonetheless was not able to walk the unstable and endlessly contested line between fact and myth in the Old Testament in an objective manner. His first point is to underline an irony: liberated from slavery in Egypt, the Jews were directed to follow Yahweh’s commands “to defeat the indigenous inhabitants of Canaan” and thus became a dominant power like the one they had fled. “The obvious characters in the story for Native Americans to identify with are the Canaanites,” he writes, “the people who already lived in the Promised Land. As a member of the Osage Nation of American Indians, American Indians who stand in solidarity with other tribal people around the world, I read the Exodus stories with Canaanite eyes.” Warrior acknowledges that the Canaanites were not actually systematically annihilated, but that the biblical narrative remained influential. On that he is certainly correct. But he seems to accept that the Exodus story of the Jews’ liberation from Egypt is true, something in which scholars are not ready to concur. More important, he suggests in the end that it is not just ancient Israelites he has in mind. “Perhaps,” he muses, “people will be able to achieve what Yahweh’s chosen people in the past have not: a society of people delivered from oppression who are not so afraid of becoming victims again that they become oppressors themselves.” Perhaps Warrior is on even less secure ground in delivering messages about the Holocaust, which is the modern allusion in his reference to oppression and a Jewish fear of reoccurrence, than he is about Canaan. His comparison between Native Americans and “the indigenous people of Canaan” was not lost on his graduate student, Steven Salaita. It is an essay and a comparison Salaita repeatedly cites.

By 2013, Warrior’s attitude toward Israel was no longer a matter of allusion. That year the Native American and Indigenous Studies Association (NAISA) endorsed a boycott of Israeli universities. Warrior was the Association’s founding president, serving from 2009 to 2010. Indeed, Warrior and other UIUC faculty members participated in the drive to promote the Association’s boycott resolution. It reads in part: “As the elected council of an international community of Indigenous and allied non-Indigenous scholars, students, and public intellectuals who have studied and resisted the colonization and domination of Indigenous lands via settler state structures throughout the world, we strongly protest the illegal occupation of Palestinian lands and the legal structures of the Israeli state that systematically discriminate against Palestinians and other Indigenous peoples.”³⁴ Salaita supported the decision and has been a devoted and vocal supporter of the Boycott, Divestment, and Sanctions (BDS) Movement.

Indeed, he was one of the leaders of the successful American Studies Association boycott initiative that preceded the NAISA decision.

Illinois's American Indian Studies (AIS) Program had been seeking to expand its official mission by including indigenous studies in its title, thereby giving that mission formal institutional recognition. As Salaita describes it in *Inter/Nationalism*, "The American Indian Studies Program was in the process of transitioning to Indigenous studies, in part to accommodate work on the Pacific" (140). Building on existing interests, they wanted the University to redefine the program's identity. Indeed, AIS had considered seeking approval to drop "American Indian" from its title and become the Indigenous Studies Program, later proposing a less contentious change to the American Indian and Indigenous Studies Program. Had the program later been able to point to Salaita already teaching courses in comparative indigeneity, its case for an approved name change would have been strengthened.³⁵

Characterizing Salaita as a scholar working in "comparative indigeneity"—despite the fact that only his first book (then out of six, now eight), a later essay, and his Illinois job talk embodied that focus—made him a priority candidate. Like the AIS faculty members themselves, moreover, he regarded Palestinians as indigenous and Israelis as European colonialists. Neither Salaita himself nor the AIS faculty were qualified to evaluate those unsubstantiated claims, claims based on politics and prejudice, not scholarship or verifiable evidence. Perhaps to the AIS faculty members the two claims were self-evident, articles of faith. Their identification with Palestinians as the native peoples of the area, as Warrior admits, was part of their own political identity. Comparative indigeneity is an interesting recent field. One might compare the historical status of American Indians with Australian Aborigines or New Zealand Maoris and thus expand the reach of the American Indian Studies Program in a way verified by evidence about indigeneity. Yet comparisons between American Indians and Palestinians have no basis in responsible scholarship because there is no convincing evidence that Palestinians are an indigenous people. That Palestinians have become a people who deserve to see their identity confirmed in a state of their own is fair, but is not based on an ancestral tie to the land. Nonetheless, that was the "indigenous" comparison Salaita was to be hired to teach. AIS was unwittingly seeking to perpetrate a fraud on the campus. The competition to see whether Jews or Palestinians have historical primacy in Israel/Palestine is ultimately a political struggle, not a scholarly debate. Salaita's appointment never was simply academic. It was political from the outset.³⁶ The political character of the invitation underlay a sequence of damaging events that would end up substantially

destroying the program itself, though there is no evidence any of its faculty take responsibility for what ensued.

Salaita moves from an argument that all oppressed peoples are symbolically Canaanites, which was Warrior's point, to a claim that Palestinians are their genetic descendants. The effort to promote a Canaanite biological past for Palestinians and make them the one true indigenous people of Palestine was part of the political struggle of the 1990s. It is notable that Rashid Khalidi in *Palestinian Identity* dismisses the search for Canaanite roots of Palestinian identity as characteristic of the bad history favored by "extreme advocates" of Palestinian nationalism.³⁷ At the same time, Harry Ostrer at NYU, who is one of the leading figures in genetics research on Jews, maintains that both Jews and Palestinians have roots in the area.³⁸ But modern genetics essentially disproves any one-to-one link between genetics and peoplehood, though there can be overlap, as there apparently is with Jews and Palestinians. Given that Palestinians and Jews (including Ashkenazim) share a number of genetic markers, the only supportable biologically-based argument one could make would be for what we might call co-indigeneity for Jews and Palestinians. But Salaita is not interested in the objective evidence.

There is little evidence of a separate "Canaanite" people continuing to exist into the Hellenistic and Roman periods of ancient Judea; they seem by then to have largely blended with the people we now call Jews. The early Israelites as a whole were likely a tribal confederation with elements indigenous to parts of Canaan, Sinai, the Hijaz, and Transjordan.³⁹ Later Jewish populations picked up converts (and their genes) from across Europe, Asia, and Africa as well. The Jebusites, whom some Palestinians cite as their ancestors, are mentioned alongside the Israelites in Joshua 15:63, but they appear nowhere outside the Bible.⁴⁰ If we take the seventh-century biblical text as projecting its own historical circumstances onto the past, then the Jebusites may have existed, but they cease to appear after the fall of the First Temple in 587 BC, so were likely assimilated into the Jewish people, losing their separate identity. If Palestinians have a Jebusite ancestry, it is ironically through their own partial Jewish identity. Meanwhile, as the narratives toward the end of Rachel Havrelock's *River Jordan* demonstrate, many Palestinians have family stories by which their origins lie on the other side of the River Jordan, or in Lebanon. Some among ancient peoples switched between Canaanite, Israelite, and Aramaean identities as the political situation demanded. The fluidity of ancient identification practices makes exclusive claims for unique indigenous status still more problematic. All this suggests we will all be better served by accepting the fact that "peoplehood" is a social, not a biological, construct.⁴¹ Would Illinois students have

been well served by having Salaita's unfounded convictions about indigeneity communicated to them as fact? Certainly the increasing racialization of campus debates about the Israeli-Palestinian conflict is a disturbing and destructive trend, one to which Salaita is contributing by conflating ethnicity or peoplehood and genetics. The debate over how long each people have had connections to the land should be set aside by recognizing that both claims have validity, even if the Palestinian claim really only dates to the 1800s, while the Jewish claim dates back 3,000 years.

Having asserted that there is an objective historical and biological case for claiming indigeneity for Palestinians alone, Salaita proceeds in *The Uncultured Wars: Arabs, Muslims, and the Poverty of Liberal Thought*, to modify and considerably broaden the definition of indigeneity itself. This undermines his earlier position. Indigeneity, he now asserts, is "a practiced identity; it's not a political category that can be outfitted with manifest criteria" (113). "It can never be defined, even as a broad referent, using the logical convenience of Western scholarship" (113). Thus "an Indigenous community is one that identifies itself as such and one that is accepted as such by its brethren" (113). But ethnic self-identification and mutual recognition are not the same as awarding indigeneity legal and historical status. (One might recall in the case of Ward Churchill that personal self-identification was not accepted by all Indians as guaranteeing him a place in an indigenous community.⁴² When Churchill's tenure was under assault in Colorado—on the basis of his writings, not his ethnicity—many Native Americans rejected his claim that he was an Indian. I met with him several times and defended him on academic freedom grounds, but I would not have endorsed hiring him.) Contrary to what Salaita says, he has turned indigeneity precisely into a political category. That effect is heightened still further when he offers a supplementary definition: "Indigenous peoples are the ones who most ardently and consistently reject corporate modernity" (115). We are now down to what one might call "strategic indigeneity," or a concept of indigeneity created and deployed for cultural and political effect. Neither here nor elsewhere is Salaita much inclined to cite opposing scholarly views, though he surely must be aware of them. He appears to want readers who pursue his citations to enter a circular world of self-reinforcing opinion, not an academic debate.

The convictions about Israeli colonialism and Palestinian indigeneity that he and the AIS Program shared are simply commonplace leftwing political fictions. There is nothing original in Salaita's repetition of these beliefs in his dissertation. Salaita's claim to have broken new ground is based instead on a parallel comparison between the Europeans who colonized the Americas and the Israelis who founded the Jewish state. Any

characterization of Israelis *tout court* as Europeans ignores the fact that half of Israel's current population descends from the 850,000 Jews who fled Arab countries in 1948. They came from Jewish communities with a very long history in Arab countries—in some cases a history of nearly two thousand years—and thus it is inaccurate to view them as nineteenth- or twentieth-century European colonialists.⁴³

As Salaita writes in his introduction to *The Holy Land in Transit*, “When I discovered that Zionist leaders drew inspiration from American history in conceptualizing ways to rid Palestine of its Indigenes, the project became a reality” (3). And he writes, “Had I found only similarities, this project never would have been conceived” (3). What did he find? It is not until chapter 3, “Demystifying the Quest for Canaan,” that he tells us. What he found, most notably, was a series of contemporary writers—like Amos Kenan in a 1998 essay or Uri Avnery in a 2001 essay—who used analogies between Palestinians and Native Americans to criticize Israeli West Bank policy. Thus one might argue that Palestinians in refugee camps are like Indians in reservations, a comparison that helps people see how oppressive conditions in the camps in fact are. But that is a long way from demonstrating that Zionism is inspired by and grounded in colonialist strategies of Native American genocide.

Salaita's supposed smoking gun is a passage from a speech David Ben-Gurion gave on “earning a homeland” in New York in 1915. As Diana Muir Appelbaum points out in an important essay about Salaita's book, Ben-Gurion rejects in his speech the imperialist practice of seizing “land by force of arms,” instead arguing that it has to be earned “with the sweat of the brow” (17). History would prove that gentle remonstrance naive, but this was 1915 when Jews were buying land in Palestine, not engaged in a series of wars. Perhaps seeking to gain a sympathetic ear from his American audience, Ben-Gurion recalls “how fierce the fights they fought with wild nature and wilder Indians.” There is no evidence that this remark about Indians to an American audience was a serious part of Ben-Gurion's thinking or that it ever had any effect in Israel. Had Salaita limited himself to discussing examples of colonialist attitudes among Jewish settlers, he could have been on more solid ground. But then he could not have claimed a dramatic, though altogether misleading, discovery of a connection between Israeli and North American settlers. His argument is also flawed by a tendency to read the current power dynamic between Israelis and Palestinians back into the early history of the Yishuv, the community of Jewish residents living in Palestine before the state of Israel was founded.

As he does far too often, Salaita finds his evidence for this conflation of US and Israeli history in the form of a brief quotation from a secondary

source, in this case Naseer Aruri's preface to his edited collection *The Palestinian Resistance to Israeli Occupation* (1970). Salaita does not cite or give evidence that he read the speech in its entirety, though it can readily be found in Ben-Gurion's *Rebirth and Destiny of Israel* (1954). Without knowledge of the context of Ben-Gurion's remark, Salaita feels justified in *The Holy Land in Transit* in calling this example "crucial": "Ben-Gurion would conjure American conquest in order to inspire Near East colonization" (57). Zionism, Salaita would say two years later, making an overstated universal claim, "always desired to cleanse the land of Palestinians" (121). Israel defends "its right to be institutionally racist by remaining legally ethnocentric" (122), an argument Saree Makdisi elaborates.

Salaita's next piece of evidence is a misrepresentation of what Appelbaum identifies as a eulogy by Moshe Dayan "given at the 1956 funeral of Ro'i Rotberg (or Ruttenberg) a member of Kibbutz Nahal Oz, ambushed and murdered by *fedayeen* who came across the Egyptian-Israeli border in peacetime." This time in *The Holy Land in Transit* Salaita quotes Avi Shlaim, an Iraqi-born British-Israeli historian and severe critic of Israeli policy, from his book *The Iron Wall* (2001): "His funeral oration epitomized the stark philosophy of the 'Arab fighter,' that is, the equivalent of what Americans used to call the Indian fighter, a type common in the second generation of settlers in a country where newcomers are forced to fight the native population" (56). Salaita leads the reader to assume the references to an "Arab fighter" and an "Indian fighter" come from Dayan, but they don't. Salaita fails to tell us that Shlaim credits the "Indian fighter" term to Uri Avnery, an Israeli writer and founder of the Gush Shalom peace movement.⁴⁴ Dayan himself makes no reference to the United States. As Appelbaum writes,

What Dayan actually said, in a eulogy still quoted by Israelis, was that Israel is "a nation of settlers," hated by Arabs who "sit in their refugee camps in Gaza and before their eyes we turn into our homestead the land and villages in which they and their forefathers have lived." Dayan urges Israelis to face this reality with the knowledge they must either defend themselves or be killed, like the young farmer who did not perceive danger because he "was blinded by the light in his heart and he did not see the flash of the sword. The yearning for peace deafened his ears and he did not hear the voice of murder waiting in ambush."

Once again, Salaita does not quote from the speech directly or give evidence he has read it. In the absence of evidence, Salaita cites oblique allusions and what he takes to be comparable cases of settler colonialism, as in soldier, author, and Zionist leader Vladimir Jabotinsky's oft-quoted

observation in his famous 1923 essay “The Iron Wall” that “indigenous people will resist alien settlers as long as they see any hope of ridding themselves of the danger of foreign settlement” (55). Jabotinsky’s “iron wall” was the resolute military capacity settlers would need to defend their territory. Once again, Salaita quotes Jabotinsky from Avi Shlaim, who borrows the title of Jabotinsky’s essay for the title of his own book. Had Salaita read Jabotinsky’s essay in its entirety? It’s readily available online. Had Salaita made any effort to acquaint himself with the scholarly literature on Jabotinsky? He offered no citations to suggest he has done so. After reading an earlier (2015) version of this chapter, Salaita set about to correct this failure at least in part, commenting in detail on “The Iron Wall” in his 2016 book *Inter/Nationalism*.

Jabotinsky (1880–1940) was a hugely controversial figure in his own time.⁴⁵ He certainly had his followers, but he had still more detractors. So it is unacceptable to treat his thinking as the foundation of the Israeli state. He founded one wing of twentieth-century Zionism, very much in opposition to the early Labor Zionists who advocated peaceful coexistence between Jews and Arabs. Jabotinsky also supported Jewish sovereignty over all of Palestine, which has earned him the status of the father of today’s Israeli far right. But there is some evidence Jabotinsky expected Palestinian self-determination to be honored within defined geographical areas. In any case, simply quoting a couple of his sentences without considering either Zionist responses to his ideas or the full spectrum of his positions is not responsible scholarship.

Though Zionism was largely a secular movement, Salaita insists it has been pervasively messianic and grounded in biblical narratives, in a quest for a “new Canaan.” There is good reason to see that impulse among some of America’s religious settlers, and Israelis regularly invoke their ancient cultural and historical lineage, but that in no way justifies the ahistorical argument central to Salaita’s *The Holy Land in Transit*: “David Ben-Gurion and other prominent Zionist leaders looked to the Euro-American conquest of Native lands as a source of inspiration” (179). Indeed, he says they imitated it; it is an example of “institutionalized mimesis” (139). Two years later, in *The Uncultured Wars*, he will say that “comparisons should be precise” (104), but a few pages earlier he claimed that the “Natives and Palestinians, then, are victims of and actors in an identical mythology” (101). The demonic bond between the US and Israel is transhistorical: “America’s record of ethnic cleansing has allowed it to maintain Israel’s military occupation . . . Were it not for the destruction of Native nations in North America, there would have been no destruction of Palestine”

(179). Yes, without a past there would be no present, but is this story of an interdependent history credible?

One needs to raise a question: Were the members of the UIUC search committee sufficiently qualified in Zionism and Israeli history to evaluate Salaita's core thesis? Or did they endorse his views out of shared political conviction? The co-chair of the search committee automatically charges anyone who raises such questions with racism. I have been among his targets.⁴⁶

The question of the search committee's competence to judge Salaita's work—even with this second book, which is the only one that engages with Native American studies—should arise repeatedly for those concerned with events at Illinois because *The Holy Land in Transit* regularly takes up matters not obviously within the American Indian Studies Program's areas of expertise. Salaita's fifth chapter opens with a critique of the "Kahan Commission Report" issued by the commission established by Israel to investigate the September 1982 Sabra and Shatila massacre during the Lebanon War. The report accused Ariel Sharon and the Israel Defense Forces (IDF) of indirect responsibility because they had to have known the Phalangists who committed the murders were bent on revenge. Thus the IDF bore responsibility for allowing the Phalangists into the camp. Salaita treats the report with contempt and makes it clear he believes the Israelis had greater involvement. But he presents no evidence of that. He simply joins those determined to doubt the commission's honor. Was the search committee knowledgeable enough to take Salaita's word on the matter, or did it simply share Salaita's distrust and disapproval of Israel? Was its academic judgment clouded by its political commitments?

THE SAD MACHINE: SALAITA'S FORMULAIC POETICS

Discussing Salaita's work on Native American literature will divert me briefly from my primary focus on his writing about Israel, but it is necessary in part to understand how misguided his job offer was. Although his appointment was to be in American Indian Studies, his work in that area is neither his primary interest nor a major strength. Salaita discusses but two Native American novels in detail in *The Holy Land in Transit*: Winona LaDuke's *Last Standing Woman* (1997) and Gerald Vizenor's *The Trickster of Liberty* (1998). His analysis of those two novels occupies one and a half of the book's six chapters. He also published an essay on Native American fiction in 2010 and another in 2011. So, rounding up to give credit for passing comments elsewhere in his book—not counting sections

of his books published beforehand in journals, but adding the 2008 essay “The Ethics of Intercultural Approaches to Indigenous Studies”—Salaita had at the time of his offer written a total of five essays or chapters on Native American literature. Despite his many other publications, that is not, in my view, a sufficient number of publications in the relevant field to justify a tenured appointment in the American Indian Studies Program at the University of Illinois at Urbana-Champaign. It would be sufficient for an assistant professorship.⁴⁷ He returns to the subject directly in a chapter in his 2016 book *Inter/Nationalism: Decolonizing Native America and Palestine*, “Inter/national Aesthetics,” in which he surveys the treatment of Palestine in Native American poetry. That book is also devoted to urging the incorporation of political solidarity with anti-Zionist movements into American Indian Studies.

In *The Holy Land in Transit*, Salaita opens his treatment of LaDuke’s novel by warning us, “Because of the novel’s heterogeneity and the limitations of this project’s methodology, I will narrow my framework to the novel’s historical, colonial, decolonial, and postcolonial aspects” (83). It is a career-defining moment. He concludes by acknowledging that he has “focused on the interplay between natives and whites at the expense of other textual elements” (108). When he turns to a Palestinian novel, he admits that “much of *A Balcony Over the Fakihani* I have not been able to cover” (136), and about Vizenor’s novel he writes, “I have not concentrated on all the main aspects. . . . I have discussed textual elements that contribute to our understanding of settler colonialism” (166). There is nothing wrong with drawing out those elements, although his emphases give us no sense of the novels as literature. There is nothing aesthetic about them in his commentary. He treats them as oblique political tracts. It is not an inspiring classroom agenda. And as a career plan—detailing the anticolonialist implications of novel after novel after novel—it is wearying. Salaita’s work is relentlessly thesis driven, with reassertions and variations on descriptions of settler colonialism on page after page. It is a postcolonial variation on one of the formulaic applications of literary theory that one began to see in the 1980s. A critic sets up an interpretive machine and then processes text after text through it with little variation.

Nearly a decade after writing his thesis, Salaita was in the same place. In a 2011 essay “Humor and Resistance in Modern Native Nonfiction”—one of the few essays on Native American literature that he has published apart from his 2006 book *The Holy Land in Transit*—he reviews three books to show how “each author employs humor and comedy as a mode of critiquing the colonial state (Canada and the United States)” (133). “I will assess these nuanced rhetorical techniques,” he writes, “to show how each

author ultimately produces a damning indictment of the continuing policies of Canadian and American colonization.”

Unfortunately, though he quotes from the novels, he does not actually describe, assess, or analyze their “nuanced rhetorical techniques.” After a nod to Robert Warrior’s scholarship, Salaita opens a discussion of Jim Northrup’s *Rez Road Follies: Canoes, Casinos, Computers, and Birch Bark Baskets* (1999), which “condemns the United States’ voracious appetite for territorial expansion” and uses “humor as a way to condemn continued American colonization” (137). He emphasizes that Northrup’s writing “illustrates the interconnectedness of modern forms of race hatred with their origin in colonialist and slaveholding discourses” (138). Indeed, Northrup displays “a profoundly anti-colonial ethics”; “he links all topics back to the theme of Indigenous self-determination, and enters into decolonizing advocacy.” To underline this point, Salaita observes that “he critiques the destructiveness of what one may call imperialism and colonization, the continued occupation of Indian Country, and the use of American military force around the world” (139). And he notes that “Northrup conceptualizes the RBC [Royal Bank of Canada] as a neocolonialist entity, one that represents the interests of colonialist America instead of those of the Anishinaabeg” (140), the latter being the name for Odawa, Ojibwa, and Algonquin First Nations.

Moving on to Thomas King’s *The Truth About Stories: A Native American Narrative* (2005), Salaita makes it clear in “Humor and Resistance in Modern Native Nonfiction” that “King presents forcefully a politics of decolonization and a commitment to Native self-determination.” Indeed, all of King’s techniques are “exquisitely intertwined to proffer a coherent and wide-ranging critique of colonial discourses” (141). Thus, in critiquing James Fenimore Cooper, “King excoriates Cooper’s rationalizations for Euro-American colonization” (142) and thereby succeeds in “juxtaposing America’s colonial past with its imperial present” (143), reminding us that “like colonization, racism is a comprehensive phenomenon.” In King’s writing, the treatment of representation is “intertwined with the issues of racism and colonization” (144).

Keeping to his theme, Salaita turns to Paul Chaat Smith’s *Everything You Know About Indians Is Wrong* (2009). It is a book in which “a major expression of anti-colonial politics occurs through a discussion of treaty rights” (145). “A particularly interesting aspect of Smith’s rhetoric is how he uses self-deprecating humor, not only for emotional levity, but also to set up a critique of colonial American society” (146). “His call to Native artists to present honest work is fundamentally decolonizing” (147).

All three books are “deeply committed to a broader movement for Native decolonization” (148). And the “greatest similarity of style and substance among the three books is the authors’ uses of humor and how that humor informs a Native politics of decolonization” (149). The point apparently needs underlining: “their comic rhetoric shares an adamantly anti-colonial politics.” Their “humor often highlights the forms of injustice arising from the colonization of North America” and thus participates “in a broader movement of decolonization and self-determination in Native communities” (149). The essay concludes with another nod to Warrior.

Salaita would no doubt be able to find this pattern in other novels as well. Indeed, the repetitive and formulaic character of his work does not lead one to expect an inventive intellectual life in literary studies in his future. At least in terms of Native American literature there is little reason to assume he will be doing original work in the field. The 2010 and 2011 essays suggest that he returned to the field mainly to burnish his Native American credentials for the job market.

The 2011 essay, “Humor and Resistance in Modern Native Nonfiction,” is not without interest, but the interesting parts of the essay are the quotations from the Native American writers themselves. Although Salaita does not offer detailed analyses of their rhetoric—other than to link the quotes with his thesis—such work would be well worth doing. The culture-specific humor in the novels not only stands on its own but also enriches a long and varied general American history of political wit.

Comparing *The Holy Land in Transit* (2006) with this essay, one could well conclude he became even more ideologically single-minded in the intervening decade and a half. The arc that runs from his first essays in 2001 and 2002 to his 2014 tweets shows increasing bitterness and hostility. There are moments when one feels as if he tries to adopt the sardonic humor he learned from the writers he studied but cannot control its effects nearly so well as they.

EIGHT BOOKS IN PURSUIT OF AN ENEMY

Two topics recur repeatedly in Salaita’s books: advocacy for the Palestinian cause and unqualified opposition to the state of Israel. As he writes in the introduction to *The Holy Land in Transit*, “My entire life has thus been dedicated to Palestinian politics and activism, and nothing has occupied my thoughts more than Israeli brutality and the way it is described so euphemistically in the United States, if even it is mentioned at all” (2). His sixth book, *Israel’s Dead Soul*, is but the fullest expression of the obsession

at the core of the other obsessions. His seventh book, *Uncivil Rites: Palestine and the Limits of Academic Freedom*, went to press before his settlement with Illinois was reached. His eighth book, *Inter/Nationalism: Decolonizing Native America and Palestine*, was published in 2016. Salaita's pursuit of his enemy is so relentless and hostile—and so much of a piece with his sometimes virulent social media presence—that Matthew Finkin, UIUC law professor and the most experienced member of the Campus Academic Freedom and Tenure Committee, expressed his concern that there was no scholar of anti-Semitism on the search committee or otherwise involved in the search process. Finkin offered that challenge at the February 9, 2015, public meeting of the Champaign-Urbana Faculty Senate.⁴⁸

In *The Holy Land in Transit*, Salaita defines Israel as “the final Garrison force in Asia” (21), “a modern instance of colonization initiated and administered mainly by Europeans with little familiarity with the land, and no connection with it beyond an abstract premise rooted in its own liturgical tradition” (42). As he tweeted on July 22, 2014, “Reminder: this is not a ‘conflict.’ It is a colonial power using disproportionate force to suppress an Indigenous insurrection.” He thus objects to naming Palestinians “as terrorists for reacting violently to American and Israeli colonization” (99). “While some Jews are Indigenous to Palestine,” he concedes, “most are not” (45). In contrast, there is a “biological continuity among Palestinians with the ancient tribes occupying the Holy Land during the initial arrival of Jews” (42). “Palestinians have been the majority, as well as its original inhabitants” (75). In a rhetorical move typical of his work, he then pretends to take back what he said. His argument “is not meant to delegitimize Jewish claims to residence in the Holy Land. . . . Rather it is to show that history and the ability to speak are tied to power” (75–76). But the status of the last assertion is really just additive, not qualifying. Salaita writes that whatever other rights Jews have, they have no right to a Jewish state. The conflict cannot be settled “until the goals of return and redress are realized in full” (80), a process that could replace Israel’s Jewish majority with an Arab one.

The same year Salaita issued *The Holy Land in Transit*, he also published through Pluto Press, a leftist popular imprint, his *Anti-Arab Racism in the USA: Where It Comes from and What It Means for Politics Today* (2006). Despite its title, the book is also an attack on advocacy for Israel in the United States and on Israel itself. It is one of several volumes of popular and generally polemical political commentary Salaita has written. There is nothing wrong with faculty members publishing non-scholarly work designed for the general reader, but such work does not typically count for tenure in a research university. I doubt that American Indian Studies

based its case on those books, but they are very much a part of Salaita's intellectual profile and his reputation.

The two chapters of primary interest here are "Is Zionism Racism?" and "Why God Hates Me," the latter a critique of the evangelical Christian commitment to Israel. In a key passage in the first of these, Salaita announces that "Zionism is diverse and multifaceted" and thus that "it is unfair to say 'Zionism is racism,' a blanket statement that leaves no room for group or individual nuance" (142). So far so good. We seem to be in the universe of a liberal enlightenment commitment to drawing critical distinctions. But then he immediately adds, "I believe without hesitation that the majority of worldviews that arise from Zionism are infused with anti-Arab racism, or directly purvey it. Some revel in it. Others helped create it." These are distinctions with little practical difference, and they offer what amounts to a comprehensive indictment. "Racism," Salaita emphasizes, "has always been fundamental to the majority of Zionist projects" (144). "Israel," he informs us falsely, "grants equal rights only to Jews" (160), once again a false claim we will see from Makdisi. "The new anti-Semitism," he adds, "has institutionalized anti-Arab racism even more firmly in mainstream Zionist thought" (143). No wonder he can infamously tweet, "Zionists: transforming 'anti-Semitism' from something horrible into something honorable since 1948"⁴⁹ or "By eagerly conflating Jewishness and Israel, Zionists are partly responsible when people say antisemitic shit in response to Israeli terror."⁵⁰ Despite such statements, his opposition to Israel, he guarantees us, "does not exist in overzealous isolation" (5).

These two tweets from July 2014 grow out of Salaita's rage at Israel's "apartheid system" (*Anti-Arab Racism in the USA*, 145), a system he claims is grounded in "an attitude of biological determinism" that "legitimizes Palestinian inferiority based on a racialized model of citizenship" (146). But most Jews see their land-based religion grounded in a cultural and historical, not biological, lineage. And there is no apartheid system in Israel proper, despite Salaita's unsupported and hyperbolic posturing. Many of Israel's Arab citizens face unacceptable interpersonal discrimination, and IDF veterans and Orthodox Jews, among others, get special treatment under the law, a situation that is changing, but that does not justify Salaita asserting globally that "Arabs are inscribed in the Israeli legal system as second-class citizens and treated accordingly" or decrying "the meaningless rhetoric about equal rights for Arabs that Zionist leaders like to vocalize when Israel is criticized" (144). Salaita goes on to say "Israel grants equal rights only to Jews" (160) and even that Israel's Arab minority has no human rights (156), assertions that are false and professionally irresponsible. Israel's Arab citizens vote, serve in the Knesset, teach in universities, care

for patients as physicians, and enjoy equal citizenship under the law. Arab communities in Israel proper need better infrastructure and better employment opportunities, but that is a matter of greater government and private financial investment, not a question of a formal apartheid regime. Nothing inherent to Zionism prevents those inequities from being addressed.

There is certainly racist sentiment on the Israeli right, as there is in the United States and across Europe, but that does not make Israel a fundamentally racist society, especially given the powerfully antiracist currents in Israeli culture. It would be more appropriate to make a claim of fundamental racism about the United States. And Salaita's statements about the legal system in Israel proper are not accurate. Were the people who reviewed Salaita's file at Illinois and voted on his case at the program or college level qualified to judge whether his assertions were based in well-researched fact and exhibited appropriate professional care? Did they consider this vulgar fantasy from *Israel's Dead Soul* to be a statement of fact?

It is well known by Palestinians that anytime one of them enters or exits Israel, regardless of nationality, he or she will likely undergo an anal or vaginal probe. These probes, as in the American prison system and in police stations around the world, aren't intended to be pragmatic. They are acts of psychological domineering and political assertion. The agents of these coercive actions are rehearsing their own depravity through fulfillment of their Orientalist notions of Arab and Muslim sexuality. (110)

Writing in *History News Network*, historian Steve Hochstadt summarizes other notable misstatements and distortions, including those in Salaita's chapter on the Anti-Defamation League:

Salaita writes that cartoons which compare Israel and Nazi Germany are "ethically viable," because both nations engaged in "widely documented human rights abuses." He claims that "numerous cases of anti-Semitic vandalism in 2007 and 2008 were found actually to have been committed by Jews." He then offers four examples: in one he says that the NYT reported that the perpetrator "was trained by the Mossad," but the report was only that the perpetrator claimed he was trained by the Mossad; in a second, the perpetrator was "a German woman," not a Jew; in a third, Salaita says "numerous swastikas that turned up on the campus of George Washington University were ultimately attributed to a Jewish student," but does not mention that this student drew only a few of the many swastikas in question. He then argues that the ADL is culpable for anti-Semitism because it defends and promotes Israel. . . . Salaita repeatedly asserts that the ADL

“maintains its denial” of the Armenian genocide, while quoting and then explaining away an ADL statement from 2007 which affirms that the murder of Armenians was genocide.

As Liel Leibovitz points out in an article in *Tablet*, “according to Tel Aviv University’s Stephen Roth Institute for the Study of Contemporary Anti-Semitism and Racism, there have been 632 cases of violent anti-Semitic attacks during the time Salaita examines.” Salaita’s marginal examples do not justify assigning Jews responsibility for anti-Semitic incidents.

When Salaita claims in *Anti-Arab Racism in the USA* that “messianic Zionism and each of its practitioners are racist to the degree of America’s Aryan militias” (147) he makes an indictment that is far too sweeping to be fair. There are certainly some violent West Bank settlers who could be compared with members of Aryan militias, though Salaita’s claim that the “degree” of racism is comparable is meaningless. In any case, Messianic Zionism as a whole does not merit the comparison. Messianic Zionism predates the founding of Israel and even includes Israelis who actually reject the legitimacy of the Israeli state. When Salaita writes, again in *Anti-Arab Racism in the USA*, that “Zionism, after all, has been responsible for innumerable atrocities” (151), however, he alludes not to Messianic Zionism, but to the mainstream Zionism that underwrites the notion that Jews deserve a nation in their ancient homeland. The Zionism that Salaita finds racist is the Zionism that led to the founding of the Jewish state and sustains the cultural rationale for its existence today.

Salaita opens *Israel’s Dead Soul* by consolidating these pronouncements: “I conceptualize Zionism as deeply inhumane ethically, and as destructive politically for Jews and Arabs, and for humankind in general” (5). Wherever the Internet reaches, one might say, Israel is doing no good, for there is “an inherent inhumanity deep within Zionism” (10): “Zionism presents its advocates with irreconcilable contradictions. It promises liberation through colonization. It attempts to exemplify modernity but relies on a fundamentally tribal mentality. It glorifies democracy while practicing apartheid. There is no way to circumvent these realities; one cannot support Zionism without eventually encountering its ugly side” (3).

In an assertion about its worldwide reach, Salaita claims that “Zionism has become a vital component of the liberal discourses of inclusiveness, coexistence, and multiculturalism . . . ethnic cleansing has come to be tacitly acceptable through lionization of Zionism and multiculturalism in liberal discourses of American modernism” (4). It would be very difficult to prove that liberal discourses of inclusiveness and coexistence worldwide are grounded in Zionism, or that American responses to ethnic cleansing

in Yugoslavia or Rwanda were underwritten by sympathy for Israel. In saying so, however, Salaita is not just condemning Israel and its influence; he is now standing against the enlightenment project as it plays out in the contemporary world. His political agenda trumps what he views as the tired old values of the West. “Assessment of Israel is central to global campaigns for economic, racial, sexual, and environmental justice” (7). This also helps explain his reservations about academic freedom. No wonder Salaita would tweet in April and May 2014, months before the war in Gaza, that “I think of all the pain Israelis have caused, their smugness, their greed, their violence, and yet I smile, because it’s all only temporary,”⁵¹ that “Even the most tepid overture to Palestinian humanity can result in Zionist histrionics,”⁵² that “All life is sacred. Unless you’re a Zionist, for whom life is a mere inconvenience to ethnographic supremacy,”⁵³ and “Understand that whenever a Zionist frets about Palestinian violence, it is a projection of his own brute psyche.”⁵⁴ These tweeted sentiments are of a piece with his articles and the majority of his books. Both the manner and substance of the tweets and the publications coincide.

Then there is the title of *Israel’s Dead Soul*. Salaita assures us, comically, that he has “chosen it not to be cheeky or provocative” (10), a contention that not even a boy’s mother would believe. While sharing his doubt that countries actually have souls, he cannot resist delivering the book’s most notorious tweet-worthy line: “Israel’s soul died in the moment of its invention” (10). The epilogue rings changes on that sentence to generate a tweetable cluster: “Israel’s soul needed to die if the many peoples of the Near East are to continue living” (141), “Israel’s dead soul is the affirmation of life through its long overdue murder” (142), and “Do not mourn Israel’s dead soul, then. Mourn instead those who suffer when Israel’s soul is living” (142).

Plenty of other anti-Zionist and anti-Israel equivalents of his tweets are layered into the book. In identifying tweetable passages in Salaita’s prose I am replicating Salaita’s own practice in the “Civilized Twitter” chapter in his *Uncivil Rites* (163–65) in which he quotes twenty-one examples of pithy remarks by Andrew Jackson, Menachem Begin, Theodore Roosevelt, Golda Meir, Theodore Herzl, Woodrow Wilson, Ronald Reagan, Richard Nixon, and others that functioned then in much the same way tweets do now. Here are examples from *Israel’s Dead Soul*: “Zionism underlines a state engaged in overt and covert violence of ferocious dimensions” (26–27), “Israel has put Zionists, both ardent and progressive, on the wrong side of nearly every issue of global import” (27), “when Israel misbehaves, all Jews, no matter where, become responsible” (28), “We need to kick Israel out of multiculturalism” (32), “Zionism represents an immoral form

of ethnonationalism” (32), “If we want Jews to participate in multiculturalism, we should ask them to leave Israel behind” (33), “No ideology more than Zionism has the ability to make hypocrites of even the sincerest human beings” (35), “there is no way for Zionism and Palestinians to coexist” (36), “Zionists take tribalism to depraved levels of chauvinistic exclusion” (38), “Israel in fact generates anti-Semitism” (45), and “Israel is a settler colonial nation whose core state ideologies and jurisprudence are unavoidably racist” (70), among others. In addition to these ready-to-go tweets, there are incipient tweets, raw materials for tweeting, and tweets in the making in five of Salaita’s books. Thus you can delete a phrase (while remaining true to his argument) to find a tweet: “the display of Israel’s flag . . . shouldn’t fall under the purview of a multicultural office (or any institution with moral decency)” (15). Horrific or not, these absolutist, often unprovable, claims occur as thesis statements or summaries of arguments that give opposing arguments no quarter. They are offered as statements of ironclad truth.

Salaita’s demonstrated skill at crafting aphoristic-like condemnations is one of the defining features of his work and an important source of his political impact. The following are a few examples from *Uncivil Rites*: “Zionist colonization of Palestine started it. Only the decolonization of Palestine will end it” (17), “Israel has performed this strategy often enough for it to have become predictable: bomb Gaza, steal the West Bank” (22), “Any ASA member can travel to, say, Tel Aviv University and pal around with racists and war criminals” (90), “I didn’t articulate anti-Semitism. I disparaged Judeo-supremacy” (118), “And fretting about the destruction of Israel is no defense, but a meager attempt to preserve an anachronistic idea” (169). In the same book Salaita declares “I am, in fact, deeply shy and chronically deferential. That is to say, I am civil to a fault” (41). And he adds: “I’ve never actually disparaged any group of people, Jews included” (66). Zionists and Israelis, however, are groups of people. Many are Jewish.

Do I think that some of his work promotes anti-Semitism, that *The Holy Land in Transit* and *Israel’s Dead Soul* are anti-Semitic books? Yes. Not anti-Semitic in every sentence or in every argument, but in frequent passages and, overall, in their exceptionally passionate project of delegitimizing and ultimately eliminating the Jewish state. The tweets add to that picture passages of exceptional vulgarity and incipient violence. “You may be too refined to say it, but I’m not,” Salaita tweeted shortly after three Israeli teenagers were kidnapped and murdered by Palestinian terrorists, “I wish all the fucking West Bank settlers would go missing.”⁵⁵ Is Salaita himself anti-Semitic? I have no idea. Do I think he himself knows whether he is? I have my doubts, despite his assertions to the contrary. A colleague

who has met him and who supported his appointment believes he is not. But my colleague is convinced Salaita knew the tweets would be perceived as anti-Semitic, knew that they would cause pain, knew that they would be anti-Semitic in effect, and that he took pleasure in anticipating all that. In the 1971 UCLA case against Angela Davis, when the regents sought to prevent her from teaching, the AAUP's investigative report stated that "the judgment to be made is how far the condemned polemics fall below a professionally tolerable norm, and about the gravity, the frequency, and other circumstances of the incidents, along with other evidence bearing on the speaker's overall academic responsibility." I believe this chapter speaks to all these issues and presents a grave case against Salaita's overall fitness.

The claim that his passionately held convictions—convictions that dominate and substantially determine the character of his polemical books—would *not* shape his teaching of "comparative indigeneity" between Indians and Palestinians seems, to put it gently, rather speculative. In case we might have thought otherwise, by the way, he assures us in *Israel's Dead Soul* that he is "not singling out Israel in this book" (6). Pursuit of his universal values simply brings him involuntarily to condemnation of the Jewish homeland. There is an obvious tension here between his own claim to uphold universal values and his repeated disavowals of enlightenment liberalism, but it is a tension he either does not recognize or is unwilling to address. One notes that radical Islam solves that problem by arguing that its values are distinctive and trump the Enlightenment. Salaita, however, is trying in part to reach a radical left US audience and cannot go that route, and of course he is a Christian, not a Muslim.⁵⁶ He prefers to have his cake and eat it too, debunking enlightenment universalism while simultaneously embracing it.

He does, however, vehemently reject some components of enlightenment liberalism, among them both civility and tolerance. In *The Uncultured Wars* he calls tolerance "a stupid concept and a pernicious goal . . . it does little more than reinforce whatever injustice it ostensibly sets out to eliminate" (19). It is infected with "the patronizing affections of liberal benevolence" (65). But tolerance is not designed to be a self-sufficient and all-encompassing ethic, but rather a precondition for elaborating one. He goes on to say it "merely consolidates the white superstructure" governing the United States (20). While it is useful to have his views on such matters, whatever persuasiveness he might muster is limited because he does not bother to engage other liberal philosophies in a considered way. It is not enough to castigate several liberal journalists. When he does briefly articulate his principles—as with "morality is engaging all others as moral equals" (32)—his practice does not routinely honor them. One can hardly

say he treats Israelis as moral equals. Indeed, his support for boycotting Israelis and his deep hostility to the Jewish state illustrates his day-to-day opposition to such a stance.

That is not to say that every paragraph or every essay in *The Uncultured Wars* or *Israel's Dead Soul* is equally hate-filled. The books are basically collections of thematically and politically unified essays, and some are more acceptable than others. "The Heart of Darkness Redux, Again" is a review of three films. One can disagree with his readings, but the essay is a reasonable contribution to the debates about the films. On the other hand, "Is the Anti-Defamation League a Hate Group?"—a question he answers affirmatively—is an essay that reaches unwarranted conclusions. The essay is protected by academic freedom, but a search or tenure review committee would be free to decide whether it mounts a responsible argument.

THE PERSISTENT TWEETER

A common defense of Salaita is that he was punished for his Gaza war tweets, in other words for what amounted to protected political speech. I believe he was reevaluated, not punished, but I agree that the University's focus on the summer 2014 tweets was inadequate and irresponsible. Part of what I demonstrated above is that Salaita's aggressive tweets about Israel and Zionism had long been very much in harmony with his books and essays, thus that the aggression did not begin with the war in Gaza, though that is when the tweets became notorious. Should the tweets nonetheless be considered protected extramural speech? My Campus Academic Freedom and Tenure Committee (CAFT) considered the tweets protected political speech but held that they raised valid questions about his books and essays and thus about the soundness of his judgment and his fitness for a faculty position. The AAUP understandably declined to address or explore Salaita's scholarship, but it is doubtful his case can ever receive a fair national hearing unless faculty members evaluate his scholarship. In what follows I consider his publications, blog posts, tweets, and brief online book reviews as part of one professional package because they are topically uniform. As Salaita himself remarks, "the distinction between something academic and nonacademic is not as trenchant as we might suppose" (90). If he were tweeting about global warming, given his areas of research, the tweets would be extramural, effectively just public opinion. All his writing is protected by academic freedom, which means he has the right to say things about both Israel and global warming, but that does not protect

writing in his areas of teaching and research from evaluation in hiring, tenure, or promotion proceedings.

The problematic tweets go back at least to the beginning of 2014. They didn't begin in July 2014 when the most recent war in Gaza took place, but rather predated it. Many of the summer 2014 tweets, moreover, are of a piece with his books, as with "Worry not, Zionist trolls! I'm awake and ready to once again provide the conscience you must suppress in order to support #Israel."⁵⁷ Others, specific to June and July 2014 events, represent opinions conforming to the political views in his books, but partially leading them. If he writes an essay about the summer war, I expect it may echo the 2014 tweets as well. Some of the July tweets embody a principle Salaita enjoins us to observe in *Israel's Dead Soul*: "If Zionists are going to conceal Israel's ethnic cleansing behind quaint discourses of multicultural decorum, then we must confront that decorum with proud indecency" (93). I take tweets like "At this point, if Netanyahu appeared on TV with a necklace made from the teeth of Palestinian children, would anybody be surprised?"⁵⁸ and "Do you have to visit your physician for prolonged erections when you see pictures of 22 dead children in Gaza?"⁵⁹ as examples of Salaita practicing "proud indecency." I certainly do not think it suffices to say, as he does in *Uncivil Rites*, feigning professionalism, that "most of my tweets distill decolonial theory into workaday language" (6), although that establishes a link between his longer publications and his social media presence. "I have already lost the culture wars," he writes in 2008's *The Uncultured Wars*, asserting that anti-Arab sentiment dominates both on and off campus, "so with this collection I zestfully enter into the uncultured wars" (2).

In a minority of his tweets, as with two cited just above or "The IDF Spokesperson is a lying motherfucker" (July 15) and "Zionists, take responsibility: if your dream of an ethnocentric Israel is worth the murder of children, just fucking own it already" (July 19), Salaita's manner of expression clearly differs from that of his books and essays. He does not ordinarily indulge in profanity in his full-length publications. I agree with him, as he puts it in *Uncivil Rites*, that "cuss words" are "nothing to get fired over" (6). Their only relevance is that they intensify the force of his assertions and underline the level of conviction behind them. But in none of his tweets does the substance of his political, historical, personal, and emotional views differ from that of his books and essays. Moreover, the epigrammatic and intensely hostile style of the tweets is identical to comparable sentences throughout his work, though in his full-length writings Salaita is also capable of awkward, clotted sentences that would not make for effective tweets.

Even with the tweets distributed during the 2014 Gaza war I would try to differentiate between ordinary protest venting (“Let’s cut to the chase: if you’re defending Israel right now you’re an awful human being”—July 9; “I repeat: if you’re defending Israel now, then ‘hopelessly brainwashed’ is your best prognosis”—July 20; “While Israel bombs children in Gaza, Zionists are busy trying to get BDS activists fired”—July 23; or “If you haven’t been called a terror-loving anti-Semite, then I’m sorry to say that your critique of Israel is totally weak”—July 29) and tweets that can contribute toward or trivialize anti-Semitism and Holocaust reversal (“The Pavlovian effect of Zionist whining is that my immediate reaction to claims of anti-Semitism is not horror, but bemused indifference”—June 25; “The IDF Spokesperson receives money to justify, conceal, and glamorize genocidal violence. Goebbels much” —July 16; “The logic of ‘antisemitism’ deployed by Zionists, if applied in principle, would make pretty much everybody not a sociopath ‘antisemitic’”—July 17; “According to Israel, bombing hospitals and murdering kids on a beach are the epitome of civilized behavior”—July 19; “If it’s ‘antisemitic’ to deplore colonization, land theft, and child murder, then what choice does any person of conscience have?”—July 20; “Israel and ISIS are but two prongs of the same violent ethnonationalism”—July 23; “My little boy covers his teddy bear with a blanket. Little toddlers do such lovely things. Yet Israel sees them as fit to kill”—July 29; “Israel is rounding up people and murdering them at point-blank range. The word ‘genocide’ is more germane the more news we hear”—August 2). In a hiring decision one could ask whether further reflection or the exercise of some professional self-restraint might have led him not to send some of these.

As for the second group of tweets, one may recall that Lesley Klaff defined Holocaust inversion in part as “an inversion of reality (the Israelis are cast as the ‘new’ Nazis and the Palestinians as the ‘new’ Jews)” and add Alan Johnson’s admonition that “Inversion talk establishes a ‘chain of equivalence’ between the terms *Nazi* and *Zionist* and, in doing so, twists the meaning of Israel and Zionism out of shape until both become fit receptacles for the tropes, images, and ideas of classical antisemitism The inversion is obscene; it verges on the demonic in its cruelty as it implicitly demands, as a matter of ethical obligation no less—and this after the rupture in world history that was the Shoah—the destruction of the Jewish homeland as a unique evil in the world no better than the perpetrators of the Shoah.”⁶⁰ Johnson argues that the “snarky” tone of Salaita’s tweets actually “ensured that the Holocaust inversion went viral.” The question, then, may be fairly raised: is this someone you admire enough to add to your faculty?

In her introduction to Salaita's *Qui Parle* interview, Jasbir Puar offers a different basis for valuing the twitter universe: "That Twitter, then, becomes a platform for the expression of political outrage that is censored elsewhere should be a lauded point of departure for an analysis of tweets rather than cause for condemnation that leads to further censorship. Twitter, and social media more generally, should be embraced for the risky expression it engenders, not subjected to the normativizing standards of forms long known to us" (66). Whether Puar still hails the Twittersverse as the vanguard of a brave new world in the wake of three years of Trumpian tweets and floods of online malice is impossible to say. At least in 2015, however, she was convinced Salaita's tweets reflected a welcome "refusal to submit to the disciplining apparatus of the civility-incivility binary" (68).

Some Salaita advocates have argued that all tweets must only be read as part of ongoing conversations and not as individual statements that can stand on their own, but that is overstated and disingenuous. Some tweets are sent in the midst of conversations, some initiate conversations, and some fall in the Internet forest unread and unheard, never becoming part of a conversation. Thousands of tweets are forwarded or quoted as self-contained statements. The point is that they have multiple discursive and social roles. There is no binding ethic of tweet circulation and evaluation. Moreover, it is inconsistent to assert that Salaita's anti-Israel tweets must be read only in the context of anti-Israel tweeting, not in the context of his other anti-Israel writings. That is largely an effort to whitewash Salaita's anti-Semitic social media presence. Even if some contexts are more equal than others, none is prohibited.

Faculty members, of course, share with their fellow Americans the same First Amendment right to vent irrationally, apoplectically, and ignorantly through social media. The federal government cannot punish them for doing so, and, if their university honors academic freedom, they are protected from institutional sanctions as well. If faculty members act rhetorically before they think, or have second thoughts about the public effects of hostile or exaggerated remarks, they can apologize and delete the remarks. They may not entirely escape widespread disrespect, but they may be able to mitigate the consequences of rash speech. Salaita has never disavowed his hostile tweets, though he has tried to rationalize them.

Writing in *Uncivil Rites* about his "gone missing" tweet he says "I thought it a suitable moment to reflect on a fundamental Palestinian desire to end military occupation . . . I didn't mean kidnap or murder" (11). Apparently, he just meant the teenagers should lose their way in Tel Aviv. Well, he was angry and venting; he did so at a moment when Israelis were worried the children might already be dead. And it does imply violence is

warranted. About the tweet imagining Netanyahu adorned “with a necklace made from the teeth of Palestinian children,” he writes “My post was a perfectly valid way to use hyperbole to highlight the barbarity of his deeds . . . I invoked images of a murderous politician to suggest that apparently he can kill as many children as he likes without generating the ire of the American government” (121). I do not think the tweet speaks in any way to American foreign policy. It images Netanyahu as someone who savors and celebrates dead children, who seeks to kill them and then takes trophies. Salaita then adds absurdly that “there is no tradition in the hideous annals of blood libel imagery of showing Jews wearing necklaces made of teeth,” but he knows perfectly well that contemporary versions of blood libel do not always replicate the ancient accusations. Salaita’s little fiction after the fact is to claim all the tweets were rationally chosen rhetorical strategies, but that might actually make matters worse if it were true.

But should faculty ever face professional consequences for what they say on social media? Many nonacademic employers are not tolerant of tweets or Facebook postings they find objectionable. The First Amendment to the US Constitution does not protect private employees from being sanctioned or fired for ill-advised public statements in social media or other forums. The fact that many Americans are confused about that fact gives them no cover. In 2006 the US Supreme Court in *Garcetti v. Ceballos* withdrew protections for job-related speech by state government employees as well. Private university employees have long been at risk. Now public university employees are also vulnerable. The possibility that academic freedom gives faculty any special legal protection hangs by a thread, specifically in a *Garcetti v. Ceballos* footnote by then-Justice David Souter.

That is why well-known authorities have been warning faculty members that only academic freedom gives them protections from university sanctions for extramural speech. But that protection has limits. In a very broad—and I think misguided—interpretation of its guidelines on electronic communication, AAUP’s current leaders suggest that all social media statements are protected from professional consequences because they are “opinion” rather than “scholarship.” It needs to be said bluntly: only faculty either not well versed in the norms of current academic work or willing to disregard them could argue that a bright line exists between scholarship and opinion. University presses publish volumes of opinion by faculty—by Salaita and others—and those volumes commonly reprint newspaper op-eds and play a role in hiring and promotion decisions and certainly in a faculty member’s campus and public identities. Opinion once directed to scholarly audiences is now all over the Internet. Scholarly research often leads to expressions of opinion for a general audience. Faculty could not

otherwise fulfill the public advisory role described in the AAUP's historic 1915 *Declaration of Principles on Academic Freedom and Academic Tenure*.

The AAUP has also long made an exception where public statements are clearly related to a faculty member's areas of teaching, research, and disciplinary expertise. As the quotation from Matthew Finkin and Robert Post that opens this essay argues, such statements are not properly considered extramural. They are not protected from academic consequences because they are part of a faculty member's professional profile. I was not the only member of the AAUP's Committee A at the time who felt Salaita's tweets about Israel were part of his professional profile, but published comments by other members of the committee suggest I may have been part of a minority of two. Don Eron, also a committee member, writes, "I argue that Professor Salaita's tweets, because they directly invoke his area of academic authority, should be considered intramural utterance . . . tweets about Palestine are likely to offer insight into his scholarship and teaching, which his opinions about the Affordable Care Act, or whether corporations are people, would not."⁶¹ In hiring and promotion decisions, activity on social media related to a candidate's teaching and research can be a component of decision-making. The AAUP's *Statement on Extramural Utterances* insists that judgment "should take into account the faculty member's entire record."⁶² In reviewing Salaita's entire publication record, I am seeking to do so.

In jettisoning the long tradition of recognizing public statements based on academic expertise as part of a faculty member's profile, AAUP's current leaders are breaking with AAUP precedent. When, for example, statements issued through social media are manifestly at odds with the clear consensus of the faculty author's relevant discipline, the faculty member is responsible for the professional impact that follows. If, as current AAUP leaders disastrously urge, faculty members were held harmless for all "opinions" issued through social media, it would open the door to fundamentally irresponsible professional conduct.

The AAUP has long used the example of a historian who makes public statements that the Holocaust is a hoax. A belief like that goes to the question of disciplinary competence and could result in serious sanctions. An evolutionary biologist who uses social media to declare that the theory of evolution is fraudulent would be in similar difficulty, as would a paleontologist who claimed that God put fossils on earth recently to test our faith. If we hold faculty harmless for all social media posts, then a faculty member could safely use social media to promote ignorance in both students and the general public, while in articles or books be careful to follow the disciplinary consensus.

That said, given the possibility of impulsive or irrational tweets or online comments that the author later regrets—and the need to forgive them—I believe we might borrow a principle from the 1970 emendation to the AAUP’s 1940 *Statement of Principles on Academic Freedom and Tenure* and apply it to the use of social media in faculty evaluations. The issue at stake then was the insertion by faculty of extraneous political material into classrooms. In its 1970 clarification of the 1940 statement, the AAUP stated that occasional intrusions should not be subject to disciplinary action. In my 2010 book, *No University Is an Island: Saving Academic Freedom*, I use the examples of a faculty member who taught a chemistry class discussing the assassination of Martin Luther King Jr. the day after it happened and a constitutional law professor leading a class discussion about 9/11 the day after the attacks. So the AAUP clarified its position by saying only “persistent” intrusion of extraneous political issues was subject to review. Some faculty members have gotten in trouble for one foolish tweet. That is inappropriate. I would suggest that only *persistent* tweeting on a given subject be a matter of relevance and concern. As a campus principle, that could lend some rationality both to public frenzies over occasional e-mails and to campus disciplinary proceedings. Salaita, however, issued scores of vehement anti-Israel tweets that embodied continuing poor professional judgment over a period of months. Some of my colleagues complain that only a “few” tweets are problematic. That is not the case. Salaita was a very persistent tweeter in his chosen subject area.

THE CAREER AND THE APPOINTMENT

The year after issuing his first two books, both highly polemical and flawed by hyperbole and factual errors, Steven Salaita published a book written in a conventional scholarly style, *Arab American Literary Fictions, Cultures, and Politics* (2007). He returned to that topic in *Modern Arab Fiction: A Reader’s Guide* (2011). Reviewing the second of the two books, Mejdulene B. Shomali says it provides “a preliminary schema with which to regard the recent upsurge of Arab American fictions” and offers “some basic frameworks for approaching the literature of Arab Americans in more depth,” concluding “it is ideal for an introductory course.” This is a fair assessment; the aggressive polemicist of his other books is nowhere in evidence.

It isn’t just that one could be forgiven for thinking these two books were written by someone other than the author of the other books bearing his name. It is that this conclusion would be the far easier and more

plausible one to reach. Both books on Arab American fiction are written from a pro-Palestinian perspective; here and there I take issue with the way the Arab-Israeli and Israeli-Palestinian conflicts are represented. Taking examples from the most recent of the two books, I would dispute the claim that the Sabra and Shatila massacres were “under the supervision of Israeli soldiers” (23), because that could be taken to mean the Israelis were physically present when the killings took place or even ordered them. But that is only a phrase, not the extended indictment Salaita offers in earlier books. When, in writing about Susan Abulhawa’s novel *The Scar of David*, he observes that the title, which refers at once to a scar on the title character’s face and to an emotional scar that haunts him, may also embody a pun “denoting the injustice inherent in Israel’s creation because the Israeli flag is adorned with a Star of David” (136), Salaita is invoking his strong conviction that the presence of a Jewish homeland in Palestine is fundamentally unjust. But in his four more political books it is not just an injustice; it is an obscenity to be excoriated and overturned. Here it is just a fully permissible expression of political opinion. His summary of the 1948 war on the previous page embodies an acceptable form of political inflection as well. I would disagree with his view, but it could lead to a reasoned conversation. No such expectation survives reading his other books.

In discussing Laila Halaby’s novels, Salaita can even deploy resonances of the Israeli-Palestinian conflict in a reasoned and reflective way:

Aqaba occupies a small stretch of land bordered on the tip of the Red Sea by Israel, Egypt, and Saudi Arabia, all of which can be seen easily from Jordan. As Hala remembers, in a paddle boat a considerable distance from shore Sharif pulled her toward Palestine, at which point they were stopped by Jordanian officials, who laughingly informed them that the Israelis would not let them land in Eilat, the Israeli port/resort town on the Red Sea. The scene reinforces the inability to return “home,” a particularly hurtful realization for Palestinians, as Hala indicates, especially given the fact that even water, a more fluid topography than land, can be monitored and policed as if it has a fixed border. Palestine thus becomes symbolic of the characters’ liminality; it is a visible physical presence but one that cannot be accessed and one that takes on extraterritorial dimensions (that is, it becomes much larger than its physical borders). (85)

I quote this passage at length because it suggests a good deal of what established literary criticism sensitive to Palestinian culture, history, and politics can offer. It helps us not only understand the novel (*West of the Jordan*)

but also the pressures, desires, and injustices that animate Palestinian life, although its surprise that maritime borders are policed is incomprehensible.

Had I been on a search committee here reviewing all of Salaita's publications, I would have urged that his application be rejected. Had his vita consisted of only the two books on Arab American fiction, I doubt he would have advanced to the interview stage in my department. The two books are modest accomplishments, a series of relatively conventional close readings that are not as intellectually and conceptually powerful as the first books many of my colleagues at Illinois have written. They do not compare in ambition or originality with Leon Chai's *The Romantic Foundations of the American Renaissance*, Michael Rothberg's *Traumatic Realism: The Demands of Holocaust Representation*, or Trish Loughran's *The Republic in Print: Print Culture in the Age of U.S. Nation Building, 1770–1870*, to name but a few by people who were colleagues in 2014–15. Nor, I believe, are Salaita's books on Arab American fiction destined to have nearly as much effect on literary studies. They do not present the powerfully original work I believe a search committee at a major R-1 institution should seek. But they offer insightful close readings. They fall within the range of accomplishments many schools would find attractive. With those two books he might well have earned tenure at another school.

But Salaita's publication profile is not limited to the two mainstream books. Nor was he hired to teach Arab American fiction. He was precisely hired to teach in one of the most problematic and incendiary areas of his publication history—comparing American Indian and Palestinian “indigeneity,” a subject that inescapably entails the whole Israeli-Palestinian conflict. I am told reliably that the College of Liberal Arts & Sciences dean initially objected to the American Indian Studies Program moving into this area and redefining its mission this way. But then the dean moved on and an interim dean came in. In judging the final results, it does not help that at least three of Salaita's outside referees (the three whose names were revealed in an administrator's letter released through a FOIA request) are, like Salaita himself, public supporters of the BDS Movement.⁶³ The three are Lila Abu-Lughod, Nikhil Pal Singh, and Chadwick Allen.⁶⁴ Outside referees ought to be selected because they are qualified to render sympathetic but disinterested academic judgments. Even though these referees are unquestionably accomplished scholars, their choice leaves us with the impression they may have been selected not only because their research interests overlap, to varying degrees, with Salaita's own but also because they share his politics.⁶⁵ Their support for Salaita's work is undermined by concern that their judgment may well have been compromised by their political sympathies.

The American Indian Studies Program was faced with a dilemma in preparing Salaita's appointment papers. The popular polemical books were not a good foundation for a position with tenure. His second book, *The Holy Land in Transit*, tried to meld a scholarly project and a hostile anti-Israeli polemic, but anyone without strong anti-Israel convictions could well decide that the combination did not work. The tenure case would have to be partly based on the two books on Arab American fiction, though that was not what he was hired to teach. Hoping to strengthen the appointment by demonstrating multi-disciplinary support for it, the American Indian Studies Program informally approached the English department head to offer 25 percent of Salaita's appointment; that way he could be hired in part to teach and do continuing research in Arab American fiction. Although most English faculty members, including the department head, are now incensed at the affront to shared governance represented by what became a combined chancellor/president/board of trustees' decision not to approve Salaita's conditional offer, at the time the English department head exercised his independent authority to do so and declined to pursue the opportunity. The department as a whole thus never discussed the possibility. Whether the head ever discussed the option with any of his colleagues I cannot say. The department now opposes the failure to hire him on procedural grounds, but it is important to note that it did not earlier endorse his purportedly exceptional scholarly merit by agreeing to share his appointment.⁶⁶ The department had only one specialist in Arab literature and thus potentially had an opportunity to significantly strengthen the area by appointing Salaita.⁶⁷

Some faculty members write both scholarly books and books aimed at a general audience. But that does not quite explain the vast rhetorical distance between the two sets of Salaita's publications. The polemical books are not an effort to popularize the work done in the two books on Arab American fiction. When Robert Warrior spoke to Christine Des Garennes at the local newspaper, he made the distinction altogether benign, saying the books include some that are "more publicly oriented, some of them more rock-hard scholarship." But this vague statement, on inspection, doesn't help Salaita's case, for his appointment in American Indian Studies to do comparative indigeneity required placing *The Holy Land in Transit* in the "rock solid" category, an unsupportable claim, as I have tried to show.

Several of Salaita's books are nearly overwhelmed by malice. Another, *The Uncultured Wars*, is intermittently undermined by convictions, aims, and arguments that seriously limit its usefulness as a contribution to scholarly debate. In a critique of Michael Moore's films, Salaita identifies weaknesses that merit application to his own work. Moore, he complains,

doesn't allow viewers "to weigh evidence carefully" (65). "He doesn't seem interested in offering a nuanced argument. He appears to prefer subsuming Others into subordinate relationships for rhetorical effect" (66). "He tempers hyperbole with personal profiles intended to coerce sympathy" (66). In Salaita's case, those personal profiles are often autobiographical. He then goes on to endorse "the necessity of analytical rigor" (73), a goal perhaps not entirely compatible with his declaration that "I would hate for my own work not to contribute somehow to the project of undermining Israel." He adds, "The ideal underlying my work, in other words, isn't the advancement of scholarly understanding but the advancement of our ability to understand scholarly complicity in racism and colonization" (106).

All this raises doubts about Salaita's capacity for disinterested reasoning, for rising above invective, for weighing alternative arguments and rebutting them, for making arguments that are persuasive and not just assertive. Along with his social media project, these statements suggest a faculty member whose campus role would increase the hostile character of campus interactions and relationships. They also establish a public presence that would not benefit the University of Illinois. All these issues can be taken into consideration in a search process. Indeed, so can civility, though as I have repeatedly said, Salaita's more polemical books and his tweets on Israel and Palestine go way beyond "civility" as a descriptive and operative category. Salaita's advocates typically claim that civility should play no role in faculty appointments. But in my experience, a candidate who, for example, becomes uncivil in a job interview will not get the job. So it is misleading to claim that civility can play no role in searches. That said, campus civility is a value to be promoted but not enforced. The AAUP's 1994 statement *On Freedom of Expression and Speech Codes* remarks that "civility is always fragile and can easily be destroyed" and adds, "The governing board and the administration have a special duty not only to set an outstanding example of tolerance, but also to challenge boldly and condemn immediately serious breaches of civility."⁶⁸ I believe that responsibility can in unusual cases extend to the review of job candidates but not to current faculty members. Salaita's case has been extraordinary from the outset.

A widespread national debate about the principle of civility erupted after Chancellor Phyllis Wise in 2014 issued an ill-informed and unacceptable statement about the subject. After affirming the importance of civility she suggested the principle should actually be enforced, as opposed to encouraged, on campus. "What we cannot and will not tolerate at the University of Illinois are personal and disrespectful words or actions that demean and abuse either viewpoints themselves or those who express them."

In my one email to her, I wrote to explain that this was totally unacceptable. The AAUP draws a clear distinction: individuals deserve respect, but ideas or “viewpoints” often enough do not. Academic freedom includes the right to criticize, satirize, or condemn ideas. In “A Civility Manifesto,” an op-ed I published in October 2014, I observed: “Printed posters carried aloft in a September demonstration at the University of Illinois at Urbana-Champaign read “Civility = Silence. Silence = Death.” In a particularly hyperbolic move, Henry Reichman, chair of the American Association of University Professors’ Committee A on Academic Freedom and Tenure, claimed that charges of incivility are being used to silence faculty members in the same way that accusations of communist sympathies were used to silence them during the McCarthy period of the 1950s. Historical comparisons should be carefully justified. This equation is at best frivolous; at worst it risks fomenting unwarranted feelings of victimhood.

Among the more substantial pieces taking up civility and the Salaita case was Joan W. Scott’s “The New Thought Police.” As her published remarks demonstrate, Scott is a vehement opponent of the Jewish state. She also serves on the AAUP’s Committee A on Academic Freedom and Tenure. Among the other critiques of civility was Joseph Massad’s “Academic civility and its discontents.” Salaita himself began immediately producing op-eds and blog posts addressing civility. In the *Qui Parle* interview he tells us “Civility is merely a pretext to repress” (71) and identifies civility as a “suppressive code-word” (85). He then gathers such comments together in remarks scattered through *Uncivil Rites*. In doing so he gave memorable and quotable force to the assault on civility that has continued to the present day. To open a defense of his most uncivil tweets, he tells us “I am no troglodyte nostalgic for the days of pitch-perfect pieces published in snooty journals as artifacts of cultured elegance” (3). Despite this bravado, there is an argument to be made that a commitment to civility limits the substance of positions that can be put forward. But he overdramatizes the claim when he writes that civility “implies something sinister without its user having to justify or explain. The term encapsulates the sheer force of panic that pervades the elite when they need to find an effortless way to hamper debate, which is usually inimical to their interest” (54). The calls for civility, he announces, are thus “insidious and threatening” (61). “And now,” he writes, “civility is spreading through universities as quickly as settlers overwhelmed the North American continent” (53), which is, of course, a vulgar attempt to racialize what he sees as the historically oppressive force of civility advocacy. It hardly needs to be said, moreover, that neither on campus nor in American political life generally is civility breaking out all over.

If that seems merely an irrelevant analogy, in fact he has prepared the ground for us to accept it. “In colonial landscapes,” he wrote a few pages earlier, “civility is inherently violent” (43). His aim, however, is not only to turn civility into an imperialist project but also to racialize it: the call to be civil “is profoundly racialized and has a long history of demanding conformity to the ethos of imperialism and colonialism” (42). As he writes later, “Civility exists in the lexicon of conquest.” “It is the discourse of educated racism. It is the sanctimony of the authoritarian. It is the pretext of the oppressor” (105). Indeed, “civility is not a state of mind. It is a regime” (106). Later he tries to historicize the Illinois call for civility: “The university, like all land-grant institutions, was built upon the stolen land of Indigenous people, a reality that makes Wise’s invocation of ‘civility’ incredibly thoughtless” (145). One can see how easily this rhetoric can help motivate undergraduates to stand with opponents of civilized debate.

At this point one should be able to anticipate where all this is going: “using ‘uncivil’ to describe supporters of Palestine . . . locates the recipient in the wretchedness of sub-humanity, but implicates the speaker in centuries of colonization and genocide” (61). To make sure every campus left constituency is on board, he adds that “the advocates of civility are particularly nasty toward women of color” (62). “Zionists,” he insists, “have appointed themselves guardians of discursive and pedagogical respectability, particularly *vis-à-vis* people of color” (43). Making an assertion this chapter alone disproves, he writes that “It is impossible to separate questions about my ‘civility’ from broader narratives of inherent Arab violence” (45). Regarding incivility, “a word becomes more relevant than an array of war crimes” (43). Ultimately the purveyors and beneficiaries of civility are “hordes of well-heeled Zionist operatives” who “imply that passionate condemnation of injustice is somehow worse than injustice itself” (46). “Israel, like the whiteness it epitomizes, is the default norm of civility” (122). Given that the majority of Israelis descend from Arab immigrants—and given that Israel is a notoriously fractious society—Salaita’s claim seems doubly detached from reality.

Is Salaita sometimes a markedly and problematically uncivil writer? Yes, but certainly not always. Salaita’s two books on Arab American fiction are not centered on the Israeli–Palestinian conflict because the novels aren’t either, so they do not provide a good test of Salaita’s ability to teach or write about his obsessional topic in detail and at length. Moreover, that would not explain what seems to be such a divided personality structure in his identity as a writer. It is clear that Salaita was not content with producing politically committed but moderately written studies. Someone who publishes six books in six years is driven by something, and I do not think

ambition alone accounts for this publication history. Any doubts about that are dispelled when the tweets are thrown into the mix; they do not answer to professional ambition but to compulsion. And one can add the brief, tweet-like Salaita book reviews that law professor David Bernstein found on the website *Goodreads*, among them this “review” of Israeli writer Amos Oz’s 1983 *In the Land of Israel*: “Amos Oz is to incisive political writing what Leni Riefenstahl was to socially conscious filmmaking.”⁶⁹ At the opening of *The Uncultured Wars*, Salaita observes that the political essay is his “favorite form.” Writing these essays, he adds, is “stimulating and sometimes cathartic” (4). His work suggests that his need for catharsis is more than occasional and that the need underlies both his tweets and some of his other writings. In the several years since his appointment was cancelled, he has concentrated almost exclusively on popular political essays, op-eds, and blog posts. Both *Uncivil Rites* and *Inter/Nationalism* are polemical political collections, not scholarly research.

In any case the divided career is not just a puzzle, a curiosity, for some of the anti-Semitic effects of Salaita’s work simply cannot be set aside. High on that list is the most primitive and retrograde of all of his assertions, as when he defines Zionism in *Israel’s Dead Soul* as “the ideology of racialist access to citizenship and biologically determined ethics of communal belonging” (38). The right of all Jews to Israeli citizenship embodies a cultural and historical category, but Salaita, in a conviction reminiscent of the Nazis, insists that the Jewish state promotes a biological and racial group. Any reputable scholar by now knows that race is a culturally constructed category, not a biological one. Salaita is driven by deep passion and rage. He himself calls it hatred. That is not a profile that makes for an acceptable hire.

CONCLUSION

My one conversation with Phyllis Wise about the Salaita case was a very brief one that took place after a 2015 Faculty Senate meeting. I caught up with her as people were leaving and asked a question that had been troubling me for months: “When you decided not to support the Salaita appointment in 2014 did you have only his tweets from that summer or were you working with a list including tweets from throughout the year?” She replied that her staff had supplied the tweets and that they were limited to the summer of 2014. That of course was during Operation Protective Edge. Her reply confirmed what I had guessed: that neither the campus administration nor the Board actually had a fully adequate dossier at their

disposal. That combined with my knowledge that no one at any level had conducted a full and adequate review of his publications. I was left with what seemed a solitary position—that the administration and the Board of Trustees had made the right decision but had been substantially ignorant and ill-informed in doing so. Their process was defective at every point.

It is clear from everything above that I do not believe Salaita should have been offered a position at Illinois in the first place. In the light of the preceding analysis, moreover, I believe the main lessons to take away from this saga are not about high-handed administrators or boards of trustees, nor about academic freedom—issues that have occupied portions of the academy that commented on the Salaita affair. There are at least three lessons: first, that bad outcomes will result when a program hires outside its areas of competence; second, that department, college, and campus levels of review can create huge problems when they fail to perform their oversight responsibilities adequately; third, that fundamentally politically based hires corrupt the entire process.

The last-minute aspect of the Illinois decision not to approve the appointment was obviously a disaster, though the problems with Salaita's profile did not arise until his longtime social media role received national attention in July 2014. It is obvious his appointment papers made no mention of issues like the factual errors in his books, the unusually polemical nature of a substantial portion of his prose, or the possibility that many would find some of his work anti-Semitic. And the fact that only a small percentage of his work was based in Native American Studies is obvious from his vita and should have raised concerns.⁷⁰ A simple Google search of the names of Salaita's outside reviewers would have revealed their BDS activism and thus their expressly political affinities with Salaita.

Widespread panic among humanities faculty that upper level administrators or boards of trustees would start regularly interfering in faculty appointments or policing campus speech was unfounded. The AAUP has long maintained that trustees should accept faculty appointment decisions except in exceptional circumstances. This case was more than exceptional; it was extraordinary.

The other bogus issue that surfaced in the continuing controversy was whether the University withdrew its offer in fear of losing donor support. Joan Scott tells us “protestors deluged the chancellor's office with emails warning that if Salaita were hired, they would withdraw their support” (13). Many of these threats came from people who were in fact not donors at all. The “smoking gun” email came from a donor who had given about \$100,000. In *Uncivil Rites* Salaita is honest enough to concede that the total donations at stake amounted to “chump change to any huge research

university,” but then retorts that this “illustrates how cheaply upper administrators can be bought” (58). In her introduction to the *Qui Parle* interview Jasbir Puar confidently declares that “pro-Israeli donor pressure had resulted in the termination of Professor Salaita’s position” (64), but then, as we will see, Puar is not held to evidence-based standards to support her convictions. For some, the ability to invoke the long-running accusation against wealthy Jews was simply irresistible.

A serious version of this slander arose in a 2015 interview I conducted with the most senior and accomplished staff member in AAUP’s Department of Academic Freedom, Tenure, & Governance, someone who happens to be Jewish and whom I had respected for many years. The conversation did not occur in conjunction with a meeting of Committee A, but rather when I was in Washington for another reason. As the conversation progressed, he contended that donor pressure was the main factor in the university’s decision to withdraw its offer to hire Salaita. I challenged his claim. He replied: “It’s what Jews do.” So I asked for evidence of major donor pressure in this particular case. Instead he cited the 2003–2006 Sami Al-Arian example from the University of South Florida, where donors did become involved. But the issues there were dramatically different. Al-Arian was accused of racketeering for Palestine Islamic Jihad, and he was arrested by the FBI in a case that later went to trial. The jury acquitted Al-Arian on some charges and was deadlocked on others. In any event accusations of donor influence do not appear in the AAUP report on Salaita, which instead highlights his employment status.

From either an academic or a legal perspective, people may reasonably disagree about whether Salaita was or was not an employee. I persist in believing he was not. For many decades the AAUP took the position that an employment contract not signed by the Board of Trustees was not fully enforceable; even in cases of censure, as with Illinois, they accept a financial settlement or a one-year appointment as satisfactory recompense for a canceled offer. As I wrote at the time, the last-minute nature of the Illinois decision meant that the university had a moral responsibility to compensate him fairly. I recommended a \$2 million-dollar settlement. Why Salaita suddenly settled for \$875,000 (\$600,000 for himself and \$275,000 for his attorneys) in November 2015 one can only guess. Perhaps his lawyers felt the offer was a victory and they recommended he take it. Meanwhile the university announced publicly that trustees would henceforth review faculty appointments months before the semester begins. And the board still needs to repudiate the unacceptable implications of its statement on civility.

On a personal note, except for the few times when he indulges himself in actual slander, I hold Salaita harmless for his various remarks against

me.⁷¹ In *Uncivil Rites*, he gives the top ten “factors that contributed to my firing,” including “having the misfortune of being hired at a campus home to former AAUP president Cary Nelson” (48). What that might mean I cannot say; after the UIUC administration reluctantly complied with a Federal court order and released all communications regarding Salaita’s appointment, it became clear I had not communicated with anyone in the central administration about his case. Indeed, until the news broke about the Board’s action I assumed it had actually signed his contract in 2013. Can he mean that my long-term public opposition to academic boycotts, or my op-eds about Israel predisposed the administration to oppose the appointment? Given that the central administration had regarded me as *persona non grata* for thirty years because of my union organizing that seems unlikely.

In the “Puffery” chapter in *Uncivil Rites*, Salaita names the key faculty who were in touch with the Chancellor to contest the appointment (124), then, before discussing me, goes on to say “I cannot determine which is worse: working in anonymity on behalf of administrative (read: corporate) interests or attaching one’s name to it” (125). I have been without question the faculty member who has most vocally defended the decision to withdraw Salaita’s offer, so his claim that I was attached to the action after the fact is true. Whether that quite earns me the status he grants me is another matter: “Cary Nelson, the former AAUP president and theorist of academic freedom who, in the grand tradition of know-nothing Orientalists, has become the go-to commentator on everything from Palestinian culture to Indigenous Studies” (125). He then quotes a series of passages from an earlier version of this essay, though he cannot bring himself to give the essay’s title or place of publication. But all this, for me, can be forgiven in the light of his crafting an amusing parody of my writing on the following pages (126–27).

What I cannot set aside, however, is the potential consequences of hiring him. That has become clearer in the years since the 2014 decision. In *Inter/Nationalism* Salaita makes a number of statements that both codify and extend his earlier accounts of his goals as a scholar and teacher. “I would like,” he writes, “to examine what scholarship might accomplish when unburdened from the injunctions of objectivity” (x). By “examine,” it is clear he means to put this into practice. Indeed, he believes the “dialectics between theorization and decolonial advocacy” and the academic participation in decolonial advocacy has “thoroughly decimated the shibboleths of neutral or disengaged analysis” (x). Decolonialization he defines as “not simply to signify the process of expunging a foreign occupier from one’s ancestral land, but also to identify the extirpation of a

foreign occupier from one's economy, education system, and self-image" (xiii). These are intellectual and political positions worthy of debate and discussion, but they do not merit being taught as unquestioned truths. Even the entirely conventional call in the *Qui Parle* interview to "urge students to think critically about everything and show them how it's done" (75) becomes problematic, given that Salaita would be teaching the Israeli-Palestinian conflict.

There would be two intimately linked foreign occupiers at issue in the comparative indigeneity courses he would have added to the AIS curriculum: "While it might be hyperbolic to say that all Indigenous peoples will have to be liberated simultaneously, it can be observed that a discrete power structure, of which the United States and Israel are primary stewards and beneficiaries, maintains their dispossession" (xv). Only a few pages later, he declares that "all peoples of America and Palestine must, of geopolitical necessity, be liberated together" (xix). That is standard intersectional rhetoric and unfortunately is more likely to obfuscate than facilitate the political tactics necessary to bring justice to Native Americans and Palestinians. Earlier he had supplied a key definition: "When I deploy the term 'Israel,' I refer to the colonial entity superimposed on the historic land of Palestine, an entity that continues a decades-long project of ethnic cleansing" (xii). Setting aside the allusion to the Arab tradition of referring to Israel as an "entity," the obvious question arises about how such views would impact his teaching.

But there was a still deeper problem. *Inter/Nationalism* is devoted to "exploring the implications of incorporating Palestine into the discipline" of American Indian Studies (xiv). That will mean "prioritizing matters of liberation rather than merely assessing the mechanics of colonization" (xi), of teaching solidarity with liberation movements and, as he has emphasized, of introducing nontraditional forms of pedagogy.

During the debates over the Salaita appointment, AIS succeeded in spinning it as a traditional academic appointment. Salaita's advocates thus emphasized the need to honor the search committee's wishes. Many UIUC faculty outside AIS considered it a matter of pride not to read his publications; that was not their job. But there was a larger agenda at stake in the Salaita appointment. It was the key move toward the wholesale politicization of the American Indian Studies program.

There is also the broad question of what Salaita would have advocated on campus and whether it would have seriously exacerbated existing tensions. In January 2018 Salaita published a brief essay, cited earlier, titled "Zionists should be excluded from left-oriented protests." That prescription would clearly apply to campus movements. "I cannot deny that the

position I put forward is exclusionary, but in itself this shouldn't be seen as a problem. All political formations are necessarily exclusive." "I submit that it's both smart and reasonable to exclude Zionists from participating in protest that bills itself as leftist (which can include local organizing, party building, and mass action)." For Salaita there is apparently no progressive Zionism that works on behalf of women and minorities, agitates for LGBTQ rights, promotes universal health care, opposes the ravages of capitalism, and supports a two-state solution that is worthy of inclusion. In fact, "Even in its progressive manifestations, Zionism is in essence reactionary."

He assures us that the "No Zionists" principle is not "just a sneaky way to banish Jewish people" but it would have the effect of banning large numbers of Jewish students, faculty, and staff from campus organizations and activities. On most campuses those banned would be overwhelmingly Jewish. His call is effectively a form of hate speech. It recalls the Nazi decree banning Jews from the professions. If a tenured faculty member engaged in this kind of hate speech, it would be protected from institutional punishment. It would, one hopes, be widely denounced, but it could not be sanctioned. Hate speech is protected by academic freedom. But it is a very different matter to decide whether you want to hire someone who would promote this kind of discrimination on campus. As a consequence of Salaita's more recent publications, we now have a better sense of what was at stake in inviting him to be a permanent member of the community.

CHAPTER FIVE

SAREE MAKDISI: CRIMINALIZING ISRAELI LAW AND CULTURE

If all of its principles of equality and justice were to be applied, Israel would no longer be, or claim to be, a Jewish state. And if that were to happen, there would be no need for two separate states at all The creation of a Jewish majority in any part of an historically multicultural and religiously heterogeneous Palestine has always required—and its maintenance will always require—the use of violence Committed Zionists from across the political spectrum will resist the move toward the one-state solution in the way that privileged groups have always historically resisted the erosion of their privileges.

—Saree Makdisi, *Palestine Inside Out*, 285, 288, 290

INTRODUCTION

Whether in the academy or in the public sphere, the BDS movement's contributions to debates about the Israeli-Palestinian conflict amount largely to promoting accusations and slogans directed against the state of Israel. Efforts to make a detailed, fact-based case or present substantive intellectual and political arguments are rare; even full-length books are often largely polemical. When arguments purport to be fact-based, the facts are often in error. Examples of the latter include the detailed reports that investigative teams of established BDS advocates issued in 2016, the first on behalf of the American Anthropological Association, and the second, discussed here in Chapter Nine, by the BDS advocacy group in the Modern Language Association.⁷² In their effort to marshal evidence, rather than resort merely to polemics, those reports were welcome. But they both actually marshalled misleading or false statements in support of a preconceived polemical mission. As representative examples, respectively, of political interventions by major interpretive social science and humanities organizations, they were deeply problematic—agenda-driven polemics masquerading as objective scholarship.

Fundamental questions for scholars are at stake: What should the standards of evidence be for political propositions in academic disciplines for which those standards are poorly understood, rarely consensual, and even non-existent? What standards should guide the differences between citing factual evidence and citing opinion? Should there be an obligation to examine counter-evidence and opposing views? Humanities faculty, certainly, are not well educated in interpreting, evaluating, or countering political interventions. Humanities faculty, moreover, are not well educated in how to counter their own confirmation bias.

A case in point is Saree Makdisi's unconventionally titled December 2017 *Critical Inquiry* essay "Apartheid / ~~Apartheid~~ / []," which is his most up-to-date and comprehensive statement on Israel and Zionism. The bracketed blank space in Makdisi's title is designed to suggest that Israel has disguised its apartheid system by not marking it with signage, thus making it invisible and unnamable. I will focus on that essay but draw in arguments from Makdisi's other publications from the last dozen years.⁷³ Makdisi is an English professor at UCLA. His three full-length essays in *Critical*

Inquiry are part of the journal's recent dedication to making anti-Zionism part of its mission and identity; the essays will likely be incorporated into Makdisi's next book.

My interest in Makdisi's essay began when W. J. T. Mitchell, the editor of *Critical Inquiry*, invited Russell Berman and me to write a response to it for publication there.⁷⁴ That invitation led to an earlier version of this chapter, which included the conclusion by Berman reprinted here.⁷⁵ Mitchell described Makdisi's essay as "a serious, well documented scholarly essay," by which one can only conclude he meant something like "It has lots of footnotes." But whether those footnotes or the essay itself, which is rife with undocumented assertion, actually prove anything is another matter. It is also clear that *CI*, like most humanities journals, has no tradition of fact checking, since a substantial number of Makdisi's claims cannot survive such a review. Makdisi himself criticizes "the ability to cherry-pick what one wants to see and to steer well clear of inconvenient data" (27). That principle should have led him to interrogate his own practices more rigorously; as I show below, while he often tells such a selective story, he is also often simply in error. Put bluntly, he gets facts wrong. As it happened, Mitchell restricted us to 5,000 words, a word limit we could not accept, feeling that we needed to provide a response about the same length as Makdisi's own essay. We submitted a longer version, but Mitchell declined to publish it. What Mitchell obviously wanted was a concise "opinion piece" disagreeing with Makdisi—a piece that would show *Critical Inquiry* open to debate—not something long enough to prove Makdisi factually wrong and Mitchell himself an irresponsible and unprofessional editor for championing an essay replete with documentable error. We did some additional work on the essay, then submitted it to the British journal *Fathom*, which issued it soon thereafter; that publication provided the basis of this updated and expanded chapter. For the record, I should add that Mitchell had not one word to say about the content of our essay.

CI willingly published a wide array of Makdisi's flawed evidence. It seems obvious that *CI* did so because its editor W. J. T. Mitchell agrees with Makdisi's conclusions. Mitchell only publicly endorsed an academic boycott of Israel in 2016, but he has been a vehement public opponent of the Jewish state at least since 1999, when he likely completed "Holy Landscape: Israel, Palestine, and the American Wilderness," published in *Critical Inquiry* the following year. As I will point out later, Mitchell's essay now documents his twenty-year hostility to the Jewish state. Had Makdisi's essay appeared in a less prestigious venue, it might reasonably have been ignored until it was incorporated into a book. But *Critical Inquiry* retains its reputation as the most prestigious vehicle of the professional age

of theory that came to the fore in the 1970s. Whether it deserves to retain that reputation is another matter: it has become a platform for BDS advocacy and rationalization, including making its blog a site where people could announce their resignation from the Modern Language Association in protest of the organization's vote to reject an academic boycott of Israel.

In writing about Makdisi I am not addressing those of his arguments that are widespread in the pro-BDS literature and that I have addressed in detail elsewhere. Those include the claim, decisively disproven in Chapter One, that the BDS movement targets only institutions, not individuals, and the long-running dispute over whether Jews or Arabs are the true indigenous people of the area, discussed in Chapter Four. It should be clear to most observers that the Jewish people have both an ancient and a modern claim to the land, but, as I have argued repeatedly, I believe both peoples have valid historical and psychological investments in the Holy Land and that both should see their national ambitions fulfilled.⁷⁶ Several of Makdisi's key arguments here, as I will note, appear briefly in his 2010 *Critical Inquiry* essay "The Architecture of Erasure."

My aim in this chapter is not only to address those of Makdisi's central arguments to which he gives a distinctive twist, including his inaccurate account of Israeli law and his assertion that Israel is an apartheid and racist state not only comparable to but worse than Apartheid South Africa, but also to challenge those disciplines and journals that are increasingly moving from textual interpretation to politics. Whatever *Critical Inquiry's* practices may be, there is also a fundamental breakdown in the peer review process in the humanities and interpretive social sciences. A publisher—Duke University Press, the University of California Press, and the University of Minnesota Press are telling examples—with a strong anti-Zionist bias submits a manuscript to a highly sympathetic reader who lauds the manuscript's "courage" and recommends publication. More on that in the next chapter. This is symptomatic of widespread institutional corruption and unprofessionalism that extends far beyond debates over the Middle East.

The other major pattern in humanities debates about the Israeli-Palestinian conflict is that they divide starkly into attacks on or defenses of Israel. Disinterested reviews of evidence are difficult to find in some disciplines. Makdisi's essay unfortunately falls without reservation into the attack category. That leads to yet another fundamental question: what purpose do polemical essays dressed up with footnotes actually serve? Makdisi seeks unreservedly to demonize Israel. The only way his absolute rejectionism could contribute to the peace process is if it were to lead Jews to abandon their homeland or cede it to Arab rule. Since neither will happen,

a delegitimization project simply enhances the frozen or deteriorating status quo.

I should make clear that I am certainly not claiming disinterestedness myself. I believe in Israel's right to exist as a Jewish and democratic state whose founding principles rest on justice and equality for Jews, Arabs, and other peoples. But I also work hard to be factually correct, something that publication venues with area expertise facilitate with their own fact checking. In texts as dense with factual references as both this one and Makdisi's, errors creep in easily. Checking and rechecking and questioning all evidence that says what you want it to say, then finding careful and honest readers, is the only corrective strategy. Makdisi, however, claims to speak with a voice of unquestioning infallibility. How the consistent refusal of self-interrogation comports with a notional program of critical inquiry is a matter the journal's editorial board might consider.

COMPARING ISRAEL TO SOUTH AFRICA

Makdisi's fundamentally polemical essay argues that Israel's "apartheid regime" is actually worse than South Africa's was. Like many humanities faculty members, Makdisi indulges more than once in flamboyant or hyperbolic maneuvers that undermine his case, inhibit a serious debate about the character and quality of life west of the Jordan River, and distract us from considering practical strategies designed to advance political solutions offering justice for both Israelis and Palestinians. Along with his rhetorical flourishes, he offers seemingly empirical support for his claim: a point-by-point catalogue of major features of South African apartheid and their alleged Israeli counterparts. He then further claims that Israel exceeds South African apartheid in its discriminatory and violent treatment of Palestinians. Thus he asserts that black South Africans were simply treated as inferior, whereas Palestinians are comprehensively dehumanized. Then he escalates the distinction as "the difference between exploitation and annihilation" (320).⁷⁷ "Indeed," he writes, "there is nothing even remotely resembling a precedent for Israel's 2008–2009 or 2014 assaults on Gaza in the entire history of apartheid in South Africa" (319). But then black South Africans were not firing thousands of rockets into neighborhoods in Cape Town or Johannesburg or digging under them to construct hidden tunnels to be used for commando raids and terrorist attacks on civilians. (Makdisi appears to be uninformed about the violence carried out by the South African Defense Forces during the Namibian War of Independence, a vital front during the battle against apartheid.) Does Makdisi imagine

that the Israelis “dehumanize” members of the Palestinian security services when they work together? Does he imagine that Arab Israeli citizens who work as doctors or faculty members, some of whom identify themselves as Palestinian, are “comprehensively dehumanized”?

Makdisi is not the first to accuse Israel of being as cruel as South Africa. That in itself should be a damning accusation. But no, he must show that Israel is worse. He apparently cannot resist demonizing Israel in the strongest language he can find, even if his evidence does not prove his case. Nowhere within Israel proper is there any form of discrimination comparable to that exercised by the repressive South African regime. Yet Makdisi is at pains to demonstrate that Israel within its pre-1967 borders is much the same place as the West Bank under a military occupation; no careful observer of both places would come to the same conclusion. In Israel, despite hostility from some in government and on the right, there is open debate, freedom of speech, and academic freedom, while neither the Palestinian Authority nor Hamas and Islamic Jihad, which also have a presence there, will tolerate the same in the West Bank. In Gaza, Hamas’s repression of its own people is still more severe. Indeed, Makdisi is driven to minimize the violence of South African apartheid in order to make his argument work and intensify his attack on Israel.

People who make the South Africa comparison ordinarily focus on the West Bank, where separate communities and legal systems, along with movement restrictions and multiple inequalities for Palestinians, prevail under the long-term military occupation. But Makdisi is determined to persuade readers that Israel on both sides of the Green Line is fundamentally the same. In his 2007 essay “For a Secular Democratic State” Makdisi makes clear the nature of the logic behind his position: “Although some people claim there are fundamental differences between the disposition of the territories Israel captured in 1967 and the territories it captured during its creation in 1948—or even that there are important moral and political differences between Israel pre- and post-1967—such sentiments of entitlement, and the use of force that necessarily accompanies them, reveal the seamless continuity of the Zionist project in Palestine from 1948 to our own time.” In other words, Israel and the occupied West Bank are identical not because of the character of daily life there or the laws that govern the two places but rather because of the sentiments that prevail among the populations and the use of force, however different, that accompanied their history. Since that logic could underwrite a series of international comparisons and claimed similarities between nations, Makdisi adds that “the discriminatory practices in the occupied territories replicate, albeit in a harsher and more direct form, those inside Israel.” For that, he can offer

no persuasive evidence. At stake are not simply differences in degree but rather in kind. Being turned down for an apartment rental in Tel Aviv, however deplorable and discriminatory, is hardly comparable to facing a house demolition in Hebron. Having or not having the right to vote are not differences in the degree of democracy.

Makdisi declares that “every major South African apartheid law has a direct equivalent in Israel and the occupied territories today” (310). Space does not permit a comprehensive list of SA apartheid laws with no Israeli equivalent, but consider a few:

- (A) The 1950 Population Registration Act required that every South African be classified into one of a number of racial “population groups.”
- (B) The 1953 Reservation of Separate Amenities Act, not repealed until 1990, allowed public premises, vehicles and services to be segregated by race, even if equal facilities were not made available to all races. Local municipalities used the act to make separate facilities mandatory.
- (C) The 1951 Native Building Workers Act legalized the training of blacks in skilled labor in the construction industry, but limited the places in which they were permitted to work. Sections 15 and 19 made it an offense for blacks to work in the employ of whites performing skilled labor in their homes.
- (D) The 1953 Native Labour (Settlement of Disputes) Act effectively prohibited strike action by black South Africans.
- (E) The 1956 Industrial Conciliation Act prohibited the registration of any new “mixed” race unions and imposed racially separate branches and all-white executive committees on existing “mixed” unions. It prohibited strikes in “essential industries” for both black and white workers and banned political affiliations for unions. Clause 77 legalized the reservation of skilled jobs to white workers, as the Bantu Building Workers Act of 1951 had done in the construction trade, “to ensure that they will not be exploited by the lower standard of living of any other race.”
- (F) The 1953 Bantu Education Act enforced racial segregation in education. But Bantu education was not only about segregation; it was about the low quality of education provided to black South Africans. Deprived of much math and science, they were being trained at best for blue collar jobs.
- (G) The Group Areas Acts, a series of laws enacted by the apartheid government from 1950 to 1984, assigned racial groups to specified business and residential areas to enforce a strict system

of segregation in cities. Non-whites were prohibited from living in areas assigned to whites and would be forcibly removed if they tried to do so.

Despite Makdisi's claim, there are no equivalent laws in Israel. If one wished to make comparisons, one could begin with the segregated hospital and health care system in South Africa and the wholly integrated one in Israel. Documenting the other side of the coin—the competitive achievements of Israeli Arabs—would require a full essay, but one might begin by noting that there are currently eighteen Arab members of Knesset, representing fifteen percent of Israel's parliament. The 13-member Joint Arab List party includes a number who exercise the right to voice anti-Zionist views. George Karra is an Israeli Arab Supreme Court justice who earlier served as head of the three-judge district court that convicted and sentenced former president Moshe Katsav. Until his retirement in August 2017, Salim Joubran was also an Israeli Arab Supreme Court justice; he served as chair of the electoral commission responsible for certifying the 2015 Knesset election results. Abdul Rachman Zuabi, Israel's first Arab Supreme Court justice, served a nine-month term in 1999. Druze Yosef Mishlab was commander of Israel's Home Front in the late 1990s and Hussein Faras was recently commander of the Border Police. Ghassan Alian is the Druze commander of the IDF's Golani Brigade. In January 2018 the Israeli police promoted Arab commander Jamal Hachrush to the rank of assistant-chief, giving him the second highest rank in the agency. The list could go on. Where were the equivalent positions in public life for Blacks in Apartheid South Africa?

Makdisi underwrites his critique of Israel proper with the claim that Israel's Declaration of Independence, which commits the state to equality of all citizens without regard to religion, is merely "aspirational" (323) rather than legally binding. The key passage in the Declaration is "The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles; it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture." Prominent Israeli jurists, among them former Supreme Court Chief Justice Aharon Barak, believe the Declaration has constitutional status. In any case, calling the Declaration merely "aspirational" erases its considerable impact on Israeli law and culture. The Declaration's commitment to equality has frequently been referred to in court decisions. Makdisi imagines that "nowhere in Israel law is the right to equality protected"

(309), but an objective reading of Israel's *Basic Law: Human Dignity and Liberty* (1992) proves otherwise, as many rights are thereby guaranteed to all.⁷⁸ It includes the following provisions, among others, offered here in the official English-language version of the law with the numbers preserved from the original:

1. Fundamental human rights in Israel are founded upon recognition of the value of the human being, the sanctity of human life, and the principle that all persons are free; these rights shall be upheld in the spirit of the principles set forth in the Declaration of the Establishment of the State of Israel.
2. There shall be no violation of the life, body or dignity of any person as such.
3. There shall be no violation of the property of a person.
4. All persons are entitled to protection of their life, body and dignity.
5. There shall be no deprivation or restriction of the liberty of a person by imprisonment, arrest, extradition or otherwise.
6. (a) All persons are free to leave Israel. (b) Every Israeli national has the right of entry into Israel from abroad.
7. (a) All persons have the right to privacy and to intimacy. (b) There shall be no entry into the private premises of a person who has not consented thereto. (c) No search shall be conducted on the private premises of a person, nor in the body or personal effects. (d) There shall be no violation of the confidentiality of conversation, or of the writings or records of a person.
8. All governmental authorities are bound to respect the rights under this Basic Law.

Item no. 1 above is repeated in *Basic Law: Freedom of Occupation*. The "Basic Laws" were sometimes enacted by special high majorities. In any case, the prevailing view is that the Knesset can, as a constitutional body, pass "Basic Laws" that have constitutional status and serve as the equivalent of a constitution in progress. Like Britain, Israel does not have a written constitution guaranteeing a right to equality. But the Declaration's "aspirations" have been incorporated into Basic Laws with constitutional status. Israel inherited several features of British law during the Mandate period. The Basic Laws were designed to be a blueprint for an eventual constitution; they have since functionally taken the place of one. They take precedence over all other legislation, guide judicial interpretation, and shape the character of future legislation. Their constitutional status has been reinforced by the courts. The Basic Law cited here has specifically been used by the courts to uphold and enforce equality, including that

between Arabs and Jews.⁷⁹ As Justice Aharon Barak commented in a 2012 lecture at Oxford University:

The court's interpretive method has been to treat human dignity as a "framework right" or a "mother-right" from which derivative rights may be generated; the latter include the rights to equality, to free expression, to freedom of conscience and religion, to have a family and be a parent, to movement within Israel, to reputation, and to minimal core of dignified sustenance. All these derivative rights have been recognized as inseparable progeny of the mother-right to human dignity.⁸⁰

Equality is a fundamental value in Israeli law. Generally that refers to equality of outcome, which means more than just equal treatment before the law. It includes social rights, rights to funding, and other elements. Indeed, the Israeli Supreme Court has found that any inequality (including inequality of outcome, or what are sometimes called "positive rights") that infringes on human dignity is included in the right to human dignity. The principle of equality applies to all spheres of government activity. Notwithstanding, it is of special importance with regard to the duty of the government to treat the Jewish citizens of the state and non-Jewish citizens equally. This duty of equality for all the citizens of the State of Israel, whether Arab or Jewish, is one of the foundations that make the State of Israel a Jewish and democratic state. In "The Architecture of Erasure" Makdisi asks "How can a state claim to have one identity when such a large proportion of the people over whom it rules have another identity? (526-7)." But then Israel does not claim to be one thing only. As the unique homeland for the Jewish people, it is as well a home for Christians, Druze, Muslims, and others. The fundamental duality of this structure is built into the will to be both Jewish and democratic.

Do Arab countries that formally embrace Islam offer comparable equality? For worst case examples, one might start with the treatment of Christians in Iraq and Coptic Christians in Egypt, the latter having been subject to massacres. More broadly, Shiites, though Muslim, are a persecuted minority in many Arab countries, the reasons being both theological and political. Conditions in many cases have worsened since the 2010-2011 Arab Spring.

Of course part of what is at stake in the Court rulings, as has been the case with US courts as well, is an effort to push Israeli society toward a degree of equality it has not always embodied. The realization of equal funding for Arab towns, for example, has been slow and only very recently seen steps toward decisive reform. Some segments of Israeli society, including higher

education, now show the results of a generation of material progress, of affirmative action to eliminate inequities. But threats to progress from conservative politicians and ordinary citizens, some of whom remain eager to discriminate, contribute to cultural divisiveness and material precarity. Israel meanwhile suffers from the same kind of increasingly unequal distribution of wealth that plagues the United States, and Israel's Arab citizens may suffer the consequences disproportionately. Neither in Israel nor elsewhere in the world can equality among ethnic groups be taken for granted. It requires continual monitoring, advocacy, and political work.

Some relevant passages concerning equality from Israeli Supreme Court case law include the following section from HCJ 721/94 *El-Al Israel Airlines v. Danilowitz* [1994] IsrSC 48(5) 749; [1992-4] IsrLR 478, p. 8:⁸¹

“It is the heart and soul of our whole constitutional regime” (Justice Landau in HCJ 98/69 *Bergman v. Finance Minister*, at p. 698), and “it is part of the essence and character of the State of Israel” (Vice-President Justice Elon in EA 2/88 *Ben-Shalom v. Central Election Committee for the Twelfth Knesset*, at p. 272). “The rule that one may not discriminate against persons on the basis of race, sex, nationality, ethnicity, country of origin, religion, beliefs or social status is a fundamental constitutional principle which is counted among our fundamental jurisprudential perspectives and constitutes an integral part of these” (Justice Shamgar in HCJ 114/78, Motion 451, 510/78 *Burkan v. Minister of Finance*, at p. 806). Considerations of justice and fairness underlie the principle of equality. “The principle of equality... has long been recognized in our law as one of the principles of justice and fairness...” (Justice Mazza in HCJ 453/94 *Israel Women's Network v. Government of Israel*, at p. 521). Equality is a central element of the social contract upon which society is based (see HCJ 953/87 *Poraz v. Mayor of Tel-Aviv-Jaffa*; *Labour Party in Tel-Aviv-Jaffa Municipality v. Tel-Aviv-Jaffa Municipal Council*, at p. 332).

William Eskridge's book *Equality Practice* includes a helpful summary of the case:

El-Al's collective bargaining agreement assured fringe benefits, including free airline tickets, to the “spouses” of employees, as well as persons who are “commonly known as” or “reputed to be” spouses. Jonathan Danilowitz requested an airline ticket for his male domestic partner, and when El-Al refused he sued for relief under the Employment (Equal Opportunities) Law of 1992. Affirming the lower courts, the High Court of Justice ruled that the law required El-Al to treat Danilowitz's partner the same as it treated different-sex spouses

and common-law spouses. Justice Aharon Barak delivered the opinion for the Court. He started with the principle of equality, which he declared “the basis for our whole constitutional regime” in Israel. As regards the collective bargaining agreement, Danilowitz and his partner were similarly situated to a husband and a wife, because the benefit was based on the notion of a “shared life” of love and cooperation. “Is partnership between two people of the same gender different in terms of partnership, fraternity, and management of the social cell than partnership between different-gender people?” Barak asked. “Are the shared lives of two persons of the same sex different from those of two persons belonging to opposite sexes?” The answer was no. There was no reasoned basis for denying the same benefit to Danilowitz and his partner, and the Employment Law directed that discrimination on grounds of his sexual orientation was an invalid reason. A concurring opinion by Justice Dalia Dorner went even further than Justice Barak’s opinion, for she argued that the general principle of equality in Israeli labor law mandated equal treatment of Danilowitz’s partner even without the directive of the 1992 Employment law. (105)

Esckridge goes on to say that “The approach taken by Justices Barak and Dorner in Danilowitz has been followed in a number of other countries”; he points out that “the British House of Lords cited Danilowitz when it found a right of a same-sex partner to inherit a protected tenancy” (106). Ten years after the Israeli ruling, Doron Sheffer interviewed the participants and asked them to reflect on the impact of the case. He reports that Danilowitz “believes that this precedent-setting decision created a completely new reality in the status of members of the gay and lesbian community in Israel.” He adds that Dan Yakir of the Association for Civil Rights in Israel, who filed the initial petition in the case, believes that the “ruling made a decisive contribution to the rights of the gay and lesbian community in Israel.”

The principles of equality established were reinforced for Israeli Arabs in the Supreme Court’s decision in H.C 4112/99, *Adalah, et al. v. The Municipality of Tel Aviv-Jaffa, et al.* Adalah translated the Court’s summary of its July 2002 decision:

In its petition to the Supreme Court, the petitioners requested that the Court require the respondent municipalities, all of which contain an Arab-minority population, to ensure that municipal signs be written in Arabic, and not only in Hebrew. The petitioners argued that the current practice, in which most of the signs are only in Hebrew, unlawfully discriminates against and affronts the dignity of the Arab

minority, and breaches the statutory provision declaring Arabic, along with Hebrew, an official language of the State of Israel . . . By majority decision (Chief Justice Aharon Barak and Justice Dalia Dorner), the Supreme Court accepted the petition, and required the respondent municipalities to ensure that municipal signs in their communities be in both Hebrew and Arabic This is necessary, he held, because dual-language signs enable the Arab residents to orient themselves throughout the confines of the cities in which they live, and to benefit from the municipal services equally. Barak emphasized that including Arabic on signs does not prejudice the special status of Hebrew as the principal language in Israel.

Using that decision as precedent, the principles at stake were reinforced in 2006's *Supreme Monitoring Committee v. Prime Minister*. The government had adopted a decision to establish "national priority areas" in outlying parts of the country. These areas were defined in a map that was attached to the government decision. The towns and residents of these areas were given benefits, including in the field of education. The petitioners attacked the legality of the government decision on the ground of discrimination, since hardly any Arab towns were included in the national priority areas. The respondent argued that the criterion for determining the national priority areas was purely geographic, that there was no intention to discriminate against Arab towns and that there were simply very few Arab towns in the most outlying parts of the country in the north and south. The respondent also argued that other measures had been adopted to improve education in Arab towns. The Supreme Court, however, held that the government decision should be set aside because it was discriminatory in its result. Discrimination may occur without any discriminatory intention or motive on the part of the persons creating the discriminatory norm. The discriminatory outcome is sufficient to set aside the government decision. A good summary statement, which deals explicitly with discrimination and the Arab population, is in Barak's decision in this case HCJ 11163/03 (1) IsrLR 105, 120-122:

The principle of equality is one of the most basic principles of the State of Israel. The right to equality is one of the most important human rights. Indeed, it is well known that equality is one of the basic values of the state. It is the basis of social existence. It is one of the cornerstones of democracy (see HCJ 4112/99 *Adalah Legal Centre for Arab Minority Rights in Israel v. Tel-Aviv Municipality*, at p. 415; HCJ 10026/01 *Adalah Legal Centre for Arab Minority Rights in Israel v. Prime Minister*, at p. 39). It is one of the most fundamental principles for the interpretation

and implementation of statutes (HCJ 240/98 *Adalah Legal Centre for Arab Minority Rights in Israel v. Minister of Religious Affairs*, at p. 177). A violation of equality is “the worst thing of all” (per Justice M. Cheshin in HCJ 7111/95 *Local Government Centre v. Knesset*, at p. 503). Discrimination is one of the worst evils that can befall a human being and human rights. It may lead to humiliation and a violation of human dignity (HCJ 4541/94 *Miller v. Minister of Defence*, at p. 132 [224–225]). This is certainly the case where the discrimination is on the basis of a person’s religion or race. Such a “generic” discrimination “inflicts a mortal blow on human dignity” (per Justice M. Cheshin in HCJ 2671/98 *Israel Women’s Network v. Minister of Labour and Social Affairs*, at pp. 658–659).⁸²

The principle of equality is entrenched in Israel in a number of normative structures. First, it is a principle of case-law—the product of “Israeli common law”—that has been recognized and developed by the courts in Israel. This principle impacts the (objective) intention of every piece of legislation and acts as a criterion for its interpretation. “The fundamental principle, which constitutes a legislative goal for all the acts of the legislature, is the principle that everyone is equal before the law . . . legislation should therefore be presumed and interpreted as intending to achieve this purpose, not to undermine it” (HCJ 507/81 *Abu Hatzira MK v. Attorney-General*, at p. 585. See also HCJ 301/63 *Streit v. Chief Rabbi*, at p. 612). The case-law principle of equality reflects on the law’s “fundamental concepts” (such as reasonableness, justice, equality and public policy) and constitutes a normative element in establishing the scope of their application (see HCJ 693/91 *Efrat v. Director of Population Register at Interior Ministry*). A discriminatory collective agreement may therefore be contrary to public policy and be disqualified as a result (see HCJ 104/87 *Nevo v. National Labour Court* and L.C.J. 3–25/33 *Flight Attendants’ Committee v. Hazin*). The case-law principle of equality is a normative basis for recognizing the right of equality as a human right in Israel. It leads to the formulation of case-law rules based on it—such as the rule of spouses’ joint property ownership (see HCJ 1000/92 *Bavli v. Great Rabbinical Court*).

The principle of equality is also incorporated into a wide range of legislation, including legislation that creates equality in specific relationships. Thus, for instance, the 1951 Women’s Equal Rights Law provides that “women and men shall be subject to the same law for every legal act” (s. 1). The 1959 Employment Service Law prohibits discrimination by the Employment Service when referring a person for employment (s. 42). The Equal Remuneration for Female and Male Employees Law, 5724–1964,

aims to ensure equality in employees' salaries. Special legislation is intended to allow corrective preferential treatment for women (see section 18A of the Government Corporations Law, 1975).

The gender equality rulings also have broader implications. The *Basic Law: Human Dignity and Liberty* (hereinafter the Basic Law) gave a constitutional, super-legislative status to the prohibition of discrimination against women. This status derives from both of the following: First, section 1 of the Basic Law (which also appears as section 1 of the *Basic Law: Freedom of Occupation*) provides: "Basic human rights in Israel are founded on the recognition of the worth of man, the sanctity of his life and his being free, and they shall be respected in the spirit of the principles in the Declaration of the Establishment of the State of Israel." This section provides, at least, that basic rights are to be upheld in the spirit of the principles of the Declaration of Independence, including the equality of citizens irrespective of sex. Therefore, for example, there can be no discrimination of women with respect to their right to property (a right enshrined in section 3 of the Basic Law) or in respect of their freedom of occupation (a right enshrined in section 3 of the Basic Law: Freedom of Occupation). Second, the prohibition of discrimination against women is included in the right to dignity enshrined in sections 2 and 4 of the Basic Law.

Consider HCJ 4541/94 *Miller v. Minister of Defense*, discussing female fighter pilots: "in the absence of any contrary indication in the language or purpose of the law, the presumption is that the law should be construed in a way that is consistent with respect for the right to equality between the sexes and that it is intended to achieve it."⁸³ This approach is even more compelling when we acknowledge that, since the enactment of the Basic Law: Human Dignity and Liberty, the normative status of the principle of equality—which had already been described as "the heart and soul of our constitutional regime" (Justice Landau in HCJ 98/69 *Bergman v. Finance Minister*, at p. 698)—has become elevated and has become "a principle with constitutional, super-legislative status."⁸⁴

The Israeli Knesset passed a new Basic Law in July 2018, the Nation-State Law. It has no impact on the rights embodied in the Basic Laws just discussed, but it may have eventual consequences in other areas. It depends on who is appointed to the Israeli Supreme Court and how the Court interprets the law.⁸⁵ Legislators did apparently want to limit the Court's ability to apply universalist principles in such a way as to undermine the Jewish character of the state as recognized in Israel's Declaration of Independence. So it declares that Israel is the nation state of the Jewish people and that they have the right to self-determination. Already present in the Declaration, that principle is now embodied in a Basic Law.

You might reasonably conclude that Makdisi simply does not know about either Israel's Basic Laws or their history in court rulings. But in Makdisi's *Palestine Inside Out* he represents himself as very well informed. He declares unfairly that Israel's "citizens are afforded none of the guarantees to equality and rights—and the freedom from religious interference in their personal lives—protected by the United States Constitution and also taken for granted in modern European societies" (150). On page 263, the book's epigraph to its "Coda" sums up what his readers are to accept as the result of his scrupulous investigation of Israeli law; under a heading in caps he gives his inaccurate count of the Basic Laws that guarantee equality:

INEQUALITY BY THE NUMBERS

*Number of Israel's Basic Laws that guarantee equality of citizenship: 0

*Number of Israeli High Court rulings upholding equality as a right: 0

Despite Makdisi's assertive confidence, this is manifestly untrue; indeed, it is inexcusable. Makdisi repeatedly characterizes Israel's version of apartheid as worse than what once prevailed in South Africa, not only because of its material practices but also because, unlike Apartheid South Africa, Israel allegedly refuses to admit, acknowledge, and name its racism. Adapting a Derridean model that Derrida himself would reject, Makdisi declares Israel's purported apartheid to be under radical erasure. Israel is "a starkly racial state that at every possible turn resorts to linguistic tricks and verbal sleights of hand . . . to conceal its racial logic" (313-14). According to Makdisi, Israel's conduct regarding race "is premised on avoidance, evasion, equivocation" (328).

The result, according to Makdisi here and in his "The Architecture of Erasure" (533), is a deadly "necropolitics" devoted to "the destruction and erasure of Palestinians" (321), a "system of inscrutability and invisibility that allows Israelis and the supporters of Israel to go on practicing or endorsing a vulgar and violent form of racism without having to reckon with and acknowledge the fact that that is precisely what they are doing" (321). One might recall that South Africa's violent practices included, as one of its distinctive characteristics, a readiness for agents of the state to murder black citizens in detention, and to shoot Black school children who were peacefully protesting in the streets of Soweto, which Makdisi casually overlooks.

That these accusations of linguistic camouflage can, without much difficulty, be turned on Makdisi's own prose in unconscious self-projection is a point to which I will return. Here I suggest that Makdisi's language invokes the classic anti-Semitic trope, that Jews are duplicitous, deceptive,

calculating, conspiratorial, slippery, and untrustworthy. The consequence, he claims, is that Israeli discrimination “is positioned out of view; it is unavailable for interrogation, reconsideration, dismantling” (328). This is an odd argument to make when both Israel’s practices and its rhetoric have been distinctly available for interrogation not only repeatedly by Makdisi himself, but also by thousands upon thousands of Israelis and critics of Israel in the academy, the international press, the UN, and in houses of government worldwide.

But Makdisi persists. In order to show that in Israel, as in the former South Africa, a minority population dominates and oppresses a majority he has to cast a wide net. “Israel,” he writes, “disenfranchises the land’s Palestinian majority. There are today approximately 12.5 million Palestinians and six million Israeli Jews” (317). The Jewish population figure represents those living in Israel and the West Bank. The Palestinian figure includes the 4 million living in Gaza and the West Bank, along not only with Arab citizens of Israel but also 7 million Palestinians living in “exile” throughout the world. These figures rely on the United Nations Relief and Works Agency’s (UNRWA) unique way of counting Palestinian refugees. For Palestinians, but not other refugee populations, UNRWA counts the children and grandchildren of refugees, insisting that refugee status is indefinitely passed down through the generations, even if people have acquired citizenship in other countries. Is a Palestinian doctor in the US born here to Palestinian parents a refugee?

The conceptual and political exceptionalism applied to Palestinian refugees is compounded by another problem: UNRWA does not seem capable of doing a reliable census of Palestinian populations. UNRWA’s website claims that 449,957 refugees live under its protection in twelve Lebanese camps, but a December 2017 combined survey by Lebanon’s Central Administration of Statistics and the Palestinian Central Bureau of Statistics could only identify 174,535.⁸⁶ The Lebanese government suggests that the others “left,” which is understandable given the deplorable treatment of Palestinian refugees in Lebanon for seventy years, but hardly explains UNRWA’s claim to fund the larger number.

Makdisi quotes the notoriously biased South African BDS-hosted 2011 Russell Tribunal on Palestine, widely criticized in South Africa itself and hardly an objective source, to the effect that “Israel’s rule over the Palestinian people, wherever they reside, collectively amounts to a single integrated regime of apartheid” (318).⁸⁷ In other words, a Palestinian citizen of Britain, Europe, or the United States—whether a teacher, a secretary, a lawyer, or a doctor, born in the country in which they live and work—is nevertheless still to be considered a refugee and a victim of Israeli apartheid

because he or she cannot exercise what is presumed to be a burning desire to return to an ancestral village that no longer exists and where the injured party never lived. He adds the bizarre complaint that Gaza's residents, now governed by Hamas, "have no right to vote in Israeli elections" (326). Apparently he imagines them to be citizens of Israel, which obviously they are not.

JEWS AND BEDOUINS AS NEIGHBORS

Makdisi endorses the universal right of Palestinians worldwide to return to Israel within its pre-1967 borders and, as his book *Palestine Inside Out* makes clear in detail, is contemptuous of Arafat for showing flexibility on that issue in the 2000 Camp David negotiations. In "Intellectual Warfare and the Question of Palestine" he writes, "For over a decade, a profoundly compromised leadership led the Palestinian people down a path whose almost every step was dictated by Israel. Palestinian leaders (the ones Israel chose not to assassinate) seemed able to do little more than repeat the lines assigned to them by an Israeli narrative of domination" (79). "Thanks in part to the leadership of Arafat," he remarks there, "the Palestinians may yet go the way of the American Indian" (78). He takes the same approach in that essay to Arafat's successor: "It was as though Abbas had learned nothing; as though he were proud, rather than ashamed, of the secret capitulations he had entered into at Oslo" (79). The most serious problem with Makdisi's contempt is that cooperation between Israel and the Palestinian Authority (PA) is fundamental to any peace agreement. If the PA, despite its flaws and abuses, is beyond repair, we are in grave difficulty.

Not just Makdisi but the BDS movement as a whole insists on the principle of a universal right of return even though Palestinian negotiators for a generation have accepted the general terms of a three-part compromise: a full acknowledgment by Israel of its role in driving Palestinians from their homes in 1948; a limited right of return for those with family members living in Israel; and fair compensation for those families that lost property in the Nakba. That BDS surpasses the demands of the Palestinian leadership is symptomatic of the current state of American academic radicalism; from the safety of the campus it is more than happy to endorse a defining sense of grievance and thereby fan the fires of violence for the peoples of the region. Yet it does so not as a carefully thought-out strategy, however misguided, but as a project of self-aggrandizement.

For Makdisi the real crime begins not with the 1967 war and the Israeli occupation of Gaza and the West Bank or even with the Nakba itself. The

fundamental violence done was with the establishment of the Jewish state. His essay therefore begins with a symptomatic narrative, the 1986 creation of a new town, Eshchar, in northern Israel, which Makdisi disingenuously identifies as a “settlement,” a term ordinarily reserved for Jewish settlements in the West Bank. Presumably he considers all Israeli towns and cities to be settlements in occupied territory, including Tel Aviv. Makdisi contrasts the recognition of Eshchar with four nearby towns that Israel purportedly refused to recognize. Unfortunately, he is mistaken about key facts. Of the towns he names, Kamane was recognized in 1995, Hussiniyya was recognized in 1996, and Arab al-Na’im was recognized in 2000, at which point they were eligible for and received the municipal services Makdisi seems to believe they still lack.⁸⁸ All three, along with three other Bedouin villages (Ras al-Ein, D’meide, and Wadi Salameh) are members of the Misgav Regional Council, which has a Bedouin Deputy Chair. These are all, as it happens, Bedouin villages, though Makdisi identifies them as Palestinian.⁸⁹ It is thus odd that Makdisi insists that the Israeli government “adamantly refuses to permit Palestinians to develop a single new town of their own” (306), although seven recognized new Bedouin towns have been established in the Negev since 1968. They are: Rahat, Hura, Tel as-Sabi, Ara’ra, Lakiya, K’seife, and Shuqib Al-Salam. There are additional unrecognized villages I would prefer to see recognized, but Makdisi’s comprehensive claims are not warranted.

The attitude Jewish area residents have displayed toward nearby Bedouin villages for a generation completely discredits the claim of ingrained and persistent racism that Makdisi promotes. Here is the relevant portion of the Wikipedia entry on Arab al-Na’im:

The village was only recognized by the state in 2000, following lobbying by surrounding Jewish villages and Misgav Regional Council, and it was connected to municipal services after that time. Following the institution of a master plan for the village, the first permanent masonry-built houses were constructed in the village beginning in 2014. Formerly wood and metal temporary shacks, the village is currently undergoing a transformation with new houses and villas springing up, as well as new sewers and roads. In 2015 a new metaled road to the village was constructed from a new roundabout at the entrance to the adjacent community of Eshchar.⁹⁰

Kamane had a more difficult route to recognition, as Israeli authorities in the 1960s declared the area a military training ground that would be unsafe for civilians. That policy was later changed, and Kamane got its recognition. The services then provided included the construction of “the

Clore Multi-Purpose Community Center that offers daytime and after-school activities, a health clinic operated by the Clait Health Fund, and a well-baby clinic.”⁹¹

Although, as I will show, I did considerable independent research to confirm it and thus did not rely on Wikipedia as a source, I felt it important to show that the basic information on the status of these villages was available there with any internet search, in part because I learned that the Wikipedia entries were written by Yisrael Ne’eman, Eshchar’s former local council chair. Did Makdisi not bother to type the village names into a Google search? Or did he find these facts inconvenient or worse, repellant? Did Mitchell or any of the *Critical Inquiry* staff do an internet search on the village names? As it happens, I have a mutual friend, a faculty member on this side of the ocean, who lived very near Eshchar (in Eshbal) for a time. She put me in touch with Yisrael Ne’eman, and he contacted long-term Bedouin leader Nimer Na’im. They confirmed what I learned: Eshchar had supplied Arab al-Na’im with access to water in 1993 and helped with other projects such as construction of a kindergarten, but the intensive work for recognition began five years later. Eshchar’s Jewish chairman Yisrael Ne’eman and Bedouin leader Nimer Na’im walked together across the twin rocky hilltops their villages share—suitable for grazing but not agriculture—and in June 1998 agreed on a border. The terms were then discussed and approved by Eshchar as a whole. The Eshchar general assembly voted 40–2 to endorse the agreement, with two dissenters feeling Arab al-Na’im should have gotten more land than it asked for. The following month Ne’eman, another Eshchar resident, and religious politician Hanan Porat, whose daughter lived in Eshchar, went together to the Ministry of Interior and met with its director general to petition for Arab al-Na’im to become a permanent village.

Nimer, I should note, was quite angry, calling Makdisi’s account “deceitful” and replete with “lies”; he could not understand why someone halfway across the world would be involved in misrepresenting the character of two villages engaged in helping each other. He couldn’t understand why Makdisi did not even bother to contact anyone in the villages to consult with the parties involved. Why would someone in the US make up claims about Eshchar and Arab al-Na’im? It was not easy for me to explain, though of course the onus to do so is on Makdisi, not me. Precisely this disregard for facts and for fact-checking starkly displays the methodological insufficiency of such politicized humanities scholarship today.

The two villages have instituted cross-community cooperation, planning, and future development. Since the Bedouin village has less land, their building permits allow construction of up to three stories to compensate vertically, whereas Eshchar is limited to two-story buildings. The two villages see themselves as having carried out a grassroots peace process, and as

devoted to “good neighbor relations.” They refuse to define their relationship as one of “co-existence” because coexistence can too easily mean, as they put it, that “one party is the rider and the other the donkey.” Each village keeps its own cultural identity; they agree to disagree when necessary. For Makdisi the story of the villages is one of long-running hatred and discrimination, while in reality it is one of rebirth and reconciliation, of empathy and social responsibility across ethnic lines, a story of hope. Makdisi’s irresponsible work has effectively insulted and patronized these two communities.

At Ne’eman’s invitation, my partner Paula Treichler and I visited both villages with him on a bright sunny day in May 2018. Eshchar is a small, quiet rural community that seems a world apart from Haifa, even though the city is less than an hour’s drive away. Eshchar prides itself on its family-friendly environment, one element of which is the petting zoo it maintains for the children. The expected chickens and goats are there, but so is a burro and two peacocks. After Eshchar, we went on to Arab al-Na’im. We were frankly not prepared for the scale and quality of what we saw. The Israeli government had begun constructing a paved road system and providing other infrastructure for the Bedouin village in November 2013, eventually spending \$20 million on these improvements. The roads and other infrastructure provided a framework for the residents to embark on major improvements. By 2016, the village had its entrance road, which increased the speed of long-planned home construction. Using money saved over the years, families continued to replace existing homes (Fig. 1) and build remarkably impressive new ones (Figs. 2-6) .

By the time we visited in May 2018 some forty homes were finished, with about hundred or so more either under construction or in the process of obtaining construction permits. The road system will get a final asphalt topping once all the houses are built; that will prevent damage from heavy construction vehicles. Paula and I both photographed examples, and we met a Bedouin who had just moved into his home the month before (Fig. 2). The homes in Eshchar, constructed earlier, are in a different architectural style (Fig. 8), but certainly not more impressive.

Each family hires its own architect and thus the styles vary. The houses are often multi-generational, with parents on one floor and an adult offspring’s family on another. Communal space has a high priority. The rocky hillside land on which the village is set has little if any commercial value, so land cost is negligible, and the available funds can thus be devoted to the purchase of building materials. The Bedouin families also have a tradition of helping one another with construction. After people help you build your home, you in turn help other families. But the homes do not go up

all at once, and not every family has so far saved enough money to finance construction. So the transition from the more traditional tin roof structures (Fig. 1) is gradual and the Bedouins are very much aware that for now they have introduced a material division into the community. “We were all one before,” they observe, “and now we are two.” But buildings for use by the whole community are also in progress.



❶ *One of the remaining earlier houses in Arab al-Na'im*



❷ *The author, Bedouin villager Hamid al-Na'im, and Yisrael Ne'eman at Hamid's home that he moved into in Spring 2018*



③ *A house in Arab al-Na'im*



④ *Another Arab al-Na'im home*



5 *A home under construction next to one occupied*



6 *The author on a street in Arab al-Na'im*



7 *Goats roam freely in the Bedouin village*



8 *Yisrael Ne'eman's home in Eshchar*

The whole project had been under way for several years, well before Makdisi published his *Critical Inquiry* essay. Indeed, the plans for each future lot have to be submitted to the regional planning office, the Misgav Planning and Building Committee, which approves housing zoning, standards, and construction, several months before the committee meets to approve them. They would all have to have been submitted by the summer of 2013 at the latest, since construction could not begin until all documents were in hand and approved. New homes began going up in 2014, well before Makdisi published his 2017 essay.

Eshchar prides itself on its heterogeneous community of religious and non-religious Jews of multiple national origins. But Makdisi says “this claim to extraordinary heterogeneity might seem suspiciously homogeneous” (306).⁹² After all, they are all Jews. In other words, they are not really different after all; Jews are all the same, as far as Makdisi is concerned.⁹³ That would be news to Israelis themselves, who have confronted the challenge of integrating the radically different cultural identities of immigrants from scores of different countries and cultures: Ethiopia, Germany, Iraq, the Soviet Union, the US, and elsewhere.

Makdisi implies that Jews and Arabs all live in separate and hence segregated communities. But throughout Israel there are both separate communities of choice and some mixed communities of choice, though fewer than one might wish. In the Galilee there are dozens of Arab only towns and dozens of Jewish only kibbutzim, moshavim, and towns. Then there are mixed towns like Upper Nazareth and Haifa, the latter with 248,400 Jewish and 31,200 Arab residents as of 2016, which has been a mixed city for a century. Tel Aviv-Yafo has 397,000 Jewish and 19,000 Arab residents, and there are many other examples, including small towns like Maalot-Tarshiba, Karmiel, and the moshav Yaara.⁹⁴ Makdisi regularly supports his claims by misstating the facts. He tells us that “Palestinian citizens of the state are barred from living on state land held by national institutions such as the Jewish National Fund” (314), but that has not been so since the applicable law was overturned in 2005.⁹⁵ JNF land almost always goes to starting Jewish (or Jewish-majority) communities, but there is no prohibition against Palestinians living there. Note, as Joel Greenberg points out, that the Israeli Supreme Court upheld the right for Israeli Arabs to live in communities “built solely for Jews as is their right as citizens.”

Because the 800 residents of Eshchar are all Jews, Eshchar in Makdisi’s eyes is “an attempt to maintain insular homogeneity against surrounding otherness” (309). No rational person who visits the two beautiful villages of Eshchar and Arab al-Na’im would see them as examples of segregation; they represent pride in different cultural histories. Part of the pride the

Bedouins feel, moreover, is based on the fact that they are financing their homes through personal savings; these are not government handouts. They have lifted themselves out of poverty through their own initiative. “Separate but equal” doesn’t apply either, given that the architecture in each village is so distinctively different. Makdisi is of course employing politically hostile synecdoche. Eshchar, as he immediately makes clear, stands for Israel as a whole, “a colonial settlement implanted on land usurped from its ethnically cleansed indigenous owners” (309). That the Jews began by purchasing land is irrelevant. That Israel was established with an international mandate from the League of Nations, recognizing the historic Jewish connection with the land, and subsequently affirmed in the UN’s founding charter, is irrelevant. Moreover, like South Africa, Makdisi insists, this is a racist enterprise set in what Israelis, so Makdisi insinuates, allegedly take to be an Arab “desert of backward, violent, fundamentalist tyranny.” The actual residents of these two villages that Makdisi chose to treat as representative see things differently. During the Second Intifada, when separation between Jewish and Arab areas was encouraged, these villages declined to implement such a policy, so Bedouins who worked in Eshchar continued to do so.

THE “ZIONISM IS RACISM” SLANDER

To claim that most Israelis think the surrounding Arab states are “backward” is a slander, but the evidence that some regimes in the Middle East are violent or fundamentalist is not disputed. Yet is that recognition racist, as Makdisi suggests? We have known for decades that skin color, the primary social signifier of race, is a trivial genetic variable and that race, however powerful in its impact on peoples’ lives, is a social invention, not a biological reality. But the slogan that “Zionism is racism” hovers over Makdisi’s essay, and he wants to “recognize this stark racism for what it is” (309). To do so, he has to accept an expanded definition of race, emptying the term of any historically useful meaning. As he points out in his Note 18,

I am using the term race here and throughout this paper as expressed in the [UN’s] 1965 International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) . . . which adopts an understanding of race as encompassing what might otherwise be distinguished from now discredited understandings of race (in a narrowly biological sense) as national or ethnic origin. (310)

By this definition, the Danes, the Germans, and the Irish, among other nationalities, are each a race. Pan-Arab identification would also from that perspective be racial in character. From this perspective the Jews cease to be primarily a people, united by culture and ethnicity, and become instead a group bound together exclusively by racial solidarity. In “Israel,” he writes, “the categories of race and nation are collapsed into one another . . . there is no such thing as an Israeli nation in a secular or nonracial sense” (310–11). He goes on to say that Israel considers “all Jews everywhere . . . on the basis of their racial identity, to have ‘Jewish nationality’” (311). This is a dangerous and arguably anti-Semitic argument. For Makdisi it is as if Israelis themselves have internalized the Third Reich’s view that Jews are a race, while it is actually Makdisi who insists that all Jews are of the same stock. Indeed, he projects his own racialism onto the Jews with a two-fold insinuation: they see themselves racially and reject others on the same grounds. In “The Architecture of Erasure” he simply declares that Israel is based on “the designation of a racialized identity with preferential legal status (whites in South Africa, Jews in Israel and the occupied territories)” (532). That unmarried converts to Judaism can and do become Israeli citizens he ignores. One can hardly “convert” to another race under any plausible definition of race. Makdisi’s deployment of race is not merely wantonly expansive and incorrect; it is malicious.

Makdisi did not invent the fiction that Israelis see Jews as a separate race. In support of this—his single most outrageous argument—he cites the work of ferociously anti-Zionist critic Shira Robinson, who insists that Jews and Arabs were “racial groupings built into mandatory law and endorsed by the League of Nations” (108). Makdisi then uses the claim to support the comparison with South Africa. He argues that Israel fused the concepts of nation and race to create a racial identity for the Jewish state. There is no evidence of this or any other racial concept having shaped Israeli culture, so he goes on to refer to “the Israeli laws that assign to every citizen of the state a distinct racial identity on the basis of which various rights are also accessed (or denied)” (310). This is basically a conspiratorial inflation of the Israeli census, which asks people to fill in their nationality and religion, which they do not have to do if they choose not to do so. There are no “racial identities” anywhere in Israeli law. Even the earlier Israeli categorization according to communitarian or ethnic identities was a leftover from Ottoman Millet laws that categorized populations according to their respective religious and communitarian identities.

Moreover, the law allows people to declare that they do not belong to the religion or nationality to which they are registered: “a person has the right not to belong to any religion or nationality, and when he makes a

declaration to that effect—and the court is convinced that this declaration is true and sincere—the declaratory judgment must be made, on the basis of which the registration in the registry will be changed” (CA 448/72 *Shik v. Attorney General* [1973] IsrSC 27(2)).⁹⁶ In other words, the courts have ruled that if a person does not consider himself, e.g. Jewish, he or she may make a declaration to that effect, and the registry will register the person’s (religion or nationality or both) status as “none.” It is not the registry’s business to determine whether the person *is* Jewish or Christian, etc. The history of the population registry predates the state of Israel. The need for a registry for vital information (date of birth, marriage) is obvious.

Makdisi amplifies this sequence of strategic misrepresentations by arguing, as he did more briefly in “The Architecture of Erasure,” again following Robinson, that Israel privileges nationality over citizenship and turns citizenship into a secondary category.⁹⁷ This claim is also an unfounded invention. Citizenship in Israel means exactly what it means everywhere else; it does not have a lesser status than “nationality.” Citizens of Israel, whether Jewish or non-Jewish, have the same rights by virtue of being citizens. The Nationality Law’s distinction between Jews and non-Jews pertains to the process of naturalization. It is a distinction between Jewish and non-Jewish applicants for immigration to Israel, which is only relevant to the process of and eligibility for naturalization: Jewish non-citizens of Israel may become Israeli citizens under the Law of Return. This provision was created in the early years of the State to ensure that Jews everywhere would have the safe haven denied to them in the centuries that culminated in the Holocaust. Contrary to Makdisi, this is a source of pride, not guilt.

Makdisi and a number of other anti-Zionist writers insist that Israel’s Law of Return granting citizenship rights to Jews who wish to immigrate is discriminatory, whereas Israelis see it as compensatory, a reasonable right granted out of historical and political necessity. There are some in Israel, to be sure, who would like the state to become officially discriminatory, but they face effective vocal opposition. As I will show briefly, other countries have ethnically based immigration preferences. There is also an effort among BDS advocates to prove that Israeli documentation of citizenship discriminates in still more elaborate ways. Here the distinctions become more complex, but I try to show clearly why that BDS project is mistaken.

As Alexander Jakobson and Amnon Rubinstein point out in *Israel and the Family of Nations*, “the Law of Return does not discriminate between different categories of citizens within the country. It does not make the citizenship of non-Jews in any way inferior. Rather it is directed outward, to the Jews of the world” (125-26). Jakobson and Rubinstein go on to

detail the other countries that have immigration policies with preferences for their ethnic or cultural majority. “Privileged access to rights of residence and immigration for ethno-cultural kin groups exists in varying ways and through various legal mechanisms” in many European countries, including Bulgaria, Croatia, the Czech Republic, Finland, Germany, Greece, Hungary, Ireland, Poland, Slovakia, and Slovenia (128). In various ways, these countries operate with preferential naturalization laws based on ethnic heritage.

To reiterate, Makdisi’s claim is not true: In Israel, “citizenship” (*ezrachut*) is not placed on a lower rung than “nationality” (*leom*); on the contrary, *ezrachut* constitutes what is often referred to as “nationality” in English; whereas *leom* is a national/religious/ethnic identity. The Jewish *leom* and the Arab *leom* are understood as two sub-groups within Israeli citizenship. From a legal point of view—and for all privileges including social security, healthcare, and at present even land allocations—the Israeli citizenship of Arabs is identical to that of Jews; the Arab *leom* (national/religious/ethnic group) is equal from a semantic and legal perspective to the Jewish *leom*, and there is no reason to translate one as “nationality” and the other as “citizenship.” In complete contrast to what Makdisi maintains, all Israeli identity cards say “Israeli citizen” (*ezrachut*), whereas the category of *leom* (ethnic nationality), which indeed was present for many years, was removed in the 1990s. It remains in the Population Register, along with such other demographic categories not listed on the identity card such as year of immigration, year of marriage, and the like. Even when the category of *leom* was on the card, it had a variety of ethnic options, including Druze, Circassian, and others, which makes it clear it was not a racial designation as Makdisi claims. If Israeli identity cards were indeed the carriers of racial identification that Makdisi asserts they are, he would surely have included a photographic reproduction of a current example to prove his point. He did not because he cannot.

Given the large influx of Jews from Arab and other countries in the years following the founding of Israel, the Jewish population was diverse from the start. Israelis had little choice but to see the country as racially diverse, not unitary. The arrival of black Ethiopian Jews, now numbering about 145,000 and representing one percent of the population, began with the triggers of famine and war, but the Ethiopian community had wanted to come to “Zion” for generations out of spiritual longing. Their escape in the second airlift (May 1991’s Operation Solomon) from near certain death in intra-African conflict—which Israel enabled by supplying transport planes for the purpose—gave Jewish racial diversity still more publicity. Descendants of Jewish immigrants from Arab countries now

constitute over half of the population. Given the strongly secular and often anti-religious character of Zionism, Makdisi is also wrong to insist that Israel was unified through a fusion of nationality and religion. Religion did become more central to Israeli life after the Likud came to power in 1977, a result in part of the gradual political empowerment of Jews from Arab lands with traditional religious convictions. The rise of religion in Israel in recent decades is an indication of the country's increasingly Middle Eastern and decreasingly European character.

Another reason that Makdisi racializes Jewish identity is to decouple any parallel between Jewish and Palestinian diasporas. It was a parallel, notably, that Edward Said once imagined could facilitate mutual sympathy and dialogue: two comparable refugee fates that might lead to common ground. But though Makdisi views the Palestinian diaspora as a deliberate scattering of a people that have a right to be brought together and unified in one state, he denies the same right to Jews. No one at present, so far as I know, makes the argument that every supposed racial group, as opposed to a people, deserves its own nation state.⁹⁸

Having identified a litany of Israeli practices that he denounces as anti-Arab, Makdisi then attributes all of this to a racism he imagines to be fundamental to the Jewish state. Moreover, having defined Israeli national identity as irredeemably racist, even though many Arab Israelis identify themselves as Israelis, he can then characterize every benefit the Jewish state gives to Jews—from the right to citizenship to benefits given to army veterans—as fundamentally racist.⁹⁹ For close to two decades after the Arab states attacked the new nation in 1948, Israelis did worry that certain areas of the internal Arab population, though not other non-Jews, might turn into a Fifth Column, so they remained under military surveillance.¹⁰⁰ But then in 1966 martial law was finally lifted, so that all Arab citizens of Israel could exercise their full citizenship rights, and a long (and continuing) process of ending discriminatory practices in education, employment, and housing began. Even Menachem Begin notably advocated lifting martial law before then, though Ben-Gurion could not free himself of the memory of the 1948 war and support the change.¹⁰¹ Israel's twenty-year struggle to accept its Arab citizens remains a grim part of its history that overshadows contemporary debate to this day. Nonetheless, when Makdisi remarks that Israel's claim to be both Jewish and democratic is self-evidently and irredeemably “oxymoronic” (327), that is an insult rather than a product of reasoned analysis. Israel's dual character as both Jewish and democratic offers challenges that Israelis thought about even before the country was founded and have worked on ever since.

In Makdisi's worldview, Israel's Arab citizens have never seen themselves as Israelis.¹⁰² Instead he supposes anachronistically that they always chose to call themselves Palestinians, and thus that Israel stripped "Palestinian citizens of their national identity" from the outset (314). However, a specifically Palestinian national identity did not actually begin to cohere until the 1960s, eventually spurred by the 1967 war and Israel's capture of Gaza and the West Bank. Israel can hardly have stripped them of an identity they did not yet claim. When Mahmoud Darwish read his signature poem "Identity Card" to audiences in the mid-60s its repeated refrain line was the demand "Write it down / I am an Arab," not "I am a Palestinian." In the new millennium many Israeli Arabs have begun to insist on being called Palestinians, but others have not.¹⁰³ Neither group, however, shows any interest in living in a Muslim majority country, which they are free to do. Nor would all, as Makdisi complains, regard *Israeli Arabs* as a "malicious term" (313).

Since Makdisi cites only negative evidence, one would not know from his essay that there are some mixed communities in Israel proper and one famous one, Neve Shalom, where Jews and Arabs explicitly choose to live together. One would not know that, unlike neighboring countries, which torture and kill gay citizens, Israel's civil laws recognize gay and interfaith marriages performed abroad.¹⁰⁴ One would not know that there are joint Arab/Jewish schools that are highly successful or that Israeli universities have succeeded in substantially increasing their percentage of Arab students. The percentage of Arab students in Israeli universities increased from 10.2 percent in 2010 to 16.1 percent in 2017, in absolute numbers a 79 percent increase in 7 years.¹⁰⁵ One would not know that the health professions enjoy Arab participation at near the percentage of Arabs in the population. One would not know that there are dozens of NGOs devoted to Arab/Jewish reconciliation and joint work.

More needs to be done, but considerable progress has been made. It is misleading and irresponsible simply to denounce Israel for its treatment of its Arab citizens, as happens in too many US classrooms. That does not mean that prejudice and mutual hatred do not exist among both Israelis and Palestinians—they do, though the offensive reference to "indigestible Arabness" (313) is a product of Makdisi's own rhetoric, not Israel's—but the foundations of Israeli democracy are not racist. It is not racial animus that colors some Israeli Jews' attitudes toward the Arabs in their midst so much as fear of and hostility toward their external enemies.

Makdisi's repeated assertions of Israel's allegedly pervasive, foundational anti-Arab racism also does explicit political work for him. Although he has been arguing this position for at least a decade, it is not until the end

of this essay that he announces that the solution to the Israeli-Palestinian conflict “is certainly not the creation of a Palestinian state, which is now a geographical impossibility given that the land for such a state has been entirely colonized by Jewish settlers” (328).¹⁰⁶ This is an unacceptable misrepresentation of fact. First of all, unless they are hiding somewhere, there are no Jewish settlers in Gaza. Moreover, 75–80 percent of Jews residing in the West Bank live in settlement blocs right along the Green Line, the pre-1967 armistice border. The standard two-state model is that these settlement blocs, constituting only about six percent of West Bank territory, would be incorporated into Israel by way of land swaps. Half of the remaining settlers, some living in settlements deep in the West Bank, have already confirmed they would leave if a peace agreement compensated them for the loss of their homes. That number would certainly increase if Israel announced it was withdrawing the IDF from the territory surrounding them. Indeed, if isolated Jewish communities would neither be welcome nor safe in a Palestinian state, that tells us something about Palestinian attitudes toward Jews that Makdisi might want to contemplate.

In “‘Intellectual Warfare’ and the Question of Palestine” Makdisi dismisses the two-state solution with a wave of his hand: “there is literally no more room for a second state” (80). That conclusion discounts the proposals put forward in the peace process for a quarter of a century. He claims that “Israel keeps insisting that the scraps of disconnected territory held together entirely at its whim would be taken to constitute a Palestinian state” (82), but no meaningful proposal for a Palestinian state has been restricted to the fragments of the West Bank established under Oslo as Areas A and B. Except for the settlement blocs adjacent to the Green Line, Israel would be expected to vacate Area C, the West Bank land it presently controls. The other settlers would have to leave. Half have already agreed they would do so. A Palestinian state would have to be a non-militarized one, but it would not be the world’s only state relying on others for defense against large-scale invasion. In the same essay, Makdisi disparages this as a “putative Palestinian state” and then declares “For Palestinians to accept this or any other ‘state’ is not a solution to their problem” (82). There is a “need to address a much broader question of historical and political injustices” (82). Only getting rid of the Jewish state will do.

The unspoken lesson of Makdisi’s unstinting anti-Zionism is that there is no ethical or moral warrant for opening negotiations with a supremely racist state like Israel, one, as he writes in yet another *Critical Inquiry* essay, “Said, Palestine and the Humanism of Liberation,” “in which life is saturated with the discourses of racial, ethnic, and religious distinctions” (449). “Even the most fundamental and mundane aspects of human necessity

(birth, death, housing, eating, working, farming, access to water, movement, health care, education—that is, the matters of who one is, where one can go, what one can do) are comprehensively determined by the ontological categories and narratives of European racism as they have been embodied, expressed, and institutionalized in Zionism” (449). That the Palestinian Authority’s security services are willing to work closely with Israel may be one reason he refers to the “so-called Palestinian Authority” (316).¹⁰⁷ His rejection of the two-state solution is anticipated not only by his anti-Zionist convictions but also by his generalizing references to “the land” between the river and the sea. Makdisi does not say so, but the potential number of Palestinian citizens he cites makes it clear he envisions one state with a Palestinian Arab majority. Only the most willful Butler-style idealist need wonder what “democratic” rule would mean for the Jews under those conditions.

The logic behind and consequences of Makdisi’s politics are clarified by another anti-Zionist essay in the same issue of *Critical Inquiry* in which “Apartheid / ~~Apartheid~~ / [],” appears, Amal Jamal’s “1967 Bypassing 1948: A Critique of Critical Israeli Studies of Occupation.” Jamal refers explicitly to “the equal right of Palestinians to determine the meaning of sovereignty in the entire land of Palestine” (375), a position Israel will never concede. He adds: “The mere assumption of an autonomous Jewish national subject that can contemplate its moral dilemmas adheres to the Zionist narrative that imagines itself as a coherent historical subject with the ultimate right to speak for Palestine” (376). “Even if unintended,” he argues, “the mere theoretical distinction between the state and the OPTs [occupied territories] legitimizes the state as Jewish and democratic” (374). This helps explain why Makdisi nowhere urges negotiation over the status of the West Bank. That would legitimize the originary crime of the founding of a Jewish state. But readers should understand that the first victim of Makdisi’s campaign against Israel would be the Palestinian Authority and the Palestinian political leadership: they are his immediate targets.

It is undeniable that the second-class political status of West Bank Palestinians is both unacceptable and unsustainable. Maintaining the status quo imposes intolerable constraints on many Palestinians. But Makdisi’s rhetoric—insisting that both Gaza and the Palestinian zones of the West Bank are nothing more than “holding pens for the land’s non-Jewish population” (316)—grossly overstates the case. No reasonable person visiting the vibrant city of Ramallah, the center of commerce and government in the West Bank, or the extraordinarily beautiful new Palestinian hilltop city of Rawabi would consider them mere holding pens, despite Makdisi’s evident blindness toward their reality. Ramallah, with an active business

community, strikingly, includes both Palestinian wealth and Palestinian poverty, though no one could miss the office buildings under construction. Rawabi is uniquely intended to be a focused high-tech community. The two states for two peoples solution that could build on these two examples remains the only realistic route to political enfranchisement and the answer to the genuine injustices that prevail.

But for over a decade Makdisi has insisted that the two-state solution is dead. In its place he invokes a wholly unspecified Palestinian majority democracy from the Jordan River to the Mediterranean Sea in which Jews would miraculously find their rights and freedoms honored and protected. There are no details, no plan for how this utopia would be realized. Indeed, in "Said, Palestine, and the Humanism of Liberation," Makdisi instead draws on and endorses a utopian strain in Said's work that has no points of connection with reality. "The idea of Palestine," he writes, "is a struggle for the articulation of a new sense of what it is to be human" (443). It would result in "a dissolution of the barriers between public and private" (453). That will entail "building on an understanding of what it means to develop a human community *with* rather than *against* other human beings" (452). Said allowed himself to imagine that Palestinians were ready for a peaceable kingdom in which all the religions of the area would live together in harmony. Perhaps what is most notable about this fantasy is that it has no significant constituency among either Israelis or Palestinians. But then they aren't its audience. As with Judith Butler's promotion of similar ideas, its destination is those Western liberals and leftists who are vulnerable to such arguments. To give the fantasy further weight, Makdisi has to claim there is no dream of a Greater Palestine comparable to the Israeli right's dream of a Greater Israel. Apparently he has a different take on the call for a Palestine "free from the river to the sea."

The most viable route to peace between Israelis and Palestinians involves a balance of separation and cooperation, two states for two peoples who collaborate on security, employment, infrastructure, water rights, agricultural development, economic opportunity, and other areas. But for Makdisi the very concept of separation into two states is repellent: "separation is really domination" (458) he announces in "Said, Palestine, and the Humanism of Liberation." Zionism's logic has always been "to dominate and oppress precisely through the logic, the discourse, and the biopolitical practice of *separation*" (447). Somehow for Makdisi two states side-by-side still constitute apartheid. "Peace proposals based on the logic of demographic separation merely perpetuate the basis of the struggle rather than meaningfully addressing it" (458).

When the residents of Eshchar and Arab al-Na'im negotiated their relationship in 1998, they did not combine the two communities into one town; each people wanted to preserve its own culture, traditions, and ability to shape its destiny. Of course this was all within Israel proper, but it nonetheless offers a glimpse of a way forward. What does Makdisi offer us instead? In what is arguably the single most alarming passage in *Palestine Inside Out*, he endorses Henry Siegman's suggestion that it may be necessary to consider "the dispatching of an armed U.N. force to impose the rule of law" and "bring about a change in course on Israel's part" (279).¹⁰⁸ The proposal is alarming not only because of the violence that it projects but also because of the author's absolute lack of any sense of real political possibilities.

W. J. T. MITCHELL AND THE CRITICAL INQUIRY CONNECTION

There was a time when I often opened my new issue of *Critical Inquiry* to read the most recent essay by Jacques Derrida. He is no longer with us, but Saree Makdisi has been given almost equivalent prominence in the journal's new incarnation as a frequent vehicle for what poses as anti-Zionist scholarship. Several long Makdisi essays, plus invited reader responses by others, constitute a strong endorsement by the journal and its editorial board. But the strongest force behind *CI*'s revised political commitment is its editor, W. J. T. Mitchell. Mitchell's full comment on Makdisi's essay in his invitation for a response tries to forge a continuity with Derrida, but it is more a break with Derrida. Makdisi's essay, he writes,

takes up the question of whether the term "apartheid" is really applicable to the present situation in Israel and the occupied territories. Departing from Jacques Derrida's classic essay "Racism's Last Word," about the use of the term in South Africa, Makdisi's article is an attempt to go beyond the merely polemical use of the word to explore the limits and differences in its usage. We believe it is a serious, well-documented scholarly essay that has the potential to raise the level of debates over the claims of Israelis and Palestinians to a higher level.

Derrida's nuanced essay, one I regularly assigned in seminars, is hardly fundamentally polemical, though it is clearly anti-racist. Makdisi, on the other hand, is decidedly polemical in his accusations against the Jewish state. What the "higher level" Mitchell references might be, despite several readings of Makdisi's essay, I cannot imagine. But what is more important

here is Mitchell's own views of Israel and how they obviously influenced his endorsement. Indeed, Mitchell's work on Israel is far more idiosyncratic than Makdisi's, which, for all its distinctive exploitation of anti-Zionist tropes, seems almost conventional by comparison.

In "Holy Landscape: Israel, Palestine, and the American Wilderness," Mitchell uses a sometimes-eloquent meditation on landscape to justify a towering, almost biblical denunciation of the Jewish state. "Landscape," he writes, "serves as an aesthetic alibi for conquest, a way of naturalizing imperial expansion and even making it look disinterested" (198); it "demands human sacrifice" (207). When he visited Tel Aviv in 1987, he tells us, it recalled "a suburb gone sour, a promised land gone to seed" (205). He saw "an occupying, colonial power, a police state that seemed determined to violate every moral, legal, and political principle one might have hoped for from the first modern Jewish state." The essay decries the "territorial disputes, real estate claims, land and house seizures and demolitions, and all the other depredations that have been visited on Israel/Palestine in the name of political, racial, or religious purity" (199). For Jews, he argues, drawing a biblical reference, the Holy Land has become "a magical object, an idol that demands human sacrifice" (207). He uses a quotation from Voltaire to remind us of the turn toward idolatry that the ancient Israelites made at the foot of Mount Sinai, "the twenty-three thousand Jews who danced before a calf, together with the twenty-four thousand who were slain while ravishing Midiantish women" (209). Israel, he asserts, is today devoted to "an idolatry of place, a territorial mysticism enforced by bullets and bulldozers" (223), the devotion to "a false god" that "leads inexorably to the violation of every commandment, not just the prohibition of idolatry" (194).

Anticipating the kind of argument Judith Butler would make, he concludes that "Judaism cannot achieve its destiny as a universal humanism dedicated to social justice unless it is willing to sacrifice its attachment to the idols of landscape and place" (223). It must give up "the fantasies of the destiny of Judaism as the possession of a physical place, rather than as an ideal of universal human value." "Perhaps," he ends the essay in a moment of presumptive hubris, "the Israelis can find a way to repeal the second commandment" (223). They must abandon their carved images, the idols that have transfixed them, and bow down to them no longer. Does Mitchell really imagine that other nations, including his own, do not idealize the territory of the nation state? Are the idols of American commerce less compromising than Israel's vision of the Holy Land?

In 2016 I had occasion to accompany a group to Bet El, an increasingly well-known religious West Bank settlement located on the mountainous

spine that runs through the center of the land of Palestine. We heard a presentation by Dr. Hagai Ben-Artzi, a retired faculty member and brother-in-law to Benjamin Netanyahu.¹⁰⁹ Unless the actual ancient land of Israel itself was resettled, he declared, there could be no true revival of a Jewish homeland. Jews needed to walk the hills where Abraham and Jacob walked, where The Lord gave Israel the land, where Jacob had his famous dream. The coastal cities were irrelevant, religiously meaningless. In a choice between giving up Tel Aviv and giving up Bet El, Tel Aviv should go. Although the classification of a religiously redemptive motive as idolatry is itself religiously motivated and entirely beyond rational demonstration, my point is that the overall sentiments Mitchell focuses on do exist and shape the aspirations of the most fanatically religious settlers. But even on the West Bank that is a distinct minority. And the large population of Tel Aviv, one may be certain, does not share Ben-Artzi's convictions or his priorities. Indeed, the fact that Tel Aviv's residents are predominantly secular no doubt helps make them expendable in Ben-Artzi's eyes.

A major problem with Mitchell is that he implies these beliefs are definitional for the Israel people as a whole and thus that they fuel Israeli policy and the attitude toward the Palestinians. So he would have us believe these beliefs inform "the raw, avid faces of pioneers, settlers, and colonialists turned toward their promised lands, and by the haunting, persistent faces of the dispossessed aborigines—the Paiute and Washoe Indians, the Zulu and the Xhosa, the Bushmen, the Palestinians" (205). Israel would be "the desert made to bloom by chosen people who bear the white man's burden, the manifest destiny, a historic civilizing mission, the Word of God to the soon-to-be expelled or annihilated aborigines" (207). Mitchell does wonder whether it is mere sentiment "to merge and juxtapose all these diverse exiles, refugees, colonized, dispossessed people into a kind of montage?" (205). But he lets the exercise stand. Whether Palestinians possess a comparable form of indigeneity and whether contemporary Palestinians really belong in this sequence is another matter, one he does not address.

But then that is not his primary aim here. The core of Mitchell's project is to demonstrate to those willing to listen that Judaism as it has evolved in modern Israel is a false religion, a politically motivated sanctification of colonialism. "Zionist iconoclasm," he writes, "is strictly a strategy of conquest, the appropriation of territory under the cover of a moral crusade" (218). There is no place in Mitchell's world for a secular Zionism, let alone the multiple varieties that preceded the creation of a Jewish state and evolved since. And he seems uninterested in the ultraorthodox constituency that opposes the idea of Jewish statehood. His image of the complete convergence of the religious and the political makes it possible to offer a

condemnation more appropriate to a theological journal than to *Critical Inquiry*: “A contract or covenant with an idolater is thus the worst form of idolatry because it doesn’t just involve a straying off to a strange god but a defilement of the one true god.” A few sentences later Mitchell lets us know why his invented religiously corrupted Israel will never negotiate peace in good faith: “even to negotiate over one inch of the sacred soil is to commit the sin that God will not forgive and to invite upon oneself the direst of punishments” (218–19).

That sentiment unfortunately follows upon his claim that Jewish National Fund reforestation efforts in Israel echo the role “tree cults” played in Europe, particularly in the forests revered “of romantic German nationalism. The sacred groves are the natural home both of idols and of a racially pure nation” (196). He reminds us that the Nazis embraced such tropes and concludes that “In this light, the forestation of Palestine as a way of transforming it to the nation of Israel looks a bit less innocent” (196). Given that the connection with the Nazis that Mitchell is making is both repellant and historically unwarranted, it is reasonable to suggest his effort to make Israel’s reforestation a sinister project crosses the line into anti-Semitism. The fact that he makes this connection by way of quotation does not relieve him of responsibility for doing so. Beginning in the nineteenth century and continuing until World War I, the Ottoman empire had stripped Palestine of its native trees to supply railroad ties and other products, thereby contributing to soil erosion and desertification. The Jewish National Fund undertook a major tree planting campaign to reverse that damage. It has nothing to do with German nationalism.

Needless to say, a Palestinian obsession with the land carries no such implications for Mitchell. Such corruption is impossible for Palestinians, who Mitchell sees only in terms of their placement in a sequence of dispossessed peoples. Israel has replaced the Palestinians and their home with a “desert made to bloom by chosen people who bear the white man’s burden, the manifest destiny, a historic civilizing mission, the Word of God to the soon-to-be expelled or annihilated aborigines” (207). He predictably calls Israel an apartheid state and suggests the Jews cannot be trusted to conduct negotiations honorably. The only solution, he tells us, is a binational state that would “guarantee equal rights to all citizens regardless of ethnicity, race, or religion” (221). Makdisi updates this to the one-state solution, but it is the same project of Jewish erasure.

One of the more troubling moments in Mitchell’s essay comes when he reports a trip he took to the ruins of the mountain top fortress of Masada in conjunction with attending a 1998 Birzeit University conference on “Landscape Perspectives on Palestine.” He tells us that his guide

characterizes Masada as “ancient Israel’s determination to die rather than surrender to the Roman idolaters” (205), then adds that the story has new meaning for a nuclear armed Israel: “The next time fortress Israel is surrounded by enemies, our guide assured us, it will not commit suicide alone. It will take the whole world with it into the final conflagration” (206). There is a test a responsible scholar should apply to such an anecdote based on a remark from an ordinary citizen, not a member of the government, before using it: Is it representative of public opinion for some significant fraction of the population? Otherwise, using the anecdote is fundamentally irresponsible. Having never encountered his guide’s sentiment—and recognizing that this threat is not part of the debate in Israel over the morality of nuclear weapons—one may reasonably conclude that Mitchell’s hostility trumped his judgment. Even more evident is the probability that Mitchell felt no need to fact check Makdisi’s contributions to *Critical Inquiry*. Given that Mitchell seems to believe Israel merits the wrath of an angry god, Makdisi’s accusations must have appeared rather modest.

Makdisi notably does not show Mitchell the courtesy of citing his essay, perhaps because, even though they have the same distaste for Israel, they come from largely different conceptual and methodological universes. Makdisi’s problem is that he gathers false evidence in support of unwarranted and malicious conclusions. Mitchell offers no relevant evidence because his is not an evidence-based argument. You cannot find the smoking gun that proves the covenant with God has been mortally wounded. His pronouncements are basically vatic. The discourse community Mitchell comes closest to addressing is Christian anti-Zionism. Indeed, he condemns “the American Christian fundamentalists who have now entered into an unholy alliance with Orthodox Jews on the meaning of the Holy Land” (206). Condemning Israelis as idolaters and calling the status of God’s covenant with the Jews into question is more the provenance of the anti-Zionist wing of a Protestant denomination. What either Makdisi himself or *Critical Inquiry*’s secular readers will have thought of Mitchell’s effort to take on the mantle of Old Testament prophecy is impossible to say, though some in the journal’s humanities audience may have been willing to add to their accustomed condemnations the fantasy that idolatry “lures Israel into whoredom and abomination” (218).

CONCLUSION: BY RUSSELL BERMAN

In conclusion, returning to Makdisi’s central comparison of Israel and Apartheid South Africa, it will be useful to explore that alleged

parallel further and to spell out what his essay reveals about the state of the humanities. Makdisi appears to believe that a single South African claim that Israel is worse than South Africa delivers the coup de grace to Zionism, but in truth these matters are debated in South Africa, and, though South Africa has a fiercely anti-Semitic BDS movement, a series of South African opinions can be cited on both sides of the argument, Archbishop Desmond Tutu being the most prominent proponent of South Africa/Israel comparisons. On the reliability of Makdisi's sole source, journalist Mondli Makhanya, more in a moment. A judicious sorting of evidence would have revealed that alternative views are readily available. South African public views on Israel are considerably more complex than Makdisi suggests. According to the Pew Global Attitudes Project in 2007, 28 percent of South Africans sympathized more with Israel and 19 percent with Palestine. Even the governing class does not behave in a way that would corroborate the view of Israel as an apartheid pariah. South Africa continues to maintain full diplomatic relations with Israel, suggesting that Israel is not seen as the turbo-charged apartheid state that Makdisi imagines. On the contrary, in an interview with Joel Pollak, former South African ambassador to Israel Fumanekile Gqiba insisted on the difference between the anti-apartheid struggle and the conflict in Israel/Palestine, and took note of the heterogeneity of the Israeli Jewish population, in contrast to Makdisi: "[Some people say] that Israel is the extension of the racist, white South Africa . . . that was my understanding before I came here. I regarded Jews as whites. Purely whites. But when I came here I discovered that, no, these guys are not purely whites. They are mixed. It's some kind of a, shall we say, a melting pot. You've got people from all over the world. You've got Indian Jews, you've got African Jews, and you've got even Chinese Jews, right? I began to say to our comrades, 'No, Israel is not a white country.'" A remarkable indication of a black South African's positive relationship to Israel, as Greer Cashman reports, is that Gqiba and his wife decided to name their daughter, born in Israel, "Israela."¹⁰

But perhaps the most salient testimony to the South African rejection of the apartheid equation was Nelson Mandela's willingness to accept an honorary doctorate from an Israeli university, the Ben-Gurion University of the Negev, in 1997.¹¹ His speech on that occasion remains an inspiring testimony to a vision of negotiated peace and cooperation between the two peoples, precisely the outcome Makdisi denounces. Mandela thanks the university for its contributions to South African development, which is, tellingly, exactly the sort of collaboration with an Israeli university that BDS advocates want to prohibit. He gives explicit recognition to Jews as a people, and he uses three variations of the image of the desert blooming,

the same trope that Makdisi derides (307). Makdisi ultimately asks us to believe that he, the scholar of Romanticism, is a better judge of apartheid than was Nelson Mandela.

South African opponents of the Israel-apartheid equation abound. Former young Communist Tshediso Mangope, who used to support BDS, now insists adamantly on the distinction between Israel and apartheid South Africa. As he writes in *The Tower*, “First and foremost, my visit to the region confirmed for me that there is no meaningful comparison between the State of Israel and the former Apartheid regime in South Africa It appears that those who compare the State of Israel to apartheid South Africa do not understand the fundamentals of Apartheid nor have they experienced it.”

Then where does the equation come from? Mesoia Lakota, who was imprisoned on Robben Island together with Mandela and then served as long-term Defense Minister, unpacks the genealogy of the rhetoric: “Strangely, when I was growing up under Apartheid, Israel was never cast as an apartheid state. The first time I ever heard this nonsense in South Africa was once we became free of Apartheid ourselves. I was at the 2001 UN Durban World Conference against Racism, where the ‘Durban Strategy’ declaring Israel an Apartheid State was adopted.¹¹² Yet, South Africans did not introduce this rhetoric at the conference, it came from representatives from the international NGO community and the Arab world.”¹¹³ According to Lakota, the use of the apartheid comparison is not a matter of an authentic descriptor naming a common denominator shared by apartheid South Africa and Israel, and certainly not an expression of an authentically South African anti-apartheid thinking but, on the contrary, an instrumentalization of the South African experience by others in order to denounce Israel, the facts be damned. It is an exploitation of the one experience in order to extract political capital from it in the other. The consequence is a *de facto* trivialization of South African history in order to promote the extremist agenda of an activist fringe that has little resonance outside of academia and the opinion bubble of like-minded NGOs.

That rhetorical trivialization of historical apartheid returns us to Makdisi’s prominent citation of Makhanya’s claim that Israel “is worse, worse, worse than everything we endured” (320). If one takes the claim with the seriousness it deserves, logic compels one to conclude that, for Makhanya and Makdisi, apartheid in South Africa was better, better, better than life in Israel, and that Palestinians today would be better off if they could time travel back into South Africa as black Africans. That thought experiment exposes the absurdity of the claim, as well as its callousness, which deserves further interrogation. One should remember that Makdisi

bases his apartheid argument on the single quotation from Makhanya, whom he presents as a veteran of the antiapartheid struggle (319–320). It is therefore appropriate to consider Makhanya's political credentials. He is quoted in Ronald Suresh Roberts' biography of Thabo Mbeki as describing his activities on the momentous day Mandela was released from prison, when Mbeki participated in an attack on a rival African faction: "I had now acquired a litre of methylated spirits and concentrated on burning shacks, while other comrades finished off wounded Inkatha warriors. One man was literally chopped beyond recognition. His eyes were gouged out and his genitals cut off, while I looked on."¹¹⁴ Such is the moral authority of Makdisi's informant. Roberts's commentary itself proceeds to challenge the credibility of the "unrepentant brute"—the same Makhanya on whom Makdisi bases his apartheid case.¹¹⁵ Particularly pertinent to Makhanya's use of the apartheid comparison for Israel is however his own more recent effort to ratchet down rhetorical invocations of apartheid within South African political discourse. He has been critical of radicals' habit of pointing to the apartheid past as an explanation for South Africa's present.¹¹⁶ What better way to alleviate the burden of South Africa's own history than to find a worse case elsewhere? The denunciation of Israel evidently provides a scapegoat mechanism to minimize the South African experience by pointing a finger elsewhere, as part of the normalization of an emerging status quo. It is noteworthy that those in BDS circles who have circulated the apartheid comparison have never interrogated its political significance *within* South Africa.

Whatever Makhanya's statement means in South Africa, it has been appropriated by Makdisi who exploits it for his own purposes. As has been pointed out, Makdisi feels compelled to go beyond the (itself profoundly flawed) apartheid equation and instead insist on the difference, i.e., that Israel is worse. That second step can only mean that for Makdisi, apartheid South Africa was just not all that bad: things could have been worse. That logic leads Makdisi to his breathtaking characterization of the Sharpeville Massacre as an exception, a brief interruption in what he thereby implies was a tolerable normalcy (319). Suddenly it turns out that his argument at its fullest—his claim that Israel is worse than apartheid—turns out to be its weakest, since it depends on minimizing the value of that sign—the pejorative value of the term apartheid—from which he hopes to extract maximal political power. At this point, in this semiotic paradox, one might be tempted to invoke Derrida with whom Makdisi began, but I will choose to forego that pleasure. Instead I point out how, in his rhetoric of minimizing the evil of South African apartheid in the name of his idiosyncratic understanding of Palestinian goals, Makdisi reproduces the pattern of Arab exploitation of Black African labor and suffering. In this essay the only case

he makes for Palestine depends on his vampiric relationship to the victims of the South African past.

Makdisi claims that BDS, the call to boycott Israel because of its allegedly apartheid character, has become “mainstream.” He is hallucinating: after a couple of decades of activism, especially in academic circles, there does not seem to be a single university department of renown that has signed on to the boycott, not even Makdisi’s own Department of English at UCLA. Nor has the BDS debate ever really gone beyond the humanities; it is certainly not mainstream in STEM fields, which arguably represent the mainstream of university life today. Both the American Historical Association and the Modern Language Association have rejected BDS. Indeed, MLA members ratified, by an overwhelming majority, a resolution explicitly stating that the MLA shall refrain from participating in the BDS boycott. Even in the reputedly radical MLA, fewer than 5 percent of the members voted against a 2017 resolution to reject a boycott of Israeli universities. The only victories BDS might claim to have chalked up are in small, marginal professional associations. Some of those results turn out to be dubious, since now we know, thanks to court documents, that the BDS success in, for example, the American Studies Association was due to intentional and unethical misrepresentation by its proponents in manipulated elections.¹¹⁷

Makdisi repeatedly gets the facts wrong or misrepresents them. His sources are consistently biased. His arguments are not proven. Inequality and discrimination are hardly unique to Israel, but they will not be seriously or productively addressed by pretending that they are worse than, or even only equivalent to, apartheid. Israel’s Arab citizens want equal opportunity, not self-congratulatory rhetoric. What Makdisi provides is simply bad analysis that does a disservice to all parties, including the Palestinians, who deserve plausible political prospects rather than polemical fantasies.

The rhetoric of exaggeration deserves a final comment. Makdisi’s essay provides an exemplary demonstration of the overwrought political language that commonly circulates in parts of the humanities today. His prose is symptomatic. It has an Orwellian character in the self-assurance of its misrepresentations, its anti-intellectual lack of nuance, and its overall chilling sense of infallibility. The apodictic denunciations echo the worst of old-style sectarian partisan political polemic, with the variation that class analysis is now absent, replaced by the nostrums of post-colonialism.

When the terminology of a body of theory is marshalled in the service of preexisting political convictions it can take on the character of sacred incantation. The deployment of its vocabulary for some readers itself sufficiently proves the case being made. That is a problem not just for Makdisi

and apparently for *Critical Inquiry* but for the humanities and interpretive social sciences more broadly. Nothing requires more care in this context than accusations of racism, but such terms as “settler colonialism” also carry extra-evidential weight.

Contemporary anti-Israel writing, like Makdisi’s, has no gray zones. There are no compromises, and there is no room for debate. It liquidates nuance. It simply directs one to choose sides in order to annihilate the other. This simplification of intellectual life puts an end to irony, to the subtlety of interpretation, and to substantive critical inquiry. In their place, a doctrinal cloud of political correctness emerges that is intended to provide a halo to the professor as prophet. The fundamental problem with this style is less that it is dangerous to Israel than that it is a threat to the credibility of the humanities in the contemporary university and in the public eye. It is time for the scholarly world to acknowledge that this theatrical radicalism has grown obsolete. Using a well-compensated professorship as bully pulpit for revolutionary yarns has lost its charm. To be sure, nearly every campus still has its cadre of self-promoters, who try to catch the limelight with their incessant blogs and rants. They are a sideshow that distracts from genuine intellectual life. The work of the humanities, made of serious scholarship, teaching, and interpretation, takes place elsewhere.

CHAPTER SIX

JASBIR PUAR: OBSESSIVE DEMONOLOGY AS A RESEARCH AGENDA

Through debilitating practices of maiming and stunting, Palestinians are further literalized and lateralized as surface, as bodies without souls, as sheer biology, thus rendered nonhuman . . . the Palestinians are not even human enough for death.

—Jasbir Puar, *The Right to Maim*, 150, 141

INTRODUCTION

Early in 2016, following a widely publicized anti-Zionist February 3 lecture at Vassar College, a tenured Rutgers University professor of Women's and Gender Studies, Jasbir Puar, became something of an academic celebrity. The extreme and in many ways unique claims she made before that audience circulated both in the academy and in the popular press. Students and faculty aligned with the fashionable leftwing demonization of all things Israeli welcomed her explosive accusations against the Jewish state. People supportive of Israel were outraged.¹¹⁸

Though Puar asked that her public lecture not be recorded, representatives of an alumni group exercised their right to do so, transcribing the lecture and circulating it.¹¹⁹ This gave anyone interested a full record of what she had said. Denunciations of her claims in news stories and op-eds followed, alongside a series of public lectures arranged by her growing academic fan base. Although others have taken strong exception to her arguments,¹²⁰ what is called for now is a more thorough analysis not only of the work itself, but also of its broader implications for the academy. Her work gives us reason to be concerned about professional matters like the apparent politicization of peer reviewing at university presses; it also implicates fundamental questions about the nature of faculty identity and the responsibilities it encompasses.

I will show that her work suffers from basic flaws in the principles and practices that guide it—her methodology, her standards of evidence, her style of argumentation, her lack of interest in opposing views, her penchant for drawing conclusions unsupported by facts, and her willingness to let political convictions guide every aspect of her anti-Zionist project.¹²¹ In Chapter Seven I will address the implications of her work for teaching, but here my focus is on her publications and public lectures. At Vassar, Puar explicitly described her academic work as “a project that seeks to invite new participants in the global quest for Palestinian liberation.” To do so, she tells us, she “stretches the speculative into the now,” thus turning unproven hypotheses into present time facts. In a 2015 essay in the online journal *borderlands*, “The ‘Right’ to Maim,” she declared herself committed to “an anti-Zionist hermeneutic” (18), a thoroughgoing anti-Zionist political perspective and interpretive principle that would color her perceptions, guide her thinking, and shape the arguments she would be

drawn to make. She is not simply admitting a bias; she is championing an anti-Zionist world view. A commitment to prejudging all evidence on the basis of a controversial political ideology would ordinarily be enough to prevent the resulting work from being taken seriously as scholarship. But in Puar's case there is reason to expect this work, including her 2017 book *The Right to Maim: Debility, Capacity, Disability*, will actually be rewarded and advance her career. Indeed in September 2018 it received the Alison Piepmeier Book Prize from the anti-Zionist National Women's Studies Association, which described it as a "major milestone book." The award signaled the NWSA's definitive commitment to partisan politics, rather than scholarship. It was no longer an organization founded on academic principles.

As the amended complaint in a lawsuit against leaders of the American Studies Association filed in late 2017 in the US District Court in the District of Columbia details, Puar from 2012 on was a leader in the successful stealth campaign to win the ASA presidency and a majority of its National Council positions for supporters of a boycott of Israeli universities. Thus her opposition to the Jewish state predates by many years the publication of *The Right to Maim*. As a member of the ASA's nominating committee, Puar not only consistently put forward candidates for ASA office who were committed to advancing a pro-boycott agenda but also—more importantly—helped organize the deceptive strategy by which candidates would not mention their BDS agenda in their campaign statements. The amended complaint, filed by the Louis D. Brandeis Center on behalf of a group of ASA members, documents this plan by quoting emails obtained legally as part of the discovery process.¹²² All that is relevant here not because of her boycott advocacy, which is protected by academic freedom, but rather because of her willingness, among other faculty, to adopt an ends-justifies-means strategy in her anti-Zionist publications. That strategy apparently drove her decision to make her case in *The Right to Maim* without recourse to qualified authorities.

Humanities faculty venturing far outside their areas of disciplinary expertise need to consult with appropriate academic specialists and acquaint themselves with key scientific publications before presuming they can make responsible contributions to public debates.¹²³ As will be apparent, it is perhaps in dealing with medical and public health subjects that the consequences of Puar's "anti-Zionist hermeneutic" become starkly evident. She appears to believe that health problems are exclusively political matters, that they can be adjudicated by personal speculation unencumbered by the relevant medical and public health literature. Based on audience responses to her lectures, it seems she is not alone, that there

are other anti-Zionist humanities students and faculty who see no need to test political conclusions against empirical studies.

Puar's dedicated, impassioned ideology, and the resulting weaknesses in her method, were reinforced by a Duke University Press process that apparently left them unchallenged and thus effectively endorsed them. Taken together, all this presents worrisome indications about trends in some current humanities and social science research. It demonstrates the weakness of our professional protocols in rooting out scholarship actually compromised by political commitments—if, that is, the right people share its politics. It shows the normalization and even valorization of anti-Israel politics within substantial corners, even whole fields, of the academy. The anti-Israel boycott movement and the determination to discredit the Jewish state increasingly shape motivations for high profile publications that represent higher education and its professional values more broadly. Indeed, as we saw in the Salaita chapter, anti-Israel ideology has degraded other core elements of the academy as well—including teaching, faculty hiring, and tenure and promotion. While evidence about teaching bias can sometimes be gleaned from available course syllabi, hiring and other professional processes are largely confidential. The Salaita case was an exception. The hard evidence of anti-Israeli bias is most readily found in faculty books, essays, and lectures like those by Jasbir Puar.

A lecture similar to the one at Vassar but much condensed and less politically assertive was presented at Dartmouth in April and was also recorded and transcribed.¹²⁴ Puar lectured from *The Right to Maim* in 2016 and throughout the country in 2017 and into 2018. The arguments in the lectures circulated widely in the press and social media. People thus did not have to read her work to react to its claims. In the end, however, her credibility rests primarily with her publications, though the lectures have received by far the most publicity.

To introduce the very detailed review of Puar's work that follows, I should point out that in her lectures, beginning most prominently with the one presented at Vassar, Puar makes three claims that can be abstracted from her actual prose and travel independently:

- 1) that Israel has been harvesting the organs of Palestinians killed in terrorist actions and violent demonstrations;¹²⁵
- 2) that Israel has long been depriving Palestinians of sufficient nutrients so that their children grow up stunted.¹²⁶
- 3) that Israel has adopted a deliberate policy of shooting not to kill or wound Palestinians, but rather to permanently maim them, a strategy *The Right to Maim* characterizes as a “perversion of the ‘right to kill’ claimed by states in warfare” (136).

Following this introduction, this chapter is divided into eight sections, the first three of which address the three claims above in sequence:

- THE ORGAN HARVESTING SLANDER
- PUAR'S STUNTING ACCUSATION
- AN IMAGINARY MILITARY CONUNDRUM: TO MAIM OR NOT TO MAIM
- HEALTHCARE INVERSION
- PINKWASHING
- THE ASSEMBLAGE ADVANTAGE
- STYLE AND THE DECLINE OF CRITICAL THEORY
- CONCLUSION

The fourth section, "Healthcare Inversion," the title of which alludes to the phenomenon of Holocaust inversion, takes on the many additional ways that Puar misrepresents healthcare practices in Israel. The section that follows, on pinkwashing, critiques Puar's insistence that all efforts to celebrate LGBTQ freedoms in Israel are actually designed to deflect attention from the reality of the occupation. Then a section on "The Assemblage Advantage" unpacks the logic behind her favorite analytic category, the "assemblage." Next I confront the unusually dense character of her writing in "Style and the Decline of Critical Theory." The chapter concludes with detailed thoughts about the wider implications of her work, including what it suggests about the decline in peer reviewing at university presses. Regarding Israel and Zionism, the central text is Puar's book *The Right to Maim*.

THE ORGAN HARVESTING SLANDER

Puar does not seek to understand, much less analyze, the actual politics of the Israeli–Palestinian conflict as would an international relations scholar, a historian, or even a sociologist. Nor has she seen the need to acquire even a rudimentary knowledge of transplantation biology, knowledge that is required to understand organ harvesting.¹²⁷ Rather, she begins with her "anti-Zionist hermeneutic" and proceeds to spin out theories rooted in, and only useful for, a discrete, specialized discourse. Within that self-contained universe, the three false or tendentious claims listed above together form what Puar calls Israel's "inhumanist biopolitics," an aggressive form of political action that combines the coercion, restraint, disabling, and elimination of Palestinian bodies. Although the term *biopolitics* was coined in 1905, its contemporary use follows Michel Foucault, who used it to

identify the imposition of state power on both the physical and political bodies of a population. Applying this concept to the Israeli treatment of the Palestinians—as opposed to more traditional, straightforward language such as “oppression”—suggests not only that Puar has ambitions as an authority in the use or coinage of theoretical concepts in her niche of the academic universe, but also, given the viciousness implicit in her idea, that she harbors an especially malevolent picture of Israelis. Indeed, for many, the organ harvesting accusation echoes the well-known Medieval blood libel slander—that Jews kidnapped and murdered Christian children and drained their blood to use in preparing Passover matzos. For many centuries, the charge intensified radical forms of anti-Semitism and repeatedly led to pogroms against the Jews. Some Arab media repeat blood libel accusations to this day. Puar may not mean to perpetuate these demonic slanders, but nowhere in her work does she disclaim or wrestle with her tendency to echo them.

Nor does she attempt any serious comparative analysis about organ harvesting internationally. A reporter’s account of an interview with a victim gives some sense of how vicious the trade in organs can be:

One morning in mid-2017, as she was leaving the house, she noticed a strange man in the stairwell. As she passed him, he grabbed her and held a rag doused with an anesthetic over her mouth. She has no memory of what happened next, only that she woke up at home. Her relatives told her that she had been gone for six days and that her abductors had brought her back unconscious. She was dirty, not having bathed for a week, and bandaged. When she removed the bandage and found a large scar, she understood that she had been deprived of a kidney.

The city where this takes place is Cairo, and Amal, as she is called here, is one of the Egyptian victims Tamara Baraaz interviewed in 2018. Baraaz points out that the World Health Organization identified Egypt as a country where illegal organ harvesting is rampant. Kidnapping victims for involuntary organ harvesting there is common. Nothing comparable has ever happened in Israel, a fact that is of no interest to Puar.

Taken together, Puar’s three claims—including the Dracula-like supposition that Israelis surveil the near helpless maimed and stunted Palestinian body—have a ghoulish character. “What kind of fantasies,” she asks, “(about power, about bodies, about resistance, about politics) are driving this project?” She is speaking about Israel, but the sentence is unintentionally self-reflexive. With this loaded question, she effectively frames her own overall political project. As for the particular accusation of organ

mining, however, Puar oddly has gone silent of late. Except for a follow-up essay in *Jadaliyya* that defends her Vassar lecture, she has so far not elaborated on her organ mining argument, though the issue may reappear in her promised book on Israel. In any case, its centrality to her public reputation necessitates addressing it here. If she has acquired doubts about her claim, she certainly has not so far expressed them.

On this matter, there are some established facts—which Puar has badly distorted, to the point of irresponsibility. What the actual record shows is that Yehuda Hiss, the Chief Pathologist at Israel’s Abu Kabir Institute of Forensic Medicine, and some of his staff members in the 1990s and for a few years thereafter broke the law by harvesting without permission the few body tissues that can (depending on the nature of the tissue and the purpose it will serve) be sterilized—skin, heart valves, inner ear bones, and corneas—from cadavers during autopsies and transferred them to medical facilities.¹²⁸ No tissue, however, can be fully sterilized without causing damage to it. Internal organs cannot be sterilized without destroying their ability to function once transplanted.

Anatomists consider skin to be an “organ,” though nonmedical people do not think of it that way. Transplantation medicine classifies skin as a “tissue.”¹²⁹ Only a very small percentage of cadavers are suitable as a source of major organs for transplantation, whereas more cadavers are suitable sources for tissues to be transplanted. Hiss never harvested major organs for transplantation; indeed, it would be very difficult to do so safely from a morgue unless the morgue had received a body rapidly and had the equivalent of a sterile operating room attached to it. A morgue is not set up to meet either of the key challenges in transplantation—infection control and preservation of the organ or tissue outside the body. Income from the sale of those items the mortuary could harvest was used to support the work at Abu Kabir, not for personal gain.¹³⁰

In *Black Markets: The Supply and Demand of Body Parts* (2006), Michele Goodwin, who is critical of laws establishing presumed consent to harvest tissues, reports that 28 states in the US had adopted laws, mostly in the 1980s, enabling harvesting of corneas and heart valves without explicit consent (16).¹³¹ A few countries at the time also had laws in place that presumed consent for organ harvesting from the deceased, generally providing a mechanism whereby people themselves (though a directive produced while alive) or surviving relatives could opt out of the procedure. As of 2018, Argentina, Chile, Columbia, and Russia, along with 24 European countries—among them Austria, Belgium, France, Portugal, and Spain—have presumed consent laws in place. Britain began considering such legislation in 2018 (Pérez-Peña). Israel has no such legislation, so

Hiss was in violation of the law. Yet the existence of presumed consent laws elsewhere during the period when Hiss was working makes the claim that his practices were a scandal and a moral outrage unwarranted.

It was other Israelis who reported him. Ultra-Orthodox Jews find organ harvesting seriously offensive and unacceptable, considering it a desecration of the dead, whose bodies are to be buried intact. Halakhic (religious) law, moreover, strictly forbids any organ harvesting from the living. Puar's tendentious discussion of this episode not only guaranteed its notoriety, heightening the attention earlier given to it, but it also distorted the facts at issue. Puar seemed unaware that cadavers of individuals killed by major diseases are not a safe source of full-scale organ transplants, as they can be contaminated by bacteria; equally bad would be bodies damaged in violent deaths, such as those shot on the battlefield or in a demonstration, as the wounds would have hastened deterioration. Within hours of death in such cases, bacteria that the body would ordinarily eliminate begin proliferating. Moreover, bodies typically arrive in the pathology department far too late for organs to be harvested.

Hiss's reference to "Oriental" bodies in an interview suggests most of the cadavers were Near Eastern Jews, not Palestinians; at the time, Ashkenazi Jews sometimes referred to Near Eastern or Mizrahi Jews as Orientals.¹³² That is not to say there were no Israeli Arab or Palestinian bodies in the mortuary, especially during the Second Intifada, but it is to say that the claim that Palestinian bodies are at the center of the story is at best a colossal error and at worst a deliberate falsehood or a paranoid fantasy. Moreover, leaping from a single pathologist, however notorious, to claim that "Israel" orchestrated this practice as a country is an irresponsible violation of research integrity.

In the months following her Vassar lecture there was some controversy over what Puar actually said about organ-harvesting. She first narrowly said "some speculate" that Palestinian bodies held in morgues "were mined for organs for scientific research," thus suggesting that she was just reporting popular opinion, as if it were an organ theft legend: "I relayed a simple ethnographic observation." In fact, she seemed to be trying to have it both ways. In her March 2016 essay in *Jadaliyya*, "Speaking of Palestine: Solidarity and Its Censors," she first repeated the speculative observation from her lecture, then declared unambiguously that Israelis were in fact harvesting organs: "The fraught history of organ mining practices from both IDF soldiers and Palestinian bodies during the 1990s is well documented." In other words, she goes ahead and claims the organ theft legend is based in fact.¹³³ She credits Berkeley anthropologist Nancy Scheper-Hughes with providing "evidence that these practices continued until 2012."¹³⁴ She also

said incorrectly that Israelis never offered any explanation for holding the bodies of Palestinians killed in violent confrontations. In fact, they did, explaining that they wanted to prevent funerals from turning into mass demonstrations, which in the past had incited further violence. In any case, Puar's Vassar lecture itself also refers to Israelis "needing body parts, not even whole bodies, for research and experimentation." So the suggestion that she was only reporting popular suspicion, not indicting Israel's actual practices, was moot from the outset.

The combination of a broad conspiratorial accusation of organ harvesting with self-contradictory arguments and suggestive rhetoric in Puar's lecture recalls the hyperbolic and patently anti-Semitic inflations of the Hiss story that have circulated in some Western and Arab media sources. As University of Buffalo urban and regional planner Ernest Sternberg points out in "The Dynamics of Demonization," accusations about alleged Israeli illicit organ harvesting take three forms: "(1) murder-for-organ-harvesting, (2) organ trafficking, the organs purchased on the black market, almost always from the destitute, and (3) unauthorized removal of tissue from cadavers in a morgue for medical or educational use." As wildly inflated conspiratorial versions of the Hiss story began to circulate, Israel as a whole was accused of all three practices. Puar has turned personal susceptibility to conspiracy theories into an academic principle: rumor-based research.

Long before Puar chose to demonize Israel by invoking the fiction of a widespread organ harvesting criminal conspiracy, it was another outspoken academic opponent of the Jewish state, Nancy Scheper-Hughes, who wrote a series of pieces arguing that Israel's illicit traffic in organs "has tentacles reaching out worldwide" (quoted by Sternberg).¹³⁵ This hapless echo of Nazi anti-Semitic iconography appeared in nothing less than a 2009 CNN report (Griffin and Fitzpatrick). Perhaps Scheper-Hughes never received the publicity that Puar has achieved because Scheper-Hughes wrote a few years before the broad academic enthusiasm for Israel demonization arose and before social media became such a powerful force, but her work on organ harvesting is far more extensive than Puar's. Scheper-Hughes has been writing about organ traffic since 1996: her "Commodity Fetishism in Organs Trafficking" (2001) and "Rotten Trade" (2003) include detailed accounts of her research and initiate her emphasis on Israeli culpability.¹³⁶ "Body Parts and Bio-Piracy" (2010), published in the radical left magazine *CounterPunch*, includes the first publication of her July 2000 interview with Yehuda Hiss. "The Body of the Terrorist: Blood Libels, Bio-Piracy, and the Spoils of War at the Israeli Forensic Institute" (2011) is the fullest account of her accusations about Hiss and Abu Kabir.

Although it is, at best, a matter of opinion whether Hiss's practices are quite the scandal that Scheper-Hughes claims them to be, Scheper-Hughes herself has no doubts that they are morally and professionally repugnant. In "Neo-Cannibalism, Organ Theft, and Military-Biomedical Necropolitics," a paper presented to the Pontifical Academy of Social Sciences in Vatican City in April 2015, Scheper-Hughes writes, "What happened during those two decades of corruption at the morgue was a violation of the body politic. It was an evil, a term most secular Israelis reserve for the Shoah, for terrorist bombings, and for suicide attacks."¹³⁷ Yet in 1996, at the very moment that Hiss was in the midst of his limited harvesting program, in her essay "Theft of Life: The Globalization of Organ Stealing Rumors," Scheper-Hughes notes that "In the United States today passive 'consent' for the removal of some cadaveric body parts and organs is practiced in several states, unbeknownst to most Americans . . . there exists a presumption of consent to the 'routine removals' of cornea, skin grafts, pituitary glands and other body parts from the dead under ordinary circumstances without informing the next of kin based on a presumption of consent" (10). There is no evidence that Hiss harvested internal organs for transplantation; indeed, it is highly unlikely that the morgue received many bodies that would have been suitable. If he retained some organs removed in autopsies for later study and research, that practice is common.¹³⁸

Hiss's practice was illegal, but it was also tightly controlled and limited. He removed corneas, not entire eyes, reportedly from approximately 125 bodies. By contrast, the Los Angeles County coroner's office harvested thousands of corneas from cadavers without consent (Frammolino) until the law permitting assumed consent was changed. According to Hiss, skin tissue harvesting took the form of removing a superficial layer from the backs of legs; thus bodies would not appear violated. This tissue went to Hadassah Hospital's skin bank, where it was used primarily to treat burns that soldiers suffered in service or that civilians received in suicide bombings. Given the purpose of his actions, along with the fact that he was not profiting personally from them, it was decided to remove him from his administrative duties but to retain his services on the staff. He was not prosecuted.

Cornea harvesting is not the only arena where organ removal in other countries dwarfs the Israeli example. The British scandal that spread from the Alder Hey Children's Hospital in Liverpool is a particularly striking case. The scandal broke in 1999 after it was discovered that Alder Hey had removed and retained body parts from about 850 infants without parental permission, along with 1,500 entire fetuses. Then it was discovered

that Walton Hospital had stored organs from 700 patients. A January 2001 formal report, produced by a committee chaired by Michael Redfern and known as the Redfern Report (Batty), revealed that a Dutch pathologist serving at Alden Hey had directed that every organ from every child who underwent a postmortem be removed. The report added that 480,600 cadaver tissue samples were being held at 210 National Health Service facilities. A 2005 *Medical Law Review* essay by Liddel and Hall revealed that there had been tens of thousands of such cases in Britain. Alden Hey sold tissue samples to a pharmaceutical company. Eventually over 2,000 families sued the NHS for removing body parts without consent. Although details of this immense scandal are widely available, they have never merited an international outcry anything like the accusations directed at Israel. Nor have they occasioned a condemnation of Britain's "inhumanist biopolitics."

Unconnected with Hiss, there were two criminal organ trafficking groups operating in Israel, among many others in the world. Their activities were disrupted by Israeli police once the law gave them authority to do so.¹³⁹ Unsurprisingly, this did not deter reporters determined to portray Israel as pervasively villainous. As Sternberg writes, "through obsessive writings about a handful of Israelis, Scheper-Hughes has extrapolated a worldwide Jewish trafficking cabal." She gives Israel first place in kidney trafficking, a claim that is difficult to credit, given Israel's small size and its record of providing legal transplants for its citizens. Her rhetoric once again recalls the blood libel: "the Israeli transplant tourism/organ-trafficking network was an ingenious and extremely lucrative multimillion-dollar program that supplied a few thousand Israeli patients and diasporic Jews worldwide with the 'fresh' organs and transplants they needed" ("Body Parts"). In "Rotten Trade" she calls the exchanges that distribute the organs of the poor to the bodies of the rich "a new form of globalized 'apartheid medicine'" (199), which helps add a polemical characterization to her emphasis on Israeli examples.¹⁴⁰ "I think my donor was an Iraqi soldier,' an Israeli transplant patient told me, admiring the organizational skills and the chutzpah of the doctors and brokers who had pulled such a feat off" (214). Then she adds a series of the most damaging and politically charged accusations: "Who, for example, would imagine that in the midst of the longstanding religious and ethnic hostilities and an almost genocidal war in the Middle East, one of the first 'sources' of living donors for Israeli kidney transplant patients would be Palestinian guest workers" (200). She suggests that kidney transplants are—albeit in this case alone—virtually a form of cannibalism: "who will, in the end, be 'eaten' so that others may live" (206). Finally, in a footnote, without providing evidence, she asserts that "Israeli doctors at the forensic institute extracted such vital organs

as the heart, kidneys and liver from the bodies of Palestinian youths and children killed by the Israeli army in Gaza and the West Bank” (225).

In “The Body of the Terrorist” Scheper-Hughes speculates irresponsibly about Hiss’s motives and character in ways that invoke the historic trope of the evil Jew. Without naming them, she attributes to “some of his enemies” the view that “he is a ‘sociopath’ who sought gratification in stockpiling skulls, long bones, brains, and prostate glands” (864). She cites a disgruntled former staff member to the effect that “body parts were circulated among his medical colleagues in exchange for publication citations to advance his career and his salary” (871).¹⁴¹ She then accepts the accusation that saving tissue and organ samples satisfied “a more creepy and perversely recreational human stamp collecting impulse” (871). Since the facility was Israel’s national site for autopsies, these personal assaults allow her to brand the Jewish state with related rhetoric: “harvesting at Abu Kabir was the Israeli state’s ghoulis solution to a severe ‘organs shortage’” (854).¹⁴² Hiss and the state are fused when she characterizes his work at part of “nation-building projects via human strip mining to transform the tissue, bone, and soft organs of the deceased into medical material for research, commerce, and collecting” (864).

But in her 2001 essay “Commodity Fetishism in Organs Trafficking” Scheper-Hughes flirts perhaps still more dangerously with anti-Semitic allusions. She quotes purported remarks by Israeli kidney buyers with the obvious aim of suggesting they are typical of Jewish attitudes: “It’s better to buy from an outsider than to take from another Jew” and, in an obvious Holocaust reference, “The world owes us at least 8 million hearts and 16 million kidneys” (54). The key criterion to use in quoting individual remarks is whether you see them as representative or as outliers to be discounted. Scheper-Hughes has made her choice, picking comments one cannot find replicated elsewhere. Then she adds an analytic passage rife with disturbing echoes:

Though it bears little resemblance to the burnt offerings of the desert Hebrews, or to the agony of Christian martyrs thrown to lions, human sacrifice in the form of living organ donations is still with us. Indeed, organ harvesting carries some trace elements of Aztec hearts ripped—still beating—from the chests of state-appointed ritual scapegoats. Global capitalism and advanced biotechnology have released new medically incited “tastes” (a New Age gourmet cannibalism, perhaps) for human bodies, living and dead, for the skin and bones, flesh and blood, tissue, marrow and genetic material of “the other.” (54)

This follows immediately from her Israeli examples of who the “others” are. The “little resemblance” disclaimer in the first sentence obviously serves to justify implying the opposite, as the “some trace elements” language in the next sentence demonstrates.

It is work like this, along with still more aggressively anti-Semitic conspiracy theorizing, that provides the underpinning to Puar’s widely celebrated organ-harvesting narratives. Both Puar and Scheper-Hughes choose not to separate themselves firmly from the despicable rumors that Israelis actually killed Palestinians to harvest their organs.¹⁴³ Academics and journalists who write about organ harvesting in connection with Israel have a special ethical responsibility to avoid using tropes that echo traditional blood libels, since they will otherwise be underwriting anti-Semitic beliefs. Scheper-Hughes and Puar did exactly the opposite. However, while I think it is accurate to say that Puar has promoted a contemporary blood libel, this is not, overall, a claim that she has pursued at length, nor perhaps the most important damage her work has done. I am more concerned that Puar’s aggressive medicalization of the Israeli-Palestinian conflict unconscionably distorts and even demonizes what are Israel’s major contributions to Palestinian healthcare. This chapter aims to redress that imbalance.

Critics of Israel are often either ignorant of Israeli contributions to Palestinian healthcare or fail to credit them, perhaps because they assume Israeli villainy. They are typically ignorant of the number of Palestinian doctors and nurses as well. The Chief Surgeon at Hadassah Hospital, for example, is a Palestinian Israeli. In fact, out of both compassion and self-interest, Israel prefers to see health conditions among the Palestinians improve. Its contributions include bringing 100,000 patients yearly from Gaza and the West Bank to Israel for treatment of acute or especially difficult conditions.¹⁴⁴ Moreover, organizations like Project Rozana, The Peres Center for Peace, Save a Child’s Heart, and major Israeli hospitals have trained thousands of Palestinian health professionals who have collectively advanced Palestinian health capacity and empowered Palestinians to care for patients locally who would otherwise have had to be referred to the Israeli health system for treatment.¹⁴⁵ These projects aim to help build Palestinian health capacity in a fundamental and respectful manner that strengthens the independence of the Palestinian system. Project Rozana, founded by Australians in 2013, calls healthcare “the only area of civil society where Israelis and Palestinians meet on such a broad scale and on equal terms through mutual respect.”¹⁴⁶ More broadly still, Mark Clarfield and the coauthors of the introduction to a special 2017 issue of the British medical journal *The Lancet* devoted to “Health in Israel” write that “we think health in its widest sense might help provide a bridge to peace and

reconciliation between the country and its neighbours” (7). Puar’s decision to use invented health narratives to demonize Israel and foreclose mutual understanding serves a very different goal. Its positive reception among some on the left is deplorable. Because Puar’s remarks constitute a broad condemnation of Israel’s role in Palestinian healthcare, I will address those overall implications in detail.

PUAR’S STUNTING ACCUSATION

The first charge that Puar elaborates, while presenting no medical evidence to support it, is that Israel deliberately works to stunt the growth of Palestinian children. Stunting does not show up immediately, as it takes a few years to develop. By 2004, then, well into the Second Intifada, when both material and human infrastructure had been disrupted, signs of stunting should have become apparent had it been an issue. Indeed, the Nutrition Department in the Palestinian National Authority’s Ministry of Health became concerned that events could be having a serious impact on public health. The department had conducted two earlier demographic and health surveys, in 1996 and 2000, which gave them a comparative basis for any findings, and they decided a third survey was in order. The work was completed and the results tabulated and distributed to Palestinian officials. In June of the following year, 2005, “The State of Nutrition: West Bank and Gaza Strip,” a 56-page single-spaced report, was published. The survey had financial and technical support from the World Health Organization (WHO). By the time the report appeared, some corrective health initiatives were under way.

Among the public health concerns addressed was the possibility that food insufficiency and inadequate mineral and vitamin intake would increase stunting among the key population regularly studied internationally, namely children under five years old. “Stunting,” the report straightforwardly explains, “is when children are too short for their age. Stunting is evidence of chronic malnutrition and develops over a long period as a result of inadequate dietary intake and/or repeated infections” (4).¹⁴⁷ It is largely irreversible. Stunting is defined as height for age more than 2 standard deviations below the mean for the reference population. A note reminds us that by definition, some 2.3 percent of the population is expected to be more than 2 standard deviations below the mean, assuming that height is normally distributed in that population. Short parents, for example, often produce short children as a genetic, not nutritional, consequence, in part related to high rates of consanguinity.

A 2007 paper by Abdeen et al, “Assessment of the nutritional status of preschool-age children during the Second Intifada in Palestine,” raises the broader issue of food insecurity at the key point when it would have been most severe. The report concludes that “malnutrition is not a humanitarian crisis in the Palestinian Territories, since it is below the trigger point of 15%” (280), but there were pockets of food insecurity that resulted in 3.1 percent of children under five years in the West Bank and 3.9 percent of those in Gaza suffering from acute malnutrition.¹⁴⁸ Stunting averaged 10.7 percent (277). The authors speculate that households likely had little food reserves at that point (280). The World Food Programme, based in Rome, carries out periodic food security analyses in various countries considered at risk. Its 2011 report, based on 2010 data, provides a useful definition: “the measurement of food insecurity considers only the problem of economic access to food and essential non-food items resulting from the lack of income-earning possibilities for Palestinian households. Other dimensions of food security, including food availability and food consumption, are generally less problematic. Food is generally supplied in sufficient quantities and with an acceptable variety in local markets, mainly from imports” (7).

Puar and her allies would have us believe that the Israelis are restricting food imports to keep Palestinians at a weakened, bare survival level.¹⁴⁹ But the facts suggest otherwise. First, the testimony by health professionals categorically refutes this claim. Moreover, the UN Office for the Coordination of Humanitarian Affairs (OCHA) tracks annual delivery of food and livestock deliveries from Israel to Gaza, and those statistics show a relatively steady increase in the number of deliveries over the last decade, from 9,037 truckloads in 2007 to 26,268 truckloads in 2017.¹⁵⁰ The “Strategic Review of Food and Nutrition Security in Palestine,” a generally reliable June 2017 report by the Palestine Economic and Research Institute (MAS), an autonomous non-profit based in Ramallah, is the most in-depth analysis of food security data and causes in Gaza and the West Bank.¹⁵¹ “Although Gaza strip has even been subject to a blockade,” the report concludes, “it has never experienced a serious shortage of food owing to the flow of goods through the Israeli crossings” (26).

The MAS report’s overall evaluation is that “The health and education status of the Palestinian population is above that of the comparator groups of other Arab states” (14). Its opening summary states that “There is no hunger in Palestine in the same form that it dominates societies in many other developing countries; however, food and nutrition security as well as sustainable agriculture remains a persistent problem in the Palestinian socio-economic and developmental context” (viii). The Food Security

Information Network's "Global Report on Food Crises 2018," however, does cite Gaza, where food insecurity is substantially more serious (40%) than on the West Bank (13%). Food security was defined by the World Food Summit in 1996 in Rome: "Food security exists when all people, at all times, have physical and economic access to sufficient safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life." While there is sufficient food even in Gaza, the poor often cannot afford to buy it. As the MAS report specifies, "food insecurity in Palestine is mainly at the micro household level and predominantly stems from lack of economic access to food" (12).

Local and international agencies work to address those household needs, among them the World Food Program and the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA). While their programs, which include cash transfers, food vouchers, and food baskets, succeed in addressing the immediate dietary needs, they also build dependence rather than lifting people out of poverty, a pattern that often obtains worldwide. The fact that unemployed Palestinians rely on these services and thus do not have the independent resources to meet their dietary needs are among the reasons they are considered food insecure. Poverty also accounts for why 20 percent of American children live in food insecure households. Other economic factors, including the Palestinian Authority's determination to deprive Hamas of income, also play a significant role. The high reliance on food imports as well plays a major role in food insecurity throughout much of the Arab world. The resulting system in Gaza is highly fragile. Its vulnerability is accentuated in times of conflict, though Israel maintained its food deliveries even during the 2014 war. The civil war in Syria, by comparison, has made 80 percent of the population food insecure. Iraq and Yemen also face more serious and immediate food crises. But no responsible and well-informed parties claim—as Puar, Saree Makdisi, and Juan Cole do—that Israel is withholding food from Gaza.

Despite Hamas's ongoing hostility and its military assaults, Israel recognizes that it has a moral responsibility to assist Gaza's population because it maintains a blockade that limits imports and exports. There are, however, further practical steps Israel can take to relieve food insecurity there despite Hamas's unrelenting anti-Semitism. It should extend the fishing limit to at least fifteen miles, preferably more, thereby increasing Gazan self-sufficiency in meeting its own protein needs. The expanded fishing territory would increase both the quantity and species of fish available. Israel should encourage and facilitate exports to give Gaza more income with which to purchase food from abroad.

But Israel cannot solve all the nutritional problems alone. As the MAS report points out, nutritional knowledge is weak in Palestine (33) and needs to be improved with education programs that must be organized by Hamas and the Palestinian Authority. Wealthy Palestinians are no more inclined to a healthy diet than the Palestinian poor. The Palestinian diet is high in energy dense foods like fats, carbohydrates, and sugar, but low in nutrients (MAS 32–33, 82). Public education might help shift Palestinian diets away from such foods to pulses (beans, chickpeas, lentils, and dried peas), which are inexpensive and much more nutritious. As the World Food Programme writes in its 2016 Summary Evaluation Report, “With the goal of sustainably building food security WFP focused on three pillars: i) relief—meeting urgent food needs; ii) resilience—supporting resilient livelihoods and economic activity; and iii) preparedness—improving national capacity for emergency response (1). Education, international aid, and the political relationship between the PA and Hamas play a role in all three.

What stunting there is in Gaza, once again, cannot be attributed to Israeli policy. Indeed, one contributing factor to stunting in Palestine is consanguineous marriage. The long-term and continuing contribution made by consanguineous marriage (a union between two people who are related as second cousins or closer) to stunting rates is repeatedly acknowledged in Palestinian research. The overall consanguineous marriage rate in Gaza is about 40 percent, a percentage comparable to that found in a number of parts of the world.¹⁵² Consanguineous marriage is also frequently linked with poverty. Mahmoud et al, addressing stunting in Egypt, conclude that, although there are many risk factors for stunting, “the association between consanguinity and stunting in this study remained even after logistic regression which controlled for these confounders” (36). They urge public education to discourage consanguineous marriage.¹⁵³ As Zottarelli et al write about Egypt, “Parental consanguinity, rural residence, high birth order and short birth interval significantly increased the odds of stunting” (1330). Mete et al, writing in a World Bank working paper, conclude that “we find strong evidence linking consanguinity to reduced cognitive abilities and higher incidence of severe stunting among children” (15).

Fortification of wheat flour used to make pita bread was introduced in 2006 by the Palestinian Ministry of Health so that bread would supply appropriate amounts of B1, B2, B6, B12, folic acid, niacin, iron, zinc, vitamin A and D.¹⁵⁴ Concern about the prevalence of anemia led the Ministry, together with UNICEF and the University of Vienna, to conduct a comprehensive micronutrient survey in 2013. This time children aged 6 to 59 months, 7 to 12 years, and 15 to 18 years, as well as pregnant women and lactating women were evaluated. A detailed set of recommendations

was included in the 191-page single-spaced report, *Palestinian Micronutrient Survey (PMS) 2013*, which was issued in 2014. Among the correctible issues they found were that “an alarmingly high percentage of tested flour and bread samples were not fortified with iron” (xi). Zinc levels were also low, as were some vitamins, and the iodine content of table salt was also below the required level. As Abdeen et al (2015) point out, flour fortification alone cannot be expected to solve all micronutrient deficiencies, but a more intensive program combined with aggressive monitoring would help.¹⁵⁵ Quintaes et al point out that fortification of cereal may be a good alternative for iron fortification.¹⁵⁶

In addition to their own longitudinal data, Palestinian health officials also have comparative data for neighboring Arab countries. That provides an important historical and political context within which to understand health data for Palestinian children in Gaza and on the West Bank.

Earlier research did show an increase in stunting over an eight-year period. In Gaza the percentage rate among children under five had gone from 8.2 in 1996 to 8.3 in 2000 and to 11 in 2004, though it declined slightly to 10.8 in 2013. The rates were lower on the West Bank but still showed an uptick from 6.7 in 1996 to 7 in 2000 and 8.6 in 2004 and to 9.5 in 2013. The 2005 report concludes that “at the present time, stunting is considered at a level of low public health problem in the oPt [occupied Palestinian territory]” (5), as the WHO considers stunting below 20 percent to be a “low mild public health problem.” Nonetheless, the increasing rate of stunting led the report’s authors to conclude that “if the economic and political situation deteriorates further, stunting levels are likely to increase” (5). Hence the corrective measures put in place, though the 2013 survey would find they were not adequately carried out. Still, the 2013 report also concludes that stunting “is a minor public health problem” (113).

Every reliable report I have found, including these, links nutritional insecurity in Palestine and many other places in the world not to the scarcity of food but rather to the inability of the poor to buy it. The core problem in many countries is not food supply but poverty and unemployment, along with failure to monitor and encourage micronutrient supplementation in the case of Gaza and the West Bank.¹⁵⁷ Of course unemployment increased during the Second Intifada and has grown to be an extremely serious problem in Gaza, a problem heightened by the PA’s determination to put increased financial pressure on Hamas. There is thus a political component to poverty that has to be addressed in seeking solutions.

In putting in place a program of micronutrient supplementation for infants and pregnant women, PA health authorities had an instructive model in the program the Israelis implemented during the period prior to

1994 when they were responsible for healthcare in Gaza and the West Bank. Israel provided and promoted vitamin A and D supplements in government MCH centers and village health worker sites, which reached nearly the total pregnancy-infancy population for immunization. That program of iron and vitamin A and D supplements for infants was complemented by iron and folic acid supplements in prenatal care. At the time they had high compliance from those offered the supplements. But in the decades following the Palestinian takeover of healthcare the intensity of the micronutrient supplement program and its level of compliance lagged.

The data gathered in 2004 showed that a third of children under five and women of child bearing age suffered from iron deficiency anemia. As the report points out, citing work by Hebrew University faculty member Theodore Tulchinsky and others, “Anemia is related to stunting and a study carried out over ten years ago found reductions in stunting in the Gaza Strip due partly to the iron supplementation programme and subsequent reduction in anemia levels” (Tulchinsky et al, 10).¹⁵⁸ “Iron deficiency anemia is the most common nutritional deficiency in humans” worldwide (Quintaes et al 2018). In 2004 the PA adopted the international best practices for iodization of salt and fortification of imported and domestic flour with iron, vitamin B complex, vitamin D, iodine and folic acid. The PA took the flour modification program seriously, though more intensive work is still required. A 2014 study by Ziad Abdeen et al shows that micronutrient insufficiency, which contributes to stunting and anemia, continues to be an issue for Palestinians.¹⁵⁹ But acute malnutrition, measured by wasting (weight for height), is not prevalent. As the 2014 study points out, “severe acute malnutrition is not common in the oPt” (2).

We can now shift to stunting in the present. Again, Puar devotes no space to proving her charge that Israel presently seeks to stunt the growth of Palestinian children. Perhaps that is because there are no data to support her. Indeed, there are sound data about the rate of stunting worldwide that starkly demonstrate the opposite: that no such Israeli program can possibly exist, unless it is a program with no measurable impact. Puar, alas, gives no indication of familiarity with the relevant medical and public health literature. Although she is willing to cite specialized academic work in other areas, such as disability law, I cannot find a single medical or public health research project on stunting among her citations.¹⁶⁰

The 2004 Palestinian report compared stunting rates in Jordan (8.5%), Lebanon (12.2%), and Egypt (15.6%) with the combined rate in Gaza and the West Bank (9.4%) (6). A study conducted by Salwa Massad of the Palestinian National Institute of Public Health and others in 2009 found a West Bank childhood stunting rate of 7 percent. The *Palestinian Micronutrient*

Survey puts the 2013 combined rate for Gaza and the West Bank for children under five years of age at 10.4 percent. Adolescents, however, had an extremely low rate of 2.9 percent, though a recent study of adolescents in Gaza (Wahaidi et al) that included mild stunting put the overall rate of moderate to severe stunting for adolescents at 7.9 percent (with the larger number in the moderate category).¹⁶¹ These numbers suggest the need for continued monitoring and better public health services, but in no way point to a problem caused by Puar's imaginary Israeli policy of aggressively working to impose a stunting regimen on Gaza and the West Bank.

The World Health Organization maintains an extensive Global Database on Child Growth and Malnutrition that gives the 2014 percentage of Gaza and West Bank children below the age of five at two standard deviations below the median for weight for age (perhaps the best indicator overall of malnutrition) as 1.5 percent; the rate for those at three standard deviations below the median weight is still lower: 0.3 percent.¹⁶² The figure for children at 2 standard deviations below the median for height for age, or stunting, is 7.7 percent, while the figure for the more severe three standard deviations is 2.4 percent. UNICEF produces a very detailed annual report titled *The State of the World's Children*. The 2017 version gives extensive comparative longitudinal figures for a wide variety of health issues. For 2011 to 2016 it lists the combined rate of moderate and severe childhood stunting for the "State of Palestine" as seven percent. The US comes in at only two percent, but stunting percentages for other countries in the region are revealing: Jordan (8%), Saudi Arabia (9%), Lebanon (17%), Egypt (22%), some of them higher than Palestine. The Institute for Health Metrics and Evaluation (IHME) at the University of Washington offers the following data for 2016 area stunting rates 2 deviations or larger among children aged 0-5 years: Kuwait (3.0%), Bahrain (3.0%), Saudi Arabia (6.6%), Qatar (7.3%), Jordan (8.2%), Tunisia (8.7%), Palestine (9%), UAE (10.9%), Algeria (11.1%), Oman (11.5%), Lebanon (12.2%), Libya (14.9%), Morocco (16.9%), Egypt (19.8%), Syria (23.4%), Iraq (24.4%), Yemen (44.3%). Matters have gotten worse in Lebanon and Egypt in the very period in which substantial results of Puar's alleged Israeli stunting agenda should be in evidence in Palestine. One might expect that Palestine overall would show the same regionally high figures, but it does not.

The 2018 edition of UNICEF'S Expanded Global Database, jointly sponsored with WHO and the World Bank Group, has a section on nutrition that includes an extensive chart on stunting at 2 standard deviations below normal for children under five years of age. Combining data for Gaza and the West Bank, it gives percentage figures for the "State of Palestine" in 2006-7 (11.8), 2010 (10.9), and 2014 (7.4), which shows a steady decline.

The sample size in 2014 was 6,949, which is ten to twenty times larger than that used in many academic papers.

The substantial number of countries or several geographical areas in the world for which childhood stunting is a critical problem is significant; it's just that Gaza and the West Bank are not among them. A sample of data about childhood stunting from the UNICEF report shows just how serious a problem it can be in many other regions of the world: El Salvador (20.6%), Vietnam (25%), Ecuador (25.2%), Philippines (33%), Indonesia (36.4%), Nepal (37.4%), India (38.4%), Ethiopia (38.4%), Zambia (40%), Pakistan (45%), Guatemala (47%), Madagascar (49.2%), Papua New Guinea (49.5%), Eritrea (50.2%), and Burundi (57.5%).¹⁶³ The WHO's *Global Nutrition Monitoring Framework* report notes that, although stunting percentages globally declined by 25–30 percent between 2000 and 2016, “the number of stunted children in Africa increased from 50.4 million to 59 million” in the same time period” (8). Overall, the geographical areas with the highest stunting rates are South Asia and sub-Saharan Africa. Those two areas also hold the highest sheer numbers of stunted children worldwide, with South Asia representing 40 percent of cases and sub-Saharan Africa 37 percent. Stunting rates in South Asia for children aged 1 to 5 years, however, have actually been *reduced* to 37% from a level of over 50% a generation earlier. But rates in some countries there and in Central Africa remain at over 40 percent. Almost all the rest of Africa retains stunting rates of 20 to 40 percent. If Israel is seeking to stunt the growth of Palestinian children, it is doing a poor job.

At my request, Aron Troen of Hebrew University asked Tal Shimony, Director of Nutrition and Health (MABAT) Surveys for the Israel Ministry of Health Center for Disease Control, to do a population-weighted analysis of data from the 2015–2016 national child nutrition and health survey in order to separate Jewish and Arab stunting rates within Israel itself. For ages 2–5 the stunting rate among Arabs came to 4.82 percent, whereas the rate for Jews and others was 5.54 percent. Stunting at age 6–11 showed a still larger spread—2.20 percent for Arabs and 4 percent for Jews and others.¹⁶⁴ These rates are not dramatically lower than those for Palestine.

If the Palestinian Authority wants to reduce the stunting rate still further it should work to ensure sufficient high-quality calories for mothers and children in poverty and expand the Israeli-established practice of supplying iron and vitamins as childhood nutritional supplements, which are important for overall health.¹⁶⁵ Along with other sources listed here, the *Palestinian Micronutrient Survey* gives detailed guidelines for doing the latter.¹⁶⁶ They should be implemented. Both WHO studies and research by Palestinians like Albelbeisi et al also suggest that flour supplementation

should be combined with the addition of micronutrient powder to home cooked food.¹⁶⁷ It is helpful that micronutrient powder is inexpensive. Flour supplementation, moreover, is not always as effective a way to get iron into the diet as intended. It depends upon the form of iron supplement used and the effect of baking on the relationship of the constituent chemicals (Quintaes et al). But none of this will suffice long-term unless nutritional education and education about the risks accompanying consanguineous marriage is effective.

Note that, except for the information about Israel, the data above is drawn from Palestinian, WHO, and UNICEF testimony and reports, not from Israeli sources. UNICEF's politically motivated reference to the "State of Palestine" reminds us, moreover, that UNICEF is not part of Israel's advocacy community. The resources I've used are all online and readily available. If Puar was unaware of them, she either chose not to do internet searches and consult people who work in nutritional studies, as I did, or she decided to ignore inconvenient truths. Either that or she arrogantly believes her own reasoning processes and deductive powers are superior to those of Palestinian, WHO, and UN research teams.

When I was in East Jerusalem in May 2018 I had the opportunity to speak separately with two Palestinian experts in children's and other health issues, Professor Yehia Abed and Dr. Asad Ramlawi, to make certain these conclusions were up-to-date. Formerly Dean of the Gaza branch of the Al-Quds University School of Public Health, where he coordinated IVCHS (Improved Village and Community Health Services) implemented in Gaza, Abed is now in the School of Public Health at the Al-Quds University in East Jerusalem. Ramlawi is the Director General of the Palestinian Ministry of Public Health in the West Bank. Both confirmed that, while stunting is higher in Gaza than in the West Bank, it is not a major problem in either area. Both volunteered that poverty and the consequent inability to afford quality food, rather than food availability, are the key causes of stunting in Gaza.

There are additional very serious challenges to health in Gaza. Infrastructural problems are basically at crisis level, and they present both short-term and long-term health risks. Much of the aquifer is contaminated; there is need for a desalinization plant that would provide drinking water. Raw sewage flows into the Mediterranean and represents a serious health threat. These problems cannot be fixed without reliable electricity. And quality infrastructure cannot be sustained if Hamas and other terror groups persist in pursuing low level but relentless military campaigns against Israel. Long term, the Mediterranean coast represents a major investment and employment opportunity for Gaza, but that most likely

requires actual demilitarization, as international investors will not finance hotels that Hamas would coopt for military use, hotels that would consequently become valid military targets under the laws of war.

Juxtaposing the factual evidence with Puar's disinformation campaign and her baseless "stunting policy" accusation warrants a severe condemnation of her work. In a university department she could well be sanctioned for willfully publishing such demonstrably false claims without corroborating evidence, though her stunting conspiracy theory would not survive a scientific review process in the first place. In some corners of the humanities, largely unequipped to separate fact from fiction in nutritional epidemiology, she has instead met with acclaim. The thought of university audiences cheering error after error is simply appalling.

If a science journal does publish an essay based on claims subsequently found to be false, it would typically retract it. When Duke University Press was criticized for publishing *The Right to Maim* it predictably pointed out the book passed peer review, and declared this is all a matter of opinion protected by academic freedom. That defense reflects a misunderstanding and misuse of the principles at stake. Academic freedom largely protects Puar's right to stand on a street corner and say what she wishes, but it does not protect her from the professional consequences of spreading falsehoods. Nor does it protect Duke University Press from damage to its reputation and from potential institutional consequences for wantonly branding disinformation with the university's name. Unfortunately some of the press staff, confronted with complaints about Puar's work, insisted they remain proud to publish *The Right to Maim*. Perhaps they are reflecting what amounts to a realistic but disturbing conclusion: in some sub-disciplines of humanities debate there is no need ever to retract anything.

Yet the question of how many Palestinian children under the age of five are stunted is not a matter of interpretation. It is an empirical question, one that has been answered in terms of uniform international health standards. For some of Puar's other claims we either do not have reliable data available or do not have a consistent, objective standard to apply. Yet Puar gives no indication in her work that she sees the stunting accusation differently from any of the other accusations she makes against the Jewish state. They are all put forward with the same extravagant conviction. Her project is not about testing hypotheses against evidence; it is about constructing a logic of demonization, a logic whose only necessary verifications are internal. It is not even clearly about empathy toward Palestinians, which might require a mix of stunting evidence and anecdote. None of the medical articles I cite suggest that Israel, overtly or covertly, has any role in promoting stunting

in Gaza or the West Bank. I have not seen a single publication by a medical or public health researcher that does so.

One may also pose a predictive question: will stunting increase or decrease in Palestine over the next decade? The Institute for Health Metrics and Evaluation runs a website that offers health data and predictions for a variety of conditions for countries worldwide. You can type a country's name into the location finder in the Child Growth Failure section and obtain graphs tracking separate prevalence rates for stunting, wasting, and underweight since 1990 and estimating rates through 2030.¹⁶⁸ Several of the graphs for Palestine (2–23 months, 2–4 years, and under five years) show a considerable peak for stunting rates in 2005 in the wake of the Second Intifada, but all show stunting rates declining sharply by 2020 and becoming negligible by 2030. Saudi Arabia is estimated to be almost equally successful, but predicted rates for stunting in 2030 for the same age ranges in some other area countries are notably different: Jordan: 6 percent; Libya, Lebanon, and United Arab Emirates: 10 percent; Afghanistan, Iraq, and Syria: 25 percent; Sudan: 25–30 percent; Yemen: 35–40 percent. Egypt shows stunting rates of 16 to 18 percent during the first year of life but shows rates declining to 10–12 percent for older children.

If people believe Puar's fabricated stunting accusation, it is easy for them to take the next step and conclude without actually hearing any evidence that children in Gaza and on the West Bank lead lives of unrelieved misery, even though childhood resilience is a widely recognized phenomenon. They may well assume they understand the effect violence has on children's sense of well-being. As it happens, we have exceptionally detailed and reliable comparative data about children in both Israel and Palestine, at least for one moment in time, 2004. That was when investigators conducted an extensive survey of 25,000 area adolescent students (12–15 years of age) based on protocols approved by the World Health Organization. The children were drawn roughly equally from four groups, Jewish-Israeli, Arab-Israeli, West Bank Palestinians, and Gazan Palestinians. Since the data, published as *Growing Up in the Middle East* in 2016, predate the Hamas takeover of Gaza and the wars that followed, the report cannot cover what life is like there now, but it captures the effect of the Second Intifada on children in all these groups.¹⁶⁹ Their stress levels are clearly high, with stress levels among West Bank Palestinian children substantially higher,¹⁷⁰ but so, perhaps surprisingly, for the most part are children's level of satisfaction with their lives, partly because all four groups report closer relations with their families than comparable surveys found in European children.

With the example of Puar's false stunting accusation in mind, it is now appropriate to examine her parallel claim, Israel's supposed maiming

strategy. The Puar principle there as elsewhere offers indifference to facts and indulgence in slander as an alternative to the search for the truth.

AN IMAGINARY MILITARY CONUNDRUM: TO MAIM OR NOT TO MAIM

A similar disregard for evidence and willful misreading guides Puar's fantasy that Israel deliberately maims Palestinians. In reality, in keeping with norms followed by liberal democratic nations, Israel wants to reduce the number of Palestinian deaths arising from confrontations with the IDF, so it issues orders not to shoot to kill. In military confrontations, people consequently were wounded, some disabled, and some died.¹⁷¹ Out of the cauldron of war in which bullets fly and bodies are violated Puar extracts a conclusion: Israel self-evidently has a policy, indeed a goal, of maiming Palestinians. It is an affirmative policy, she imagines, a result to be sought and encouraged. She *asserts*—again, without evidence from empirical sources—that Israel has such a policy and then devotes a substantial part of *The Right to Maim* to excoriating the country for it. She thereby promotes what amounts to a conspiracy theory model for historical and political research. Puar insists maimed bodies are not an accidental, unintended form of collateral damage; they are a necessary and deliberate part of Israeli policy. Israel does not want Palestinians to be able to recover fully from their wounds; it wants them permanently maimed.

At Vassar, Puar suggested the purpose of stunting and maiming was to disable as many people as possible, reducing any real danger they might pose while still keeping them around as a putative threat to the country's security: "They need the Palestinians alive in order to keep the kind of rationalization for their victimhood and their militarized economy." This despite the fact that, compared to other armies, the IDF has a low percentage of civilian casualties in low intensity conflict; for the IDF it is about 36 percent compared with the US in Afghanistan at 75 percent.¹⁷² Puar does not refer once to any IDF memo or statement from a political or military leader detailing the maiming agenda, since there are none.¹⁷³ From her perspective that is unnecessary. Such a requirement would reflect the banal, evidential linearity of a lesser form of reasoning than the one she believes she is using. In the space/time flux of what she calls an "assemblage," a term I discuss later, deeper connections and causalities surface that do not require proof. And so one knows beyond the shadow of a Zionist doubt that Israel is not limiting Palestinian deaths out of any humanitarian motive. Not even the rational motive of avoiding international criticism applies. Israel

exhibits a demonic, erotic lusting after visibly disabled Palestinian bodies. And on the basis of the species of reasoning Puar uses, this claim cannot be disproven. As Puar's fictional narrative has spread, she has acquired heroic status within the BDS movement.

Coverage of the Vassar lecture publicized Puar's belief in the mythical policy of deliberate maiming. But *The Right to Maim* adds additional motives for Israel's alleged maiming and stunting policies. She argues that they are an effort to disable a generation and render it incapable of resistance, but then declares "this is a biopolitical fantasy, that resistance can be located, stripped, and emptied" (152). That resistance in a large population cannot be eliminated is true, but then the fantasy is hers in the first place, not Israel's. The fantasy is a straw man. She then repeatedly says that maiming has an economic motive: Israel can profit from the services it must provide the disabled. Those services in turn make Palestinians dependent on Israel and its military occupation.

In an effort to show that Israel explicitly shoots to maim, Puar sometimes makes claims that contradict themselves. She cites a story from 2000 that alleges "that Israeli soldiers appeared to be deliberately targeting the heads and legs of Palestinian protestors" (131), although head shots are reliably fatal if they hit their target. The same problem applies to a doctor's claim about a practice of "firing at protestors' knees, femurs, or aiming for their vital organs" (129). Aiming for vital organs is hardly a good maiming technique. In reality, these varied results suggest the chaos of armed confrontation, rather than a narrow targeting strategy.

The attempt to accuse Israel of a maiming campaign, moreover, willfully confuses the two available targeting strategies. If someone is running toward you with a Molotov cocktail, you either aim for the torso or you aim for the legs; the first choice aims to kill, the second, far more difficult to carry out successfully, to wound. Targeting to maim is an objective that exists in Puar's mind, not in the real world. Maiming is not a targeting strategy; the aim is to neutralize a threat by non-lethal means.

Puar admits that "Israel does not claim the actual 'right' to maim in the way it claims a right to self-defense and a right to kill in warfare" (141), but then suggests that the absence of any such claim on Israel's part strengthens her position, since she wants credit for exposing a secret conspiracy. Once she decides to operate by unconstrained inference, she can then proceed within her alternative universe where truth is adjudicated by the intensity and perceived righteousness of accusation. In that universe, "deliberate maiming," she tells us, "is not merely another version of slow death or of death-in-life or of a modulation on the spectrum of life to death. Rather, it is a status unto itself, a status that triangulates the hierarchies of living and

dying” (137). Exactly what it means to say living and dying are “triangulated,” I cannot say.

Incomprehensible as it may be, this belief in a deliberate strategy falling between deliberate killing and restraint justifies Puar’s invention of a peculiar and notably awkward set of terms to promote her claims. She is compelled to ascribe a will to control, a determination to exercise absolute power, and a malicious intent to everything Israel does. Thus, she tells us that Israel does not avoid fatalities; it “withholds death.” One of her repeated phrases is “will not let die”: “If slow death is conceptualized as primarily through the vector of ‘let die’ or ‘make die,’ maiming functions as ‘will not let die’ and its supposed humanitarian complement, ‘will not make die.’ Maiming masquerades as ‘let live’ when in fact it acts as ‘will not let die’” (139). Killing is a clear action, but she does not want it opposed to inaction, simply walking away, or avoiding fatal action. So Israel engages in “targeting for death but not killing” (139). Indeed, matters are still worse: “It is as if withholding death—will not let or make die—becomes an act of dehumanization: the Palestinians are not even human enough for death” (141). Whether that last claim counts more as political slander or as a patent absurdity is difficult to say. At Vassar she was more straightforward about the consequence of Israel’s alleged policy: “The difference between life and death does not or does not any longer make a difference.”

Puar’s hyperbole about dehumanization may be partly an effort to one up the accusations other BDS faculty have made. In her interview with Udi Aloni, Judith Butler complained about Israeli dehumanization of Palestinians during the Gaza wars: “So any and all Palestinian lives that are killed or injured are no longer understood to be lives, no longer understood to be human in a recognizable sense, but they are artillery . . . If that figure gets extended to the entire Palestinian population, then there is no living human population anymore, and no one who is killed can be grieved” (213). While it is deplorable, though commonplace, that Butler will not credit dehumanization of Israelis by Palestinians, the main point is that dehumanization of the enemy is present in every wartime culture, but it is also typically not universal even among combatants, let alone civilians. And it is not universal in Israel, despite Butler’s inclination to treat it that way.

But Puar wanted to ratchet up the hyperbole, to find a more extreme form of dehumanization to attribute to Israelis, so she added this unforgiving accusation at Vassar: in the context of Israeli practices, “there’s no representational space within which Palestinians can be acknowledged as human”—a statement that makes the supposed distinction between not killing and withholding death, along with deliberate maiming, almost irrelevant. Readers might ask themselves how day-to-day Israeli interactions

with Palestinian employees, health care workers, and government officials could be conducted as if Israelis were not addressing human beings. In wartime, to be sure, it is common for each side to dehumanize enemy combatants. A study by Bruneau and Kteily of the degree, rate, and character of respective dehumanization of the other by Israelis and Palestinians during the 2014 war found little statistical difference and dehumanization high on both sides of the conflict. The power asymmetries between the two groups had no impact on the impulse to dehumanize. But Puar wants to claim unilateral Israeli dehumanization of Palestinians and extend it to every area of noncombat interaction both before and after the 2014 war. How would the Israelis negotiate continually with the PA's security services and avoid any implication that they were speaking to and about human beings? How could Israelis work in collaborative healthcare programs if they thought their Palestinian partners were nonhuman? No one familiar with a collaborative health organization, or even its website, could endorse Puar's slander.

This is but one of the unwarranted accusations she levels against Israel. Since a number of prominent Israelis, including former military officers, echo the UN warning that Gaza may become uninhabitable by 2020, she feels it necessary to discredit the suggestion that this warning is evidence of any Israeli humanitarian concern. She folds this into her maiming thesis by adding the accusation of "infrastructural maiming" to her list of crimes, then makes the very odd suggestion that the prediction, when voiced by Israelis, amounts not to a warning requiring action but to an effort to show that a disaster in Gaza will merely represent the natural unfolding of inevitability, "as if this thing is happening to us, when indeed, we made it happen" (148). However implausible that argument may be—especially given that Israelis have urged a whole series of immediate improvements in Gaza—she further muddies matters with an unnecessary theoretical point: "In seeding the fixed future into the present, data is fed forward in a retroactive manner that disallows us out of the present" (148). Perhaps what she is trying to say is that imagining a purportedly inevitable future frees us from responsibility for the present. Or, as she put it more bluntly at Vassar, "We cannot get out of the present because it is tethered to this desired future of annihilation" and this "is about making the present look exactly the way it needs to in order to guarantee a very specific and singular outcome in the future."

Similarly, the Israeli effort to promote light industrial development in Gaza, the only realistic short-term industrial goal there, is disparaged as envisioning "a future of sweatshops producing zippers and buttons for Israeli fashion houses" (145). Israeli efforts to guarantee a base caloric

diet in Gaza are recast as a project of keeping Gazans near starvation.¹⁷⁴ Remarkably, unlike other radical left critics of Israeli policy toward Gaza, Puar does not dismiss Hamas's hostile intent or its manifestation in rocket attacks; she simply makes no mention of either. The only acknowledgment of any issue with Hamas's conduct is a dismissive reference to Israel's "fears" that Hamas will divert supplies slated for reconstruction and use them to rebuild its assault tunnels (146), even though Hamas openly brags of rebuilding the tunnels, which have already been used for attacks on Israel. Predictably, although Egypt has its own security interest in blocking Hamas from trafficking with insurgents in the Sinai, the country that controls Gaza's southern border is mentioned but once: "Egypt, under Abdel Fatah Al-Sisi," according to Puar, receives "military aid and support for its own domestic tyranny in return for shutting off the flow of vital goods to Gaza" (145). She would have great difficulty proving that thesis.

When speaking of 2014's Operation Protective Edge in the Vassar lecture, she reminded the audience that "medical neutrality is a doctrine that says that medical personnel and medical infrastructure is off limits in terms of any kind of firing," a principle in effect for over 150 years. She then falsely claimed that Israel violated the principle of medical neutrality, indeed that Israel "has not paid any attention to" it. Long before she delivered her talk, however, there was substantial reporting that Hamas had used ambulances to transport its fighters and had established military installations in hospitals, all in violation of that very principle.¹⁷⁵ Puar willfully ignored the fact that Hamas had violated international standards by militarizing medical facilities and infrastructure, thus turning them into valid military targets. Israel on the other hand refrained from striking Gaza's main hospital even though the IDF knew it had been turned partly into a major military headquarters.¹⁷⁶ Once again, Puar offers no original research, no interviews, no citation of reliable reports to document her claims. And, once again, there are numerous detailed studies that contradict her statements.

In *The Right to Maim* Puar extends this reasoning by discounting Israel's efforts to provide warnings to civilians living in areas and buildings in Gaza that would be subject to military action. She has no interest in reporting that buildings as well as neighborhoods were successfully evacuated as a result, only in claiming that the "roof knock" tactic of dropping a small munition on top of a targeted building to warn people to leave offered only a "stingy" notice, or that warning phone calls and texts were "often misdirected to the wrongly targeted households" (129). Just how "often" that happened is of no interest to her. Nor is the fact that these documented IDF efforts to minimize civilian casualties are unique and remarkable and worth recognition.

In addition to demonizing Israel, Puar deliberately uses her maiming and stunting theses to create an imaginary portrait of Palestinian health as a whole. Maiming and stunting become primary determinants of the marginal and precarious character of Palestinian life. Her work is designed to create that impression in the mind of the reader, indeed to install it as a conviction. She achieves that effect not just by what she includes, but also by what she excludes, most notably any explicit, fact-based overview of Palestinian health. Consulting the WHO's detailed 2006 *Health System Profile: Palestine*, for example, reveals that heart disease, cerebrovascular disease, perinatal death, malignancy, accidents, senility, hypertension, pneumonia, diabetes, and renal failure, in that order, are the top ten causes of Palestinian mortality (8–9). The mortality data remain reliable. High rates of smoking among West Bank male adults, which are about 50 percent, is a major contributing factor.¹⁷⁷

There is also an inconvenient truth regarding debility, which Puar wants us to see as a pervasive consequence of maiming and stunting. The data itself do not suggest the application of a remorseless Israeli social policy. They do not justify Puar's portrait of Israel preventing Palestinian children from getting enough to eat. The WHO and UNICEF track these and other conditions worldwide and, along with the Central Intelligence Agency's *World Factbook*, provide a gold standard for reliable data. UNICEF, again, can hardly be counted an Israeli ally.

Nor is debility free of other causes.¹⁷⁸ As we point out above and need to emphasize again here, consanguineous marriage, or marriage between cousins, is relatively common in the Arab world.¹⁷⁹ The prohibitions typical in the West do not have the same force there. The result is congenital disease and debility among Palestinian children. While the percentage seriously affected may be relatively small, congenital childhood disorders require clinical intervention and thus appropriate sophistication in available care. Collaborative Israeli/Palestinian healthcare has worked to address these needs, but in the end the Palestinian Authority, which has been responsible for Palestinian healthcare since 1994, has to do the cultural and educational work necessary to change the relevant causal social practices. That brings us to assess her overall approach to Palestinian healthcare.

HEALTHCARE INVERSION

Puar's accusations about Israel's impact on the health and wellbeing of Palestinians are dramatized by her tendentious views about how the two peoples interact. This section addresses those claims, seeking to correct her

errors and misstatements by exposing how her tactics essentially invert the truth, either denying reality or turning benefits into a liability.

The general thrust of Puar’s “stunting and maiming” thesis is that Israel is deliberately brutalizing Palestinians in illegal and immoral ways. Contrary to this thesis, Israeli health practitioners and institutions have done quite the opposite. While there are plenty of criticisms one can make of the IDF’s practices, to say nothing of the Netanyahu government’s, for many years Israel’s health community has pursued the following threefold progressive agenda:

1. offering Palestinians the acute, highly specialized medical interventions designed to save lives when Palestinian health facilities themselves are not equipped to offer comparable services;
2. training Palestinian health professionals and helping upgrade their medical capacity so that Palestinians can increasingly provide those services independently;
3. building on the first two steps by maintaining collaborative research and service relationships between Israeli and Palestinian medical systems better equipped to operate as equals.

In addition to the direct benefits to patients and healthcare staff, this combined effort also helps lay the ground for a Palestinian state. It combines an Israeli recognition of responsibility with a commitment to support the long-term interests of Palestinians. Here, too, Puar is either willfully ignorant or chooses to engage in deliberate distortion. In *The Right to Maim* she insists that whatever services Israel provides to Palestinians are intended to assure “the dependency of colonized populations” and legitimize “the structure of settler colonialism” (157), rhetoric that will appeal to those who see Israel as a settler colonialist society. She cites healthcare as a primary example of the pattern. Again, she offers no evidence to back up that outrageous view, because there is none. Yet the completely speculative—not to say invented—nature of her theories does not steer Puar toward moderation in her assertions. On the contrary, she not only impugns the intent of Israeli clinics and hospitals but also attributes crass political motives to hundreds of doctors, nurses, medical technicians, and others—Jewish and Arab Israeli alike—who have devoted years to this work. The most straightforward way to refute her misrepresentation of the facts is to describe a few of the medical and healthcare projects that embody the principles identified above.

An accurate account of the way Israelis and Palestinian medical practitioners work together might begin with the venerable institution St. John of Jerusalem Eye Hospital in Palestinian East Jerusalem. The main hospital there was established by the Order of St. John at the end of the nineteenth

century, and, though the location has varied, it has been in operation since 1882. Founded by Britain and staffed initially by British expatriates, it was granted a Royal Charter by Queen Victoria. The staff began to diversify in the twentieth century, but the facility was closed during the First World War. Reopened during the British Mandate, it evolved in recent decades to include satellite facilities in Gaza and the West Bank. It is the only charitable provider of expert eye care to the three Palestinian populations—East Jerusalem, Gaza, and the West Bank. Many of its Palestinian physician staff were trained at Israel's Hadassah Medical Center. All this reinforces the conclusion that the Trump administration's fall 2018 decision to eliminate \$20 million of funding for St. John and other East Jerusalem hospitals is both vicious and unconscionable.

The Hadassah experience makes it clear that Jewish/Palestinian medical cooperation did not come easily, buffeted as it was by cultural hostilities and the reality of war. As Shmuel Penchas, director-general of the Hadassah Medical Organization from 1981–1998, writes, “The Hadassah Medical Organization pioneered the training of high-quality professionals prior to the establishment of the State of Israel (111).” Nonetheless, as University of Illinois medical historian Sandy Sufian observes, in the aftermath of the 1948 war mutual distrust would delay cooperation between Israelis and Palestinians for years (Sufian 21). The same chill in relations followed the Six-Day War. Efforts to recruit Palestinian physicians for specialized training initially failed, though some Palestinian nurses and paramedics received training in Israel over the next few years (Penchas 113). In the 1970s, resistance to helping Palestinians become more independent was common. In the following decade that attitude began to change.

In 1974 Hadassah collaborated with Hebrew University in launching a master's program in public health. That program, according to Penchas, eventually drew Palestinian “physicians, nurses, pharmacists, dentists, physiotherapists, veterinarians, and medical technicians . . . from Gaza, Jenin, Beit Jala, Nablus, Bethlehem, Hebron and the East Jerusalem area” (Penchas 113). Its inclusion of Palestinians and its collaborative work with Palestinian officials helps demonstrate how remote Puar's account is from the reality of Israeli involvement in Palestinian health care. As Penchas explains, “from 1986, formal training programs for leading professionals, such as heads of departments, units and laboratories, that took place partially in Israeli institutions were developed jointly by the Israeli authorities and Palestinian NGOs” (Penchas 113). The Oslo Accords and the transfer of responsibility for healthcare to the Palestinians in 1994 made a dramatic increase in collaborative programs possible: “148 cooperative Palestinian-Israeli projects in the fields of health and rehabilitation were implemented

between 1994–1998” alone (Barnea and Abdeen 303).¹⁸⁰ Since 1998, Palestinians have tended to complete full degree programs in Israel.

St. John is now both a treatment and research facility. Its genetic laboratory was established and equipped in cooperation with Hadassah Medical Center. The laboratory performs DNA extraction and genetic screening with the aim of analyzing and establishing treatments for the genetic eye diseases that are prevalent among Palestinians as a consequence of intra-familial marriage.¹⁸¹ Eventually, the research aims to prevent inherited disease from developing by identifying and treating the genes responsible for hereditary molecular diseases in the relevant population. Lack of sufficient public health education also contributes to increased diabetes rates and consequent high levels of diabetic retinopathy. Project Rozana’s Peace in Sight program helps fund St. John’s operation.¹⁸²

The goal of training Palestinian health professionals to be able to operate independently guides a wide range of hospital programs devoted to particular specializations and health problems. They sometimes operate under difficult circumstances, since accusations of collaboration are levelled against Palestinians who work with their Israeli counterparts. Consider journalist Judy Maltz’s 2012 *Haaretz* essay “Secret Medical Service.” It tells the story of the cystic fibrosis treatment training program for doctors and other health professionals from Gaza carried out at the Cystic Fibrosis Clinic at Hadassah Hospital on Mt. Scopus. To protect the participants from retaliation by Hamas or other militant groups, the program was conducted in secret, its existence only reported after the training was complete.

The program’s coordinator, Professor Eitan Kerem, was also involved in training Palestinian physicians to treat such conditions as pediatric leukemia at Lutheran-founded Augusta Victoria Hospital in East Jerusalem as part of a project sponsored by the Peres Center for Peace. According to the Center’s website, “The initiative focused on the training of Palestinian physicians, radiotherapists, physicists, and dedicated nursing staff. An entire wing at the Augusta Victoria Hospital has been refurbished to include a patient’s ward, outpatient clinics, a pediatric intensive care unit, and consultation and treatment rooms.”¹⁸³ In 2005–2006 fully 100 percent of Palestinian children with these frequently inherited blood disorders were treated at Israeli hospitals. As of 2018, only those needing bone marrow transplants have to go to Hadassah University Hospital. Ninety percent are being treated by the Palestinian physicians who have been empowered by Israeli-Palestinian collaboration. The work of knowledge transfer designed to reduce Palestinian dependency continues; within five years or so, bone marrow transplants are projected to be taking place in Palestinian hospitals.¹⁸⁴

Project Aim includes the Peres Center's multi-institutional training program: based on the training needs of the Palestinian healthcare system, medical trainees participate in residencies and fellowships in Israel's leading hospitals for up to five years. Trainees live in Israel and learn Hebrew, becoming part of the medical team at the hospital where they are training. After completing training, the doctors return to Palestinian hospitals, significantly increasing the capacities of the Palestinian healthcare system. "The project generates concrete cross-border cooperation and knowledge exchange, as well as deep-rooted professional and personal relations. Over 250 Palestinian doctors and medical personnel have been trained in Israeli hospitals through this program."¹⁸⁵

Project Rozana's programs are also explicitly defined by the dual agenda described above, providing critical medical care when it otherwise wouldn't exist and training Palestinians to take over that same care as soon as possible. A November 2017 course to train Palestinians in advanced pediatric emergency medicine was held at Hadassah Medical Center. It covered both life-threatening pathologies such as severe infections, severe trauma and resuscitation, and benign conditions that require skilled approaches such as fracture management, burn management, and analgesia and sedation. In addition to providing hands-on training, the program created a network of Palestinian and Israeli healthcare professionals who work together to maintain future collaboration.

Programs have also been initiated by the Palestinians. A Palestinian NGO based in Hebron organized a 2018 program at the MASHAV Carmel Training Center in Haifa for twenty-two Palestinian physiotherapists to acquire increased skills in treating seniors with balance issues and other problems.

In medicine and public health, an account of all the cooperative Israeli-Palestinian ventures would require a substantial document, but these examples demonstrate that Puar's claim about Israelis aiming to maintain and maximize colonial dependency is absurd and an insult to the facts and to her readers. The evidence of the reverse is so compelling that I am inclined to attribute her statement to malicious misrepresentation rather than ignorance. Proper university press fact-checking should have disallowed her assertion. Academic freedom protects her right to say such things, but it does not eliminate a press's responsibility to confirm her statements before disseminating a book under its imprint.

Even in extreme cases, when only Israeli hospitals will suffice for acute care, the humanitarian impulse is compelling. The civil war in Syria is the most recent example. In the Galilee Medical Center, a hospital near Israel's northern border, I attended a presentation about Israeli reconstruction of a

wounded Arab's face and jaw that I would have thought medically impossible. In East Jerusalem I spoke with Palestinians who volunteered stories about the lifesaving cancer treatments their family members had received in Israeli hospitals. One such conversation took place at the American Colony Hotel.¹⁸⁶

Puar's attack on Israel's intentions toward Palestinian healthcare must also be set in the context of verifiable and comparative health data. Understandably, some of the more worrisome trends in Palestinian health come from 2003–2004, as with the stunting data cited earlier, when the Second Intifada gave West Bank medical services a severe challenge. Since then, matters have improved, especially on the West Bank. A more long-term view, however, is required for reliable generalization. Life expectancy is a standard indicator of broad health status. Life expectancy at birth as of 2017, based on data from the Central Intelligence Agency's *World Factbook* was 82.50 years in Israel, 75.20 on the West Bank, and 74.20 in Gaza. Area comparisons include Jordan (74.80), Iran (74), and Egypt (73). To go farther afield, one may cite Pakistan (68.10), Ethiopia (62.60), and a series of African countries that fall within the 50–55-year life expectancy range. Israel fares better than Italy (82.30), France (81.90), and Germany (80.80), but fares worse than Monaco (89.40), Japan (85.30), Hong Kong (83), and Switzerland (82.60).

Infant mortality rates for children under one year of age are another good indicator of general population health. The *World Factbook* data for 2017 begins with a list of countries at war or in crisis with extremely high infant mortality rates per 1,000 live births: Afghanistan (110.60), Somalia (94.80), Nigeria (69.80), among others, but one does not get below a rate of 40 deaths per 1,000 births until the 46th country on the list: India is at 39.10, Egypt at 19, Iran at 15.90. The West Bank has a rate of 14.10, China 12, the UAE 10, US 5.80, United Kingdom 4.30, Israel 3.40, and France 3.20. Infant mortality in the West Bank and Gaza declined from 50 per thousand in 1980 to 27 in 1994, years when Israel was responsible for Palestinian healthcare. The Palestinian Authority took over then and brought the rate down to 19 by 2010, in large part by continuing practices Israel had introduced. Better sewage treatment and clean water resources in Gaza are necessary if rates are not to increase. And mothers need further education about the benefits of breastfeeding.¹⁸⁷

BDS-allied faculty members sometimes misleadingly argue that Israel neglected the Palestinian healthcare system between 1967 and 1994, the years when it had the responsibility. Puar, however, does not make this argument. She insists instead on a much more hostile claim—that Israel both then and since has actively sought to degrade Palestinian health. Data

like those just cited contradict and discredit both arguments. Again, Puar adds that any benefits Israel does provide are merely designed to increase dependency. The fact that the Palestinians could rapidly adopt many good practices in 1994, having been prepared to do so under Israel's stewardship, demonstrates that Puar's stance is untenable.

Another important example of an Israeli intervention that empowered Palestinians to take over the practice in 1994 is the ambitious immunization program that Israel launched after the 1967 war. It was designed to increase both the number of diseases targeted and the percentage of Palestinian children immunized. "Immunization was provided in government health service (GHS) clinics, maternal and child health (MCH) centers, village health rooms (VHRs), by immunization teams regularly visiting small villages, and in UNRWA primary care clinics," writes Theodore Tulchinsky (Tulchinsky 69). Immunization is the most powerful public health option to protect children from infectious diseases. "As a result of an intensive immunization programme with two types of polio vaccine launched by the Israeli Ministry of Health in 1978, the disease virtually disappeared within a year" (Stone 8). Measles was actually eradicated earlier in the West Bank and Gaza than in Israel (Tulchinsky).¹⁸⁸ As of 2012, immunization for diphtheria with three doses was at 97 percent in Palestine and 94 percent in Israel. Poliomyelitis immunization was at 98 percent in Palestine and 95 percent in Israel. The respective figures for measles were 98 and 96 percent, for hepatitis B 99 and 97 percent (Stone 8). This progress reflected Israeli training followed by Palestinian autonomy.

PINKWASHING

But healthcare is not the only cultural arena for which Puar feels compelled to tell her readers that a positive feature of Israeli society should be seen as darkly manipulative and repressive. Her most sustained investment in that tactic involves yet another equivalent of Holocaust inversion—her insistence that any effort to applaud Israel's progressive record on LGBTQ rights is really just a trick to distract from and disguise the brutal realities of the occupation.

Like Puar's three anti-Israel theories already discussed, her book *Terrorist Assemblages* gained attention through independent circulation of its key concepts. There she argues that neoliberal, imperialist societies today distract from awareness of their murderous behavior and coercive agendas by promoting their liberal tolerance for homosexual practices and endorsement of gay rights. The practice of judging a nation's human rights status

and its progressive credentials on the basis of its LGBTQ practices, the use of gay rights to underwrite the image of the nation, she calls “homonationalism,” and the term has been readily adopted by many who do not cite *Terrorist Assemblages*. The main object of her critique there is the United States, and pinkwashing for her largely concerns gay men, not women. Although she links Israel with the US in the book, it is not until *The Right to Maim* that her decade-long condemnation of Israel’s supposed strategic use of “pinkwashing” to polish its image by highlighting the country’s gay subculture, promoting itself “as a gay mecca at the expense of Palestinian Liberation,” becomes a focus in a single-author book. Of course, if Israel did not honor gay rights Puar and her allies would instead make that fact the focus of their attacks.

It was Puar’s erection of a whole discursive edifice around the concept of pinkwashing that first earned her reputation in anti-Israel circles. She did not invent the term pinkwashing; nor was she the first to exploit it to claim that nothing good can really come out of a society represented as having an ulterior motive for everything.¹⁸⁹ But she developed a whole political cosmology around pinkwashing, thereby pushing the term further than others had beforehand. Pinkwashing supposedly provides the means to seduce liberals who are highly susceptible to such appeals. They are taken in by a pro-gay dumb show put on by what is actually a ruthlessly hyper-masculine state, or so Puar would have us believe. She tries to prove Israel’s unqualified hypermasculinity by reproducing two advertising posters featuring men (98, 103), but from its earliest days Israel was equally inclined to promote images of women in unconventional roles, from operating farm machinery to carrying rifles. That doesn’t mean that Israeli women, any more than women in the US, have not faced gender discrimination and pressure to fill traditionally gendered roles, but rather that Israeli society is more complex, varied, and contradictory in its gendered practices and representations than Puar acknowledges.

In a 2010 piece in *The Guardian*, “Israel’s Gay Propaganda War,” she calls pinkwashing “a depleted strategy that ultimately discloses the desperation of the Israeli state,” a state she defines as “not only racist but also apartheid.” In a 2018 interview with the *Journal of Middle East Women’s Studies*, however, she opts instead for hyperbole, rather than the condescending metaphor of depletion; there pinkwashing is “a damning and insidiously powerful strategy.” It is “a form of internal colonization, an introjection and reification of the discourse of ‘Palestinian homophobia’ into the psyches and souls of Palestinians, thus suturing the occupation to yet another vector of inferiority” (96). Since she does not attempt to explain the shift in the power relations embodied in pinkwashing, it seems

these are merely rhetorical exercises, efforts to see what will persuade readers, rather than conclusions based on careful observation and analysis.

The Right to Maim castigates Israel for its “cynical promotion of LGBTQ bodies as representative of Israeli democracy,” of relying on a supposed discourse that “marshals neo-Orientalist fears of Palestinians as backward, sexually repressed terrorists” (96). Pinkwashing, she tells us, “reinforces ideologies of the clash of cultures and the ‘cultural difference’ of Palestinian homophobia” (120); indeed, she considers it a manifestation of Islamophobia (119). While it serves her purpose to carve out Palestinian homophobia as a primary focus of Israeli politics, the Israeli critique is often more broadly directed against Arab homophobia in general, where it is clearly factually grounded. People both in Israel and abroad have certainly drawn contrasts between the status of gays in Israel and Palestine, and those contrasts broadly support the idea that Israel admirably shares certain liberal values with progressive movements on the left in the US and elsewhere, but that does not make those comparisons a fundamental pillar of pro-occupation logic in the way Puar claims. Part of what is lost in this debate is any meaningful account of what LGBTQ life is actually like in Israel.¹⁹⁰

Puar is on vulnerable territory here; she does not want to tell us that Arab hostility to gays should be judged relativistically or discounted as mere cultural difference. She has to find a substantive way of dismissing the evidence. So she claims that it can be dismissed as Islamophobia, thereby skirting any conscientious critique of Arab homophobia or any effort to come to the aid of gays in Arab societies. Nowhere does she actually describe the extreme brutality of traditional Arab repression of homosexuals, let alone ISIS’s public gay beheadings and practice of hurling gays off rooftops. To do so would inconveniently distract the reader from her false claim that Israel uses Palestinian homophobia to justify its military occupation of the West Bank. In this, as in her stunting argument, she fabricates intent (like a mind reader), discounting or dismissing observable behavior or documented effects.

Unsurprisingly, she does not acknowledge that gay Palestinians have sought refuge in Israel, though she provides a formula that implicitly disparages that phenomenon: “White queers saving brown homosexuals from brown heterosexuals.” Her phrase is a modification of Gayatri Spivak’s famous formulation, a formulation that already discounted actual programs of assistance by conflating them with condescending discourses about the need to “save” societies from their ingrained prejudices. Of course, many Israelis are just as brown as Palestinians, and many Palestinians are just as white as some Israelis, something that Puar and other BDS advocates prefer

to forget. A few years ago, Shaul Ganon, the head of HaAguda's Palestinian Rescue Project, noted that more than 300 queer Palestinians had been protected from assault by homophobic West Bank Palestinian groups and individuals by helping them find refuge in Israel (Ritchie 559). Although a complete accounting is impossible, since Palestinians have had to remain underground in Israel to avoid deportation, a reasonable estimate of those seeking asylum through the end of 2018 might be a total of 600–1,000.¹⁹¹

Puar's decision to discount indictments of Palestinian hostility to gays as Islamophobia represents at best malicious indifference, but at worst something more dangerous. Surprisingly, she does not cite the widely referenced 47-page 2008 report by Michael Kagan and Anat Ben-Dor, "Nowhere to Run: Gay Palestinian Asylum-Seekers in Israel," which severely criticizes Israel for failing to live up to its international legal responsibilities by providing formal asylum to Palestinians fleeing homophobic aggression. The report offers individual testimonies to back up its introductory words: "In the Occupied Palestinian Territories, some gay men face torture and potentially lethal violence at the hands of PA security forces, members of their own families, and armed militant groups." It cites "brutal repression of homosexuality by a wide array of actors in Palestinian society." Puar's indifferent and politically compromised perspective deflects attention from Palestinian homophobia and human rights abuses, discredits valid Palestinian LGBTQ fears, and ultimately increases their risk of being assaulted by disarming international advocacy on behalf of Palestinian gays. The appropriate perspective is to combine recognition of Palestinian homophobia with pressure on Israel to adopt better policies. Notably, "Nowhere to Run" does not spend time promoting the status of gays in Israel; the report is about the urgent needs of Palestinian gays.

Paradoxically, Puar then suggests that contact with Israeli gays would help Palestinian queer organizing in Gaza and the West Bank, without acknowledging that overt organizing would combine exposure to homophobic aggression with dangerous accusations of collaboration. In a 2012 essay "The Golden Handcuffs of Gay Rights: How Pinkwashing Distorts both LGBTQ and Anti-Occupation Activism," Puar faults Israel for travel restrictions that, according to her, frustrate "the possibilities for the flourishing of queer communities and organizing" among West Bank gays. But even without evidence of contact with Israelis, Palestinian gays risk being denounced as collaborators. Nowhere does Puar address the serious, sometimes fatal risks that Palestinians would confront from their own people in trying to build a visible "queer presence and politics." Equally problematic is her failure to acknowledge the severe hostility gays face under Hamas's religiously repressive rule in Gaza. Her one concession—in a sentence from

her 2014 “Citation and Censure: Pinkwashing and the Sexual Politics of Talking about Israel”—is to acknowledge that “Palestinian queers who live in the Occupied Territories also articulate how difficult it is to be ‘openly’ gay” (289). “Difficult” hardly describes the reality. Gays in Gaza can face death.¹⁹²

Group organizing increases the risk of public exposure and personal risk. Vetting potential members for trustworthiness is essential, as is confidentiality. As Brian Whitaker, former Middle East editor for *The Guardian*, reports, the website for the Palestinian lesbian organization Aswat notes: “Our society has no mercy for sexual diversity and/or any expression of ‘otherness’ away from societal norms.”

Having put forward Israeli-Palestinian collaboration on the gay rights front as a possibility, Puar nevertheless cannot allow such an alliance to serve as an affirmation of Israeli culture. So she asserts that West Bank gay politics would “not be about reifying a homosexual identity that mirrors an ‘Israeli’ or ‘Western’ self-serving form of sexual freedom” (*Maim* 199). In other words, she is not in fact satisfied with the standard pinkwashing accusation; she has to question the fundamental character of gay life in Israel. Puar offers no hint of what Arab or Palestinian non-Western gay life would be like, since she is satisfied with leveling the denunciation, but she could have cited other writers’ attempts to do so, from Joseph Massad to Jason Ritchie. Ritchie makes much of the purely Western investment in the drama of coming out of the closet and suggests it is irrelevant or counterproductive for Palestinian gays.¹⁹³ While the tradition that marks coming out as the fundamental affirmation of identity may be a Western phenomenon, it also certifies the freedom to engage in same sex relations without fearing reprisals. That fundamental need is relevant throughout the Arab world.

Part of what underlies Puar’s position is an argument many others, including Massad, have made—that Western intellectuals try to impose a heterosexual/homosexual binary on societies to which it does not apply. As Massad writes in *Islam in Liberation*, “they aim to eliminate differing, yet existing desires, practices, and identities, which they deem non-European if not un-European, and which they insist on obliterating as false, oppressive, traditional, outdated, nonmodern, and therefore in need to being ‘liberated’ through assimilation into Western modernity and normativity” (272). Although this is overstated and conflates blindness about difference with its active suppression, it is a nonetheless a valid issue to raise, but Puar destructively uses it to disparage critiques of sexual repression in Arab societies. Any acceptable sexual morality should prioritize advocating for the human rights of those engaged in same sex relations, not the

theoretical arguments that frame them. Puar's opposite emphasis amounts to a singularly amoral theoretical practice, one so blinded by hatred of Israel and infatuation with its own constructs that human rights advocacy is secondary.¹⁹⁴

Until the series of gay legal victories in Israel in the 1980s, coming out there was also fraught with difficulty, as it was in the United States and other Western liberal countries, even if it did not pose a mortal risk from family members. Puar also repeatedly points out that the celebrated gay culture of Tel Aviv is not duplicated in Jerusalem or elsewhere in Israel. It does not take Puar to tell us that Tel Aviv is an international gay tourist destination or that Jerusalem's more conservative religious culture creates a different atmosphere across many social arenas, from sexual conduct to finding a restaurant on the Sabbath, though those differences may not last. Yet the operative point should be that gay legal rights are universal in Israel, not limited to Tel Aviv. LGBTQ people serve openly in the military.¹⁹⁵ Transgender people are free to enlist. Same-sex marriages performed elsewhere are legally recognized. The age of consent, 16 years old, is the same for all, regardless of sexual orientation. As for local differences, one might remember that gay culture in San Francisco and in Mobile, Alabama, shows some differences as well. In any case, the WorldPride parade was finally held in Jerusalem in November 2006, despite public hostility from the Ultra-Orthodox community. Such anti-gay hostility would later produce two isolated fatal attacks.¹⁹⁶ Additional police protection was provided as a consequence. The 2018 Jerusalem Pride March included more than 30,000 participants.

As early as 1953, Israel's Attorney General issued a directive not to investigate cases of sodomy between consenting adults. In 1963 in a case called CA 224/63 *Ben Ami v. Attorney General*, Supreme Court justice H. Cohn admonished the Knesset to repeal the prohibition against sodomy. In 1972 the Attorney General (and future President of the Supreme Court) Meir Shamgar publicly issued directive 50.049 ordering staff not to prosecute cases of sodomy between consenting adults. The Knesset ratified that position in 1988 when it repealed Section 152(2) of the Israeli Criminal Law.¹⁹⁷

Puar's most forceful statements about the politics of pinkwashing appear in her 2014 "Citation and Censure" essay. There she refocuses her argument to invoke Western attitudes toward the Islamic world more broadly: "It is increasingly the case that a stance against Israeli state violence toward Palestinians is advocated and sanctioned but then accompanied by an additional condemnation of Muslim sexual cultures" (288). Apparently, anything comparative about Israel is unacceptable; only unqualified

condemnation will do. “What is at stake,” she adds, “is not a normative decision about whether Israel is gay friendly or whether the Palestinian controlled areas of the West Bank and other regions of the Middle East are homophobic (289).” And why should normative ethical judgments not be relevant in the context of human rights discourses? Normative ethical judgments about numerous other human rights issues applicable to Israel are commonplace, but for Puar they only apply if Israel can be declared to come out poorly. “There is no question,” she writes grudgingly, “that Israel’s legal record on gay rights suggests a certain notion of liberal ‘progress’” (289), but that follows upon her unwarranted invocation of “Israeli homophobic oppression of its own gays and lesbians” (287).

Her critique, notably, is not directed against Israel alone but against the West, especially the US, where she argues that “anti-Muslim assumptions can be refunctioned and masked within neoliberal discourse” (282), though the assumptions she claims to expose have been rather overt since 2011 and still more so since 2016. She waxes more hostile when she makes still another accusation: “Pinkwashing harnesses global gays as a new source of affiliation, recruiting liberal gays into a dirty bargaining of their own safety against the continued oppression of Palestinians” (287). Exactly how that would happen in the US or Europe is unclear. How would this bargain be articulated or structured? On what terrain might it operate? Are we actually expected to believe that gays in the West today are only protected from discrimination and violence if they disparage Palestinians? Puar presumes—incorrectly—that gays cannot organically find in the liberal tradition any source of support for their aspirations to equal rights and dignity; but surely the principles of liberalism provide as strong support for those aspirations as they will find anywhere (even if liberals, like everyone else, have only seen fit to apply those principles to gays and lesbians sporadically and relatively recently).

At one point in “Citation and Censure” Puar makes it clear that she has a more specific Western target in mind. She explicitly references “the diasporic production of pinkwashing” (288), meaning of course the Jewish communities worldwide. This is linked to her complaint about “the tendency to subsume the plight of Palestinians to the narration of the horrors of the Holocaust” (293). Because “Israel in particular and Jewish populations in general,” she argued in her 2015 “Right’ to Maim” essay, “have thoroughly hijacked the discourse of trauma through exceptionalizing Holocaust victimization, Palestinian trauma is overshadowed, classified into impossibility” (16). Since that claim would be certain to raise questions about anti-Semitism, she has a ready answer, arguing that “the charge of anti-Semitism becomes a strong projection of the history of the Holocaust

onto the bodies of ‘outsiders’ like myself” (293).¹⁹⁸ This she takes, unpersuasively, as “I accuse you of doing what I am afraid I might be doing myself.” She elaborates, telling us about “the charge of anti-Semitism that a melancholic narcissistic attachment to the Holocaust prevents some from acknowledging as their own” (293). She takes this to a conclusion in footnote No. 30, which advocates minimizing the status and impact of the Holocaust, which amounts not to Holocaust denial but rather to Holocaust resentment, perhaps with an element of anti-Semitism: “It is my contention, or at least a deep suspicion, that so long as the Holocaust remains the dominant trauma of the modern era, the Judeo and the Christian are able to (re)activate an alliance that is built against Islam as a fundamentalist force and does so within the spaces of liberal secular feminist and queer scholarship as well as institutional practices” (297). Of course there are plenty of Muslims who do not resent the unique place Jews have in the history of genocide. The claim that the Holocaust makes an anti-Islam Jewish-Christian alliance possible seems altogether without merit. Perhaps she is, however, right in one respect. So long as there are Jews around, anti-Semitic elements within strands of Islam will be open to critique. It is not within her power to apply the historical solution we still remember.

What can one make, therefore, of the basic pinkwashing claim that the status of gays in Israel is used to make the occupation of the West Bank seem inconsequential? No debates about the occupation in Israel or abroad sustain that account. Only a tiny percentage of writings about the occupation, whether opposed or defensive, even mention gay rights. The only way to justify the pinkwashing complaint would be to argue that the state of Israel, even within its pre-1967 borders, is so reprehensible that no positive observations whatsoever can be tolerated about it. That is Puar’s unspoken conviction, one shared by many other senior BDS advocates. But it does not survive rational analysis. The legal and social status of gays in Israel is one of the progressive truths about the country, but it cannot and does not blind either most Israelis or others to the country’s problems.

Finally, one further elision mars Puar’s representation of gay life in Israel: she takes no substantive notice of the history of how these rights have been won. In the US and many other countries, progress in LGBTQ rights comes largely as a result of political advocacy and organizing from among those communities themselves. They are hard won victories for which courage and solidarity are essential. In Israel, the history has been more complex. Prior to 1998, the first year of the Israeli Gay Pride Parade, when a more aggressive gay rights movement coalesced, many legal victories came not from high profile public pressure but rather from less noisy advocacy directed toward a sympathetic court system. Joshua Gamson calls

this a “rights-before-visibility dynamic.” Unlike in the US, where the Supreme Court has mostly been reluctant to get too far ahead of public consensus, a liberal Israeli court has often been willing to act in observance of principle. After 1998, activist campaigns became more organized. But they had already proven effective. As Lee Walzer reports, “By 1992, lesbian and gay activists had succeeded in getting the Knesset to amend Israel’s Equal Workplace Opportunities Law to outlaw discrimination on the basis of sexual orientation . . . In 1993, the Israeli military rescinded its few regulations discriminating against gays and lesbians . . . As the victories mounted, so, too, did the number of people prepared to be open about their sexual orientation” (Walzer *Queer*).

In the US, LGBTQ rights progress often reflects bitter struggles with religious conservatism. In Israel, Orthodox Knesset members typically grandstand in protest after new gay rights legislation is passed, but they may stay home rather than vote against it. Again, Walzer: “In 1988, they literally called a vote to repeal the sodomy law in the middle of the night, when it was prearranged that religious Knesset members would not be present, promising not to draw too much attention to the effort” (*Queer*). As Gamson elaborates, “there is no mobilization by political parties to deny equal rights and benefits to gay people, no equivalent of the Christian Coalition, no Defense of Marriage Act, no organized fundamentalist hate campaign.” This tells us something important about Israel’s capacity to support its citizens’ human rights, to put some liberal principles in action. That fact makes it deplorable that Puar is inclined to discount the achievements themselves because they have sometimes been deployed by groups like Stand With Us with political agendas distasteful to her.

Indeed, there is an odd dynamic operating in all of Puar’s pinkwashing work: she accuses the putative pinkwashers of weaponizing gay rights to justify everything Israel is and does; then she herself weaponizes an attack on pinkwashing to denounce everything Israel is and does. In a way, these agendas are two sides of the same coin, neither of which is warranted. Both collapse myriad nuances together—the good, the bad, and the undecidable—into monoliths that live only in the mind and its verbiage. “Assemblages” are supposed to be more complicated than that.

THE ASSEMBLAGE ADVANTAGE

So, let’s turn to the noun in the title of *Terrorist Assemblages*. It is central to much of Puar’s theorizing, yet it remains vague, undermining her efforts to develop coherent and cogent arguments. But what does it mean? The Oxford Dictionary offers the standard colorless definition of “assemblage,”

perhaps Jasbir Puar's favorite word, as "a gathering of things or people," but then gives us a welcome illustrative quotation: "a wondrous assemblage of noble knights, cruel temptresses, and impossible loves," which in this case suggests a diverse collection of human types. Puar's assemblage often collects disparate things purportedly influencing one another. She adapts the term from Gilles Deleuze and Félix Guattari's *A Thousand Plateaus: Capitalism and Schizophrenia*, though in her use it retains something of the more prosaic sequential character of the standard usage.¹⁹⁹ It is the more wildly varied assemblage, however, that gives her the freedom to make connections and claim indirect causalities.

While it isn't immediately apparent, since Puar is either unwilling or unable to define her terms clearly and to do so in one definitive place—something a proper University Press review process should have demanded of her—an assemblage as she uses it has a triple identity. It is at once a reference to a purported structure of real world relationships, a paradigm of human consciousness, and a description of what her book assembles. She tracks the impact of assemblages on politics, culture, and human perception. And each of her books is itself an assemblage, a "joyous cacophony" (61), as she would have it. Yet nowhere are the properties of an assemblage clearly differentiated. Instead she migrates among them at will.

Some indication of what can go into an assemblage is indicated in the conclusion to *Terrorist Assemblages*:

These are queer times indeed, temporal assemblages hooked into an array of enduring modernist paradigms (civilizing teleologies, Orientalisms, xenophobia, militarization, border anxieties) and postmodern eruptions (suicide bombers, biometric surveillance strategies, emergent corporealities, counterterrorism in overdrive). With its emphases on bodies, desires, pleasures, tactility, rhythms, echoes, textures, death, morbidity, torture, pain, sensation, and punishment, our necropolitical present-future deems it imperative to rearticulate what queer theory and studies of sexuality have to say about the metatheories and the realpolitik of empire, often understood, as Joan Scott observes, as "the real business of politics." Queer times require even queerer modalities of thought, analysis, creativity, and expression in order to elaborate upon nationalist, patriotic, and terrorist formations and their imbricated forms of racialized perverse sexualities and gender dysphorias. (204)

In response to passages like this, one may either credit Puar with a god-like command of all things on earth, or suggest that she does not altogether understand what she is talking about. This is of course a terrorism-related

assemblage; there are also fortuitous assemblages available to link Israel with the assaults on Black Americans, as in an opening passage in *The Right to Maim*:

Ferguson-to-Gaza forums sought to correlate the production of settler space, the vulnerability and degradation of black and brown bodies, the demands for justice through transnational solidarities, and the entangled workings of settler colonialism in the United States and Israel. The comparisons, linkages, and affective resonances between Ferguson and Gaza were not perfectly aligned, and they did not always yield immediate alliances. But these efforts were convivial in their mutual resistance to the violent control of populations via targeted bodily assaults, and reflected desires for reciprocating, intersectional, and co-constituted assemblages of solidarity. (ix)

And there is the dark and destructive assemblage that swirls around the Jewish state, a biopolitical assemblage of control that instrumentalizes a spectrum of capacities and debilities for the use of the occupation of Palestine; the role of targeted debilitation whereby Israel manifests an implicit claim to the right to maim and debilitate Palestinian bodies and environments as a form of biopolitical control and as central to a scientifically authorized humanitarian economy. (xxi)

The three indented passages above are fundamentally lists, which gives them at least surface coherence. The problems they suggest are primarily methodological. Because pretty much anything and everything can go into an assemblage, anything you wish can come out. There is no inherent hierarchy of inputs, no prioritization of forces and influences, no argument about cause and effect. You are therefore permitted free association about causality and intent. Above all, assemblages are rich stalking grounds for conspiracy theorizing, something we see most forcefully when Israel becomes Puar's primary target.

It seems clear that assemblages are not grounds for verifiable conclusions. Instead they promote reasoning by analogy and, especially, by false inference. You make up motives, strategies, and plans, and you do not have to prove them true. Fact and supposition are interchangeable. Anything in the mix can be accused of any consequential relationship with anything with which it keeps company.

This highlights a serious problem with the use of assemblages in *The Right to Maim*, one that is clarified by Puar's objections, by comparison, to intersectional analysis. "No matter how intersectional our models of subjectivity, no matter how attuned to locational politics of space, place,

and scale,” she writes in *Terrorist Assemblages*, “these formulations may still limit us if they presume the automatic primacy and singularity of the disciplinary subject and its identitarian interpellation” (206). Puar amplifies this argument in a 2011 essay “‘I would rather be a cyborg than a goddess’: Intersectionality, Assemblage, and Affective Politics.” There, drawing on Donna Haraway, whose famous declaration gives the essay its title, she makes it clear that the problem with intersectional analysis is not just its destination in identity but also its focus on a traditionally bounded body. “Bodies,” she writes in the essay, “are unstable assemblages that cannot be seamlessly disaggregated into identity formations.” Assemblages “de-privilege the human body as a discrete organic thing . . . the body does not end at the skin.”

But bodies that are killed, maimed, or stunted, bodies that are the target of purported state aggression, are preeminently bodies in the traditional bounded sense; otherwise they cannot easily be seen as victims. Contrary to her assemblage-based analysis, the body of a victim is “privileged” in a different but still culturally significant way. The victim’s body is an object of emotional and political investment; it has distinctive symbolic power. Assemblages, however, are not well suited to the kind of accusatory and condemnatory political project to which Puar is committed, a project in which there must be absolute perpetrators (Israelis) and unqualified victims (Palestinians). Assemblage discourse should lead her to reject the very categorizations needed for political critique. In its championing of infinite numbers of discursive and material relations, an assemblage rejects the strategic decision to concentrate on a limited number of specific, politically charged “intersections” and instead opts for something fundamentally undecidable and fluid. In truth, the two impulses—political critique and assemblage-empowered play—are fundamentally in opposition to one another. Puar alternates between the two options. This is not simply a problem with *The Right to Maim*. It is a disabling contradiction.

STYLE AND THE DECLINE OF CRITICAL THEORY

It is time to address the stylistic issue that most people who attempt to read Puar’s books will confront even before they consider her arguments. It is failed writing that ensures her ideas will only travel by way of summaries drafted by others. In a 2012 interview with *American Quarterly*, Puar acknowledged that her first book, *Terrorist Assemblages: Internationalism in Queer Times* (2007), has been widely criticized because its “language is ‘jargony,’ or too academic,” and then pointed out that it was written “within the space of a tenure-track time line and process” (842). In the

aforementioned 2018 interview with the *Journal of Middle East Women's Studies*, on the other hand, she opts to give the book's composition a more dramatic spin: "The book was bred of political urgency. No one writes a book titled *Terrorist Assemblages* to get tenure" (94). Viewed from the vantage point of *The Right to Maim*, published a decade later, one might conclude that the earlier disclaimer reflected the need to provide some concessions to coherence in order to get her through the tenure review. In the commemorative foreword to the 2017 reprint of *Terrorist Assemblages* Tavia Nyong'o, an American studies professor at Yale, describes it as "uncompromisingly theoretical" (xv), but *The Right to Maim* is, if anything, even more terminologically clotted and unintelligible. It is important to address her convoluted writing style not only because I suspect some academic endorsements of her theoretical work may be disingenuous, but also because it represents an extreme but worrisome degradation of critical theory's fifty-year impact on academic disciplines.

The problem of Puar's writing style unfolds sentence-by-sentence—in definitional sentences that are garbled, in sentences that combine multiple arguments and become incoherent, in self-indulgent forays of varying length into critical theory whose sentences quickly become impacted. It will be useful to provide examples of all these patterns, since those who have not tried to read her books cannot possibly imagine what her prose is like. In this section I also briefly address the responsibility academic journals and university presses have for helping this problem become worse, reserving the full discussion of that issue for the conclusion. In that sense Puar is also an extreme example of a broader trend.

Puar's purportedly explanatory or definitional *Right to Maim* sentences can be decidedly unhelpful: "Detailing the interface of technologies of discipline and control makes the case for multiplying the relations of the two beyond teleological or geographic deterministic mappings" (xx-xxi); "The preceding sections recast the white queer/immigrant homophobe binary by distilling the event of queer suicide through ecologies of sensation, technics, and affect" (11); "This proliferation, rather than hoping to dissolve binaries, makes them fade through the overwhelming force of ontological multiplicity, attuned to the perpetual differentiation of variation to variation, of difference within rather than between, and the multiplicity of affirmative becomings: the becoming otherwise of difference, whereby language is resituated as just one potential platform of the political" (60); "The burden-to-care periodization is one that therefore racializes as well as temporospatializes: between eugenics as it has been and the biopolitics of inclusion of the now (described as 'post-imperialist'), a split that largely speaks to liberal spaces of privilege; and between the

progress of the West/developed nations and the disarray of the rest/developing nations” (79); “The toggling between discipline and control moves between normal/abnormal (homo/hetero and disabled/abled binaries) to variegation, modulation, and tweaking (sexuality as sensation)” (120); “identity is the intensification of bodily habit, a ‘returning forward’ of the body’s quotidian affective sensorial rhythms and vibrations to a disciplinary model of the subject, whereby sexuality is just one form of bodily capacity being harnessed by neoliberal capital” (122); “Accelerationist logics map speed, movement, and their withholding as an assemblage of racial ontologies” (136); “There is a temporal shift within this asphyxiatory control society from a Virilian narrative of increasing speed to other forms of algorithmic, parallel, distributed, and networked time, working through suspension between states and slow attenuation, in direct contrast to the always-connected ideal” (135); “Disciplinary enclosure consorts with micromodulations of bodily becomings to ensure a population laden with affective reactivity” (136). Sometimes these moments almost cross the line into conceptual comedy: “*The Right to Maim* is absorbed with excavating the chunkiness of power more so than the subtleties of navigating it. That is to say that assemblages can get stuck, blocked, frozen, and instrumentalized” (xx).

When she decides to lay out what *The Right to Maim* itself assembles, its “undulating trajectories” (among my favorite phrases here), it is difficult to imagine the reader keeping track of all the threads:

The sites of struggle and their targets include social constructivism (reinvigorated interrogation of biological matter that challenges both biological determinism and also performativity); epistemology (supplemented with ontology and ontogenesis); psychoanalysis (trauma rethought as the intensification of the body’s relation to itself); humanism (the capacities of nonhuman animals as well as the durational capacities of inorganic matter are highlighted by scholarship on object-oriented ontology, critical animal studies and posthumanism); and agency (linked to cognition, perception, emotion, and feeling: an anthropocentric framing of movement challenged by affect, force, intensity, and theories of sensation). (18)

Puar implements an even more imprecise vocabulary to facilitate the imaginary influence and causation that fuels her agenda, which is either far more prosaic than she supposes in the preceding passages or hopelessly muddled. Links between social phenomena are “often overlapping or coexistent” (xv) and “braided and enmeshed” (21); they are established by “a mutually reinforcing constellation” (xv), by “connective tissue”

(xvi, 153), by “shadows and often overlaps” (xvii), by “imbrication” (52, 138), or by “affective entwinement” (97), terms that then get repeated or varied by arbitrary substitution. One may well give her credit for the determination to “transform the fantasy of discreteness of categories not through their disruption but, rather, through their dissolution via multiplicity” (36). As she says in her improbably theorized acknowledgments, “This fusion or juxtapositioning or assemblage here—call it what you will” (xxvi), exhibits “interfacing assemblages of de- and reterritorialization” (60). Then they become part of a regime, as in “an asphyxiatory regime of power” (135), which is an unspecified mix of linguistic effects, social forces, and government policies. They are part of Israel’s “infrastructure,” a term for her that blurs the distinction between ideology and material reality. The result is a kind of argumentative free fire zone; anything goes so long as it discredits Israel, a country she considers wholly without redeeming impulses.

A proper press review process, to say nothing of a skilled editor, might have encouraged Puar to break up some of her sentences and think in a more focused way about the conceptual relations between them, though it is hard to say whether that could have met with success. We are decades past the point when we had to fight for the inclusion of theory in publications and the curriculum, indeed decades past the point when the conquest of academic writing by theory meant that many literary journals would no longer consider essays without explicit theoretical signposts. Pro forma theory citations then became common without necessarily adding anything to an argument. Puar is well into a different practice: saturating an essay with theoretical terminology to the point where the essay becomes incoherent. The publisher’s description credits her with “drawing on a stunning array of theoretical and methodological frameworks”; one could hardly disagree, though the conclusion that that is an unqualified virtue may be disputed. Judith Butler, also an infamous composer of sentences that could benefit from being broken up (should some unimaginably higher power insist on her doing so), offers the first blurb on the back cover of *The Right to Maim* and shows no discontent, though she allows that “Gaining recognition for disability within terms that instrumentalize and efface its meanings carries a great risk.” That Puar simultaneously instrumentalizes and effaces meaning is a core problem with her writing.

Complaints about literary and philosophical jargon in heavily theoretical academic publications have been common ever since the revolution in theory began in the late 1960s. When I argue that Puar’s work is often not meticulously theorized but rather incompetently written, however, I

say that as someone who has felt for decades that, many of the most influential theorists of the 1970s and 1980s—including even Jacques Derrida, who is notorious outside the discipline of literary theory (and notorious even inside certain camps within it)—never wrote an essay more complex than it needed to be. Derrida never simply indulged himself, as Puar does on every page, but rather shared a discipline of putting targeted pressure on concepts to break our received relationship with language and produce new insights. Having taught critical theory since the early 1970s, I always applied the same tests to difficult prose: Is the difficulty earned? Is there a payoff in insight that would be lessened were more straightforward language used? Derrida is not the only theorist who passed that test, but he is the one I had to defend most often. Puar fails spectacularly.

Puar's writing style guarantees that she will be disconnected from the major traditions of discourse about Israel and Palestine. Not only does she give no evidence that she reads, say, Dennis Ross, there is also no possibility that Dennis Ross or even academics critical of Israel like Rashid Khalidi or Walt and Mearshimer, will read her. She does not write either for a general audience or for specialists in any established area of Middle East studies. She relies on a small, ideologically committed audience for any positive reception her work will receive; recognized authorities will simply discount her work as incomprehensible and ignore it, which unfortunately will help her avoid informed criticism. She writes in a different language from the overwhelming majority of both scholarly and popular studies of Israel and Palestine, addressing only the inhabitants of a pseudo-scholarly sub-discipline. Only they are invested with the capacity or authority to validate her work.

In the *AQ* interview where Puar defended *Terrorist Assemblages*, she hints at this problem, saying it carried “an expectation of dialogue with a scholarly audience” but specifying that she had “a very tightly defined scholarly audience in mind” (841). Since most specialized academic books are much more readable, it seems possible that the audience seriously engaged with *The Right to Maim* will be even more limited than she imagines. That does not mean people on the anti-Zionist left will not buy the book; I expect they will. But they will not read much of it. Few will even make it through the preface and introduction. The overwhelming majority of the pro-BDS audience could only stagger through her prose in search of something to love and something to hate. They will buy the book, however, because controversy—and in this context the heroically victimized status that comes with it—has given her a fan base. That fan base will welcome her ideas without reading her work.

CONCLUSION

A proper University Press review would have done fact checking and pressed Puar to address the problem of flawed, factually unsupported, agenda-driven argumentation, just as it would have compelled revision of her frequently garbled prose. This is not simply a question of bias; her work embodies a mode of ideologically-driven thinking in which the conclusions are predefined. If it adheres to rigorous methods and uses evidence responsibly, an anti-Zionist book should be able to survive a reading from someone outside the BDS camp; I do not believe *The Right to Maim* can. Similarly, a book by a liberal political theorist should be able to withstand scholarly scrutiny from a conservative. The reverse should also be true.

A proper review would have contested Puar's less than satisfactory admission that she has "resorted here to a somewhat polemical deployment of empirical information" (128), given that unfounded speculation, political bias, and a near absence of empirical information predominate in the book. That same review would ask why the people she quotes and cites to support her case are largely drawn from a community of anti-Zionist polemicists. The press might have asked why she does not engage with alternative views or cite official government and NGO reports that contradict her narrative. The book we have is evidence that no such serious critique of the manuscript took place. It is reasonable to worry that the entire process was governed by confirmation bias, by the participation of people for whom Puar was confirming what they wanted to believe. Had the press seen any need to protect its name it would have acted on its last line of defense: hire an independent copy editor charged with fact checking.

Given that Duke University Press either selected the manuscript's readers or chose from Puar's own reader recommendations, assuming she made any, it may be relevant that several members of the press staff, including its director, endorse the BDS movement.²⁰⁰ That is their right as individuals, but it warrants concern that they might have difficulty making tough judgments about a volume of BDS advocacy. In the end, there is good reason to suspect that Duke's decision to publish was political rather than scholarly. If Duke's peer review process failed, what reason is there to assume it has not also failed with other university publishers, notably California and Minnesota, that have developed clearly anti-Zionist lists? It is likely a still broader problem. Conversely, university presses that have strong Jewish

studies lists often emphasize historical and cultural studies that avoid contentious contemporary political topics, but that is certainly not an ideal solution either, since that leaves them out of the relevant debates.

The Duke University administration may be taking seriously letters that Duke faculty have written criticizing the process that resulted in publication of *The Right to Maim*. In October 2018 Duke's president Vincent Price wrote to a faculty group to say that "the editorial process at Duke University Press must be free of conflicts of interest and that the role of the Press and its social media sites is to contribute to the scholarly literature, not to provide a political platform." He promised a review by the provost and suggested that the expected retirement of the press director should provide "an opportunity for new perspectives in the leadership of the Press." I am told they began searching for a new director in 2018.

The Right to Maim joined other anti-Zionist books on Duke's list, among them Sara Schulman's *Israel/Palestine and the Queer International* and Gil Hochberg's *Visual Occupations*. David Mikics argues that Duke "has found its scholarly niche as the BDS movement's publisher of choice," though there are competitors for that status. Does the politics of the staff matter? I first submitted a proposal and table of contents for *The Case Against Academic Boycotts of Israel* to the University of Illinois Press, where I had served on the editorial board and published a number of books. The press director was initially enthusiastic but soon got back to me to say there were several BDS supporters on the staff who were firmly opposed to the book. They insisted that I add several pro-BDS essays and added a particularly offensive demand: they would not accept any essay about Israeli history authored or edited by me.

The legacy of the flawed editorial process reflected in *The Right to Maim* is that readers worldwide are subjected to error and hyperbole with a university imprimatur. Other forms of scholarly recognition for Puar, like inviting her to give a lecture, similarly legitimize her pseudo-scholarship. It was at Vassar that Puar first notoriously said—notwithstanding the genocide by Bosnian Serb forces, the kidnappings by Boko Haram in Nigeria, the genocidal assault on the Rohingya in Myanmar, and the ongoing civil wars in Syria and Yemen—that "Palestinian children in Gaza, however, are exposed to more violence in their lifetime than any other people, any other children, anywhere in the world." Children in this and other war zones are unquestionably exposed to excessive trauma, but do BDS advocates like Puar need to turn this into a contest and prove they can win it by freely mixing qualitative judgments with unsupported statistical claims? Does Puar's assertion deepen the sorrow? Puar's hyperbole and her Manichaeistic framing of the Israeli-Arab conflict would normally be highlighted by

external reviewers who would point out that it detracts from the book's scholarly aspirations and ability to persuade.

Finally, except for quotations from Puar's Vassar lecture, I have concentrated on her publications. They are the primary basis on which her work as a faculty member will be judged. But her influence has continued to spread through public presentations legitimized by a University Press that lent its imprimatur to *The Right to Maim*. Given the content of the talks, there is good reason to describe her 2015–2018 lecture and book tour as a nationwide disinformation campaign. She presented false or deceptive information about the State of Israel at a series of colleges and universities, among them Barnard/Columbia, the University of Chicago, UC Berkeley, UC Santa Cruz, CUNY, Dartmouth, the University of Michigan, NYU, the University of Pennsylvania, Princeton, Rutgers, the University of Southern California, and Wesleyan. Bookshop talks included one in Toronto.

Reports suggest that, while some audience members were horrified, many others were not just sympathetic but enthusiastic. Those who invited her knew exactly what they were getting. Meanwhile, following standard BDS strategy, she condemns every effort to dispute her claims as attempts to suppress her speech rights and a violation of academic freedom, a posture that makes her a victim and confers the status of martyrdom in anti-Zionist left circles. "Five years ago," she declares in the 2018 interview, "Zionists would attend my lectures to argue with me. Now they begin smear campaigns well before I arrive at a campus and do everything they can to shut down the forum, because they want to repress the circulation of knowledge and have no grounds on which to argue" (102). No grounds on which to argue? Are we expected to believe that? Can she possibly believe it herself? Can she also truly believe that criticisms of her work amount to efforts to silence her? Does she assume that we have not noticed that it is usually anti-Zionist groups that shout down Israeli speakers? To be clear: academic freedom protects her right to say everything she says, but academic freedom also places a burden on others to dispute lies and insist that the academy should be dedicated to a search for the truth. It is not a "smear" to do so. Academic freedom would not, however, offer the same protection were she teaching her ideas to her students and expecting them to agree with her.

Because Puar has pressed extreme fantasy-based accusations against Israel, the criticism she has faced has been fierce. But, for the most part, it has also been reasoned. One gets glimpses of her self-understanding, however, that suggest it is as detached from reality as are her arguments. The 2018 interview ends with the wounded assertion that "the more one ascribes value to Palestinian lives, the more vociferous the accusations of

anti-Semitism” (102). She is talking about herself, of course, but the means by which she ascribes value to Palestinian lives is at best idiosyncratic. It is largely based on her most contentious imaginary claims, as that Israel aims to maim as many Palestinians as possible, preferably all of them.²⁰¹ She substitutes condemnations of Israel’s supporters for any fine-grained evocation of Palestinian experience, any citation of reliable statistical evidence, or any reflection on the character of her own reasoning. Her excoriation of Israel’s crimes escalates because she magnifies them mentally and then elaborates on their supposed motivations and effects. These are defining features of classic anti-Semitism, from medieval blood libel to modern Nazism, so it is hardly surprising that her critics place her in that tradition.

At every point when counter-evidence could be cited to challenge her major theses Puar is silent. She takes on the role of a prosecutor who suppresses exculpatory evidence. That many students and faculty who are ignorant of the facts are influenced and persuaded is beyond dispute. She is widely celebrated online. In Jasbir Puar we are confronted with a faculty member dedicated to fomenting hatred. Her political impact on the academy on balance is consistently destructive. Through the topics she pursues most vigorously she has created a distinctive voice for herself, but in other ways, including her dedication to proving there is no good in the Jewish state, she follows the BDS road map.

Midway in *The Right to Maim* there is an odd throwaway line referring to “wheelchair technology that enhances mobility developed in Israel 48 on the backs of Palestinian oppression and immobility” (79). The topic receives no further discussion, so I was, perhaps naively, led to search for Israeli innovations in wheelchair technology and other enhancements for those with disabilities that in some way exploited Palestinians. I thought perhaps Palestinian employees at the relevant firm were underpaid. Was a company testing its products on paralyzed Palestinians? Was there a wheelchair company on the West Bank? It is easy enough to find more than one Israeli company over the years that has sought to aid the disabled through improved wheelchair design and other means. Stephen Hawking’s voice assistance technology is the most famous example. But I could not find any connection to Palestinians. Then I realized the “Israel 48” reference explained her meaning. All Israeli innovations since 1948 are to be linked to what is, to her, the corrupt and colonialist founding of the Jewish state. Nothing any Israeli has done is free of that taint. Neither the state itself nor any of its citizens can be forgiven. Puar insists that a fundamental crime taints and overshadows every element of Israeli history and culture. Everything Israel does occurs on stolen land littered with Palestinian graves. That for her is the only valid perspective. Any argument

that reinforces that recognition, proven or unproven, carries authenticity and moral weight. Anything that enhances Israel's reputation is fake news.

In the end the question that remains is systemic: what is the proper professional identity and designation for a faculty member devoted to a disinformation campaign, one unwilling to cite and discuss alternative views, who promotes rumors and propaganda as scholarship? Puar's example leads us to raise this question broadly about anti-Zionist "scholarship" and the consequent degradation of higher education in the humanities.

PART THREE

TEACHING FOR EMPATHY OR HOSTILITY

CHAPTER SEVEN

ANTI-ZIONIST HOSTILITY: TEACHING TO DELEGITIMATE THE JEWISH STATE

COLONIZING PALESTINE: This course will explore the history and culture of modern Palestine and the centrality of colonialism in the making of this contested and symbolically potent territory By doing so students will address crucial questions relating to this embattled nation, the Israeli state which illegally occupies Palestine, and the broader global forces that impinge on Palestinians and Israelis. Themes covered include notions of nationalism and national identity, settler-colonialism, gender and sexuality, refugee politics, cultural hybridity, class politics, violence, and memory.

—Thomas Abowd, Tufts University, Fall 2018 course description

INTRODUCTION

A substantial body of scholarly literature and political commentary explains why the Boycott, Divestment and Sanctions (BDS) movement is dangerous. It demonizes, antagonizes, and delegitimizes Israel and uncritically idealizes the Palestinians. That will inhibit negotiations, not promote them. Despite some naïve followers of the movement who believe otherwise, BDS misrepresents its goal, which is not to change Israeli government policy but rather to eliminate the Jewish state. As I point out in Chapter One, every major BDS spokesperson has been clear in lectures and in print that elimination is their aim. It is thus unsurprising that BDS offers no specific steps toward a resolution of the conflict and no detailed peace plan. Moreover, it does not promote a realistic Palestinian “Right of Return” to the West Bank; rather, it seeks to impose a right for all Palestinians to return to Israel within its pre-1967 borders. BDS falsely claims to imagine a nonviolent route to ending the conflict. But there is no nonviolent way to achieve its goal of eliminating the Jewish state. Indeed, BDS demands an end to all efforts to build mutual empathy and understanding between Israelis and Palestinians. This “anti-normalization” ethic and campaign rejects the communication, dialogue, negotiation, and unconditional interchange necessary to achieve a peaceful resolution of the conflict. It is time to acknowledge that this Manichean agenda carries over into pedagogy. As this chapter will show, the anti-Zionist research agendas that have been described in the second part of this book also structure courses intended to shape student political beliefs.

Though Israeli speakers had been occasionally disrupted before, the year 2016 was the year in which BDS-allied groups decided it was a matter of principle to block dialogue by interrupting and silencing pro-Israeli campus speakers and launched what amounted to a national campaign to do so. Finally, in addition to consistently undermining academic freedom with its boycott agenda and its effort to silence speakers, BDS offers nothing to the Palestinian people whom it claims to champion. Perhaps that is the single most cruel and deceptive feature of the BDS movement. Its message of hate is a route to war, not peace. With these general conditions as a context, this chapter briefly reviews the most widely publicized BDS agendas on campus and in professional associations. It then proceeds to its main topic: the increasing anti-Israel politicization of the humanities and

soft social science classroom and the degree to which this suggests anti-Semitism has found a pedagogical home.

The battles over boycott proposals in academic and professional associations have become increasingly difficult since about 2012. The sheer number of BDS faculty and graduate students attending annual meetings to promote a boycott has grown, and the reports supporting boycott resolutions have increased in both detail, length, and the number of accusations leveled. But while it only takes a sentence to register an accusation, it may take weeks of research and many pages to refute it definitively. The 130-page pro-BDS report issued by the American Anthropology Association in October 2015 is a prime example.²⁰² Nonetheless, the strategies necessary for response—beginning with good information, and continuing with tactics, rhetoric, timing, outreach, arguments, and organizing—are familiar and well tested. A tremendous amount of work is involved, but at least the nature of the work is well understood, even if its success cannot be guaranteed.

On college campuses BDS initiates divestment resolutions that have no impact on college investment policy even if they succeed. But the resultant battles do turn some students against Israel and promote some anti-Semitic perspectives. Those students become tomorrow's teachers, businesspeople, professionals, religious leaders, and politicians. In addition to promoting anti-Israel sentiment that spreads to Jews in general, this presents a long-term challenge to US policy and thus a long-term security risk to Israel. BDS often takes over the public spaces on American campuses and drives pro-Israeli students to retreat to the safe environment of Hillel or Chabad or do their work in less politicized areas, such as engineering or the sciences. But the institutional impact of BDS has been still deeper and more troubling. It has helped turn some entire academic departments and disciplines against Israel and some faculty members in the humanities and soft social sciences into anti-Israel fanatics. Fanatics do not just oppose policies; they also indulge in corrupting passions and biases. Anecdotal evidence, public hate speech, and examples of representative syllabi sent to me by students and faculty demonstrate that this trend has clearly spread into classrooms.²⁰³ There the task of responding is infinitely more difficult—not only because classrooms are not public spaces in the same way a professional association or a campus quad are, but also because they are more thoroughly protected by academic freedom.

Discussion of the political corruption of teaching must be prefaced with a warning about the fragility of academic freedom in the contemporary university. In the early 1970s about two-thirds of higher education faculty were eligible for tenure and thus a high degree of job security. In

the new millennium, that percentage has declined to one-third. Most college teachers are now at-will employees subject to nonrenewal. They lack strong, if any, academic freedom protections. In departments with either a pro-Israel or an anti-Israel bias, contingent or adjunct faculty can be at risk of nonrenewal if they refuse to embrace their colleagues' politics in a syllabus. Many adjunct faculty consequently realize they are safer if they avoid controversial course topics. That is a depressing conclusion, but it nonetheless reflects reality. The links between academic freedom and job security are now widely broken. That some in the BDS movement are willing to sacrifice the university's principles and its future in the service of their political agenda does not mean that those who oppose them should do the same. Political struggles are usually fought by deploying whatever weapons are available. That has never been the best strategy in higher education. Perhaps Israel's defenders, including university administrators and Israel's nonacademic allies, should show some reticence about using what power and influence they could exercise in campus conflicts.

WAR BY OTHER MEANS: THE STATE OF THE AMERICAN CAMPUS

One can recognize the problems at stake in some classroom assignments and in the level of unqualified hostility to Israel that some faculty members express in their public statements on campus and elsewhere. When faculty members say publicly that Israel is a settler-colonialist, genocidal, racist, and apartheid state there is, increasingly, reason to conclude they believe these are factual statements, not hypotheses to guide open inquiry or be debated. Certainly the faculty members discussed in *Israel Denial* write out of deep conviction. Some faculty members present these political opinions as fact in classroom lectures as well. There is little doubt that students would be better off, the mission of higher education would be better served, and the reality of Israeli-Palestinian and worldwide politics would be better represented if these accusations were treated as debatable, with students offered access to opposing views. But that is commonly not the case. These accusations are being debated in the public sphere, and they should be treated as contestable claims in the classroom as well, no matter what political opinions teachers may hold, but academic freedom gives instructors the right not to do so. The preference for treating positions on the Israeli-Palestinian conflict as contested is not because it is a universal principle that one must cover the character of debates, especially given that some positions are discredited and become irrelevant over time, but

rather because attitudes toward the Israeli–Palestinian conflict are currently inseparable from the competing arguments that shape them. It should be helpful to put these issues into context, offer some examples, and reflect on what this means.

When University of California, Santa Barbara, sociology Professor William Robinson sent an email to his 2009 “Sociology of Globalization” course that had photos of the 2008–9 Israeli assault on Gaza set up in parallel to photos of the German occupation of the Warsaw ghetto during the Second World War, some people urged he be fired.²⁰⁴ His Nazi/Israel comparisons were irresponsible history and deplorable pedagogy, but, as I argued at the time, academic freedom protected his right to say such things. Were he a job candidate one might also have defended his right to say what he pleased, but a search committee could certainly have decided not to hire him. That is the distinction I draw in the Salaita chapter as well. But you cannot fire a tenured faculty member for saying things that are commonplace in given academic disciplines. Comparisons between Israel and Nazi Germany may be despicable, but they were not categorically rogue opinion in 2009 and they are even less so now. They have a history not just in the United States and Europe but also in Israel.

Similarly, like it or not, we are long past the point where claims that Israel is a settler–colonialist apartheid state are outliers. We can and should contest such characterizations, but punitive responses to the advocacy of such views—as opposed to careful professional evaluation—are largely unavailable. The BDS movement did not initiate these accusations, but it has promoted them widely and helped install them as self-evident truths. They are claims that straightjacket inquiry and analysis. Some faculty members feel free—indeed responsible—to treat them as definitive truths in class. Unfortunately, that can intimidate some students and inhibit them from presenting opposing opinions. When entire disciplines are consumed by anti-Zionism, students who differ can easily be silenced, and they can certainly experience those disciplines as anti-Semitic.

The Robinson case concerns an explicit communication with the students in his class, but debates about the Israeli–Palestinian conflict in academic associations also point to the state of the academy more broadly and suggest how the issues will increasingly be handled in classroom settings. At the December 2014 annual meeting of the American Anthropological Association (AAA), where I presented a paper, those in attendance were confronted by hundreds of ferociously anti-Israel graduate students excitedly voting down a resolution opposing academic boycotts. They were spurred on by faculty members presenting anti-Israel papers at formal academic sessions scheduled by the organization. One tenured faculty

member read a paper making an anti-Semitic claim that Jews and non-Jews, not citizens and noncitizens, are separated on arrival at Israel's Ben Gurion Airport. That slander was met with audience applause, a chilling display of mass ignorance. At the following year's annual AAA meeting, faculty and graduate students voted for an academic boycott by a margin of 1040 to 136.²⁰⁵ These students did not acquire their convictions exclusively in extracurricular settings. They had to be carefully taught, to echo the telling (and controversial) song about racism from the 1949 Rogers and Hammerstein musical *South Pacific*. The students at the 2014 meeting had been carefully trained in their beliefs.

During a 2014 American Anthropological annual meeting session devoted to small group discussion, I joined a table with nine anthropology faculty members and graduate students analyzing the pros and cons of academic boycotts. There was unanimous sentiment that anthropologists had to "do something," that inaction was unacceptable, and on that basis alone some felt an academic boycott was justified. Someone sensibly asked what impact of adopting a boycott resolution would have on anthropology as a discipline. I suggested that people consider what had happened to the American Studies Association, when it was subjected to widespread condemnation after it voted to boycott Israeli universities in December 2013. Not one other person at the table knew about the ASA resolution, let alone what the national response was.²⁰⁶ Yet they considered themselves well informed enough to proceed with their own disciplinary debate. There was a clannish conviction that only anthropologists should be heard from and that people outside the discipline had nothing relevant to say about how boycotts violate universal principles of academic freedom, an attitude that prevails in other disciplines as well .

When a boycott resolution came up for debate on a California State University campus in 2015, students I interviewed reported that faculty members used classroom time to advocate that students vote for the resolution. Some faculty members refused to let students voice opposing views, a clear violation of academic freedom. Most of the courses in which faculty urged support for the resolution had nothing to do with history or political science, let alone the Israeli-Palestinian conflict. This chapter will take up the topic again later, but it is worth recalling here that the American Association of University Professors (AAUP) policy since 1940 warns against bringing politically extraneous material into the classroom. As I pointed out in Chapter Four, in 1970 the AAUP sensibly modified its stand by introducing a standard of persistence. That suggests a Home Economics or Veterinary Medicine professor could urge students to vote for or against a boycott or divestment resolution so long as he or she did not

do so repeatedly. And any such faculty advocacy must also welcome alternative student views. Although most students and faculty do not realize this, failure to do so could justify disciplinary action. For a tenured faculty member, consequences could range from denying an annual raise to delaying a promotion decision, although not termination. Needless to say, no sanctions of any kind were applied in the California case. We need to better educate the campus about faculty responsibilities and the way they limit academic freedom, a concept that does not free you to intimidate students.

At the January 2016 meeting of the Modern Language Association (MLA) a number of those in attendance routinely met pro-Israel graduate students and young faculty who were afraid even to *attend* sessions devoted to boycott discussion or debate for fear they would be asked their opinion, thereby exposing their views and potentially jeopardizing their careers. At that same meeting, when an anti-BDS speaker accused the BDS movement of anti-Semitism, the seventy or so BDS supporters in the room broke out in spontaneous laughter. For years accusations of anti-Semitism have been met with outrage, denial, and anger. Perhaps we have turned a corner where ridicule replaces anger.

Early in 2016 David Makovsky, an advisor to John Kerry's 2013–2014 Middle East peace initiative, visited the University of Illinois at Urbana-Champaign as part of a national tour. The sponsors of Makovsky's visit could not find one member of the current faculty willing to attend an invitation-only seminar with him. At his public lecture that evening not one current member of the faculty of two thousand was in attendance. Several emeritus faculty members came, but otherwise the faculty stood in solidarity with the campus atmosphere of anti-Israel intimidation. There was, however, substantial attendance at his Northwestern University lecture on the same tour.

We need to gather the stories of pro-Israel grad students and young faculty who decided not to go into Israel studies for fear they would never get a job in departments or academic fields now dominated by BDS and suggestions of anti-Semitism. All this is supplemental to the widely reported—but also hotly debated—anti-Jewish atmosphere in public spaces reported on some campuses by undergraduates. This atmosphere helps convince students that passionate departmental attacks on Israel may be anti-Semitic even if they are not. Although the intimidation of graduate students and young faculty members is less widely known than the anti-Semitic incidents on campus, the increasing examples of career intimidation are deeply troubling. An undergrad can often keep his or her head down or retreat to Hillel to avoid hostile social confrontations over Jewish identity, a retreat that encourages the ghettoizing of pro-Israel sentiment

on campus. And an undergrad can move on with his or her life after graduation. A prejudicial classroom, however, is another matter. It can shape the perception of intellectual life long term. So, obviously, do decisions about what kind of work will be the focus of your career. For over forty years many faculty members have urged students to follow their hearts, to choose the specializations and research interests to which they are most deeply drawn. In some disciplines, such as Middle Eastern studies, that advice is no longer wise. A June 2016 essay in *Legal Insurrection* analyzing the close membership-wide American Anthropological Association vote against a boycott of Israeli universities ends with the following statement: "The author is a graduate student who must write under a pseudonym for fear of retribution from pro-BDS faculty."²⁰⁷ Another graduate student writes that his "concern is to get BDS-supporters who have power over me to just stop bothering me, and let me pursue my career in peace": "Because of the success of BDS in North American Anthropology Departments, doing archaeology in Israel is becoming increasingly difficult for young archaeologists. Most North Americans who do archaeology in Israel via secular universities are Jewish. In effect, BDS is holding my career hostage to the actions of the Israeli government. I am not the only young Jew in academia who is in this situation. In my case, it has gotten to the point where I am considering making *aliyah* [emigrate to Israel] so that I can pursue my academic career more easily."²⁰⁸

Not in living memory have we seen a political issue that has divided people so decisively as the debate over the Israeli-Palestinian conflict. With surprising frequency, people are willing to sever personal relationships over their differences about Israel. Even during the Vietnam War one did not see such widespread personal bitterness in the academy. For some academic disciplines, disputes about Israel are not only politically but also personally decisive.

Discipline-wide intimidation represents a threat to the character of the academy and to the meaningful exercise of academic freedom. We have reached a tipping point in the politicization of some humanities and soft social science disciplines, not only in the United States but also in the United Kingdom and in some European countries. It is helpful in this context to step back a moment and remember that it has been more than fifty years since we had largely completed the disciplinarization of the academy. Instead of thinking of themselves as members of the professoriate as a whole, faculty members today think of themselves as members of the Engineering, Computer Science, Anthropology, or English professions. Many disciplines present an inadequate, uninformed, or misleading knowledge base on which to judge the complex historical, political, religious, and

cultural conflict between Israelis and Palestinians. And yet the ethics of disciplinarity essentially says that one is only bound to teach both sides of an issue when disciplinary consensus does not exist. A biologist does not have to give equal time to those who oppose the theory of evolution. A historian has no reason to mention Holocaust denial. A sociologist might be expected to cover debates about global warming, but a climate scientist could well choose either to give bare mention of disbelievers or to make it clear that truth resides on only one side of the debate.

This helps us understand that some disciplines—without having the requisite expertise—have reached a virtual consensus about the truth of Israel and the Israeli-Palestinian conflict. Moreover, it appears that the number of disciplines and subdisciplines where the balance has been tipped and consensual anti-Israel truth reigns is increasing. A political scientist might recognize the need to acknowledge both the Israeli and Palestinian narratives and treat them each as possessing validity. In cultural anthropology, throughout literary studies and ethnic studies, in much of African American studies, Native American studies, and women's studies, and of course throughout Middle Eastern studies, that is no longer the case. In many areas of the academy there is substantial social and professional support for faculty who are devoted to demonizing the Jewish state. They feel justice and the truth of history reside entirely on one side of the conflict, and they consequently feel quite righteous in teaching from that perspective. They may have no awareness whatsoever that they have turned their classrooms into propaganda machines. That students experience all this as anti-Semitic is unsurprising.

The lopsided votes in favor of academic boycotts in some disciplines are a good indication of the state not only of political but also pedagogical consensus. In some disciplines, to be sure, the balance of power is local. A given department may have jettisoned differences of opinion and a climate for debate that prevail in the discipline at large. Jewish Studies is a particularly telling example of this phenomenon, because some Jewish Studies programs, including my own and the one at UCLA, have become centers of anti-Israel politics and conviction.

There is good reason to argue that requiring certain individual colleagues to try to portray both sides of the Israeli-Palestinian conflict fairly, to embody balance in the classroom, is pointless. The effort by some organizations to urge universities to compel political balance in individual courses is misguided. Would there be any point to asking Thomas Abowd, Hatem Bazian, Judith Butler, Nadia Abu El Haj, Angela Davis, Barbara Foley, Grover Furr, Neve Gordon, Gil Hochberg, Joy Karega, David Lloyd, Sunaina Maira, Saree Makdisi, Joseph Massad, Bill

Mullen, David Palumbo-Liu, Ilan Pappé, Jasbir Puar, Bruce Robbins, Shira Robinson, Malini Schueller, Steven Salaita, Gayatri Spivak, or Gianni Vattimo to do so? There is a long Arab tradition of avoiding use of the name “Israel,” preferring instead to refer to “the entity.” Joseph Massad, to give merely one example, prefers a different designation: “the Jewish supremacist state.” At least one knows where he stands, but it’s not a label that would invite Zionists into a class discussion as though it were a level playing field. One could list dozens of names of tenured faculty with certainty that they would be unable or unwilling to rise to the challenge. Moreover, except for Karega, the list above includes a subset of BDS’s intellectual elite; many more equally unrepresentable acolytes are surely out there.

Students might experience more clarity if such tenured faculty simply embodied their unqualified malice in their teaching. Thus I welcome the straightforward anti-Zionist cast of the Thomas Abowd course description excerpted as an epigraph. Lacking his syllabus, I’m unwilling to evaluate the course any further, but I’ve been following Abowd’s work for some time, and the aims of the course do not surprise me. But then the rest of us have great need to make certain that teaching based on mutual empathy is powerfully in evidence in the curriculum as a whole. Online comments suggest Tufts University has not done so. ADL CEO and Tufts alum Jonathan Greenblatt on August 16, 2018, distributed the following comment on Twitter: “We support academic freedom but Tufts University must ensure that classes examining the complex Israeli-Palestinian conflict are not one sided platforms for propaganda that demonize Israel & empower anti-Israel activists.” For better or worse, that criterion is not compatible with academic freedom. Greenblatt adds that “political bias is best left out of the classroom,” which is a standard that many faculty members would endorse, but not one which is enforceable.

What is needed, however, are not courses that promote all Israeli government positions, but rather courses that show empathy for both peoples’ narratives, while also endorsing Jewish peoplehood and affirming Israel’s right to exist as a Jewish state. We cannot win the day by countering pro-Palestinian fanaticism with pro-Israeli fanaticism, which would only intensify the ideological war on campus. And in many disciplines we would lose that war; indeed in some quarters it is already lost. There are moral, professional, and tactical reasons to choose another way. The bottom line is this: a university has a responsibility to ensure that the curriculum as a whole, not individual courses, displays appropriate balance. Campuses need to have a conversation about the balance they seek.

REPRESENTATIVE ANTI-ZIONIST COURSES

Anti-Zionist courses that take a one-sided view of Israel's history and the Israeli-Palestinian conflict have become more common as several disciplines have produced more young PhDs committed to intellectual opposition to the Jewish state and pro-BDS activism. Since 2013 a series of small disciplinary organizations—among them the American Studies Association and the National Women's Studies Association—have endorsed either an academic boycott of Israeli universities or an even broader anti-Israel agenda, and those resolutions have empowered faculty to believe they have a right to teach one-sided courses in their departments. Meanwhile, some anti-Zionist rhetoric and beliefs, once academic outliers—from the character of Israel as an anti-democratic settler colonialist state to the belief that Zionism is racism—have become commonplace in some disciplines, making it easier to center courses on the same views. And the growth of anti-Zionist book lists at respected presses, as noted in several of the essays in *Israel Denial*, have helped award opposition to Israel greater academic credibility. These forces feed into, reinforce, and amplify one another.

When Joshua Schreier, a former head of Jewish Studies at Vassar College, offered his anti-Zionist “History 214: The Roots of the Palestine-Israel Conflict” in 2008 he felt it necessary to include a disclaimer at the front of the syllabus: “Students should keep in mind that this course is NOT designed to present ‘an’ objective’ account of a ‘two-sided’ conflict. The fact that there are supposedly two sides does not obligate us to portray each as equally right and/or equally wrong . . . Those who think one national/religious/racial group is better than the other may end up frustrated.” The last sentence is no better than an affront, but the first two sentences are notable because anti-Zionist faculty no longer feel they are a necessary part of a syllabus. Many just claim to offer a comprehensive, objective historical account of Israel and Palestine even when the syllabus and the course are unqualifiedly opposed to Israel's existence. I am not going to offer a full analysis of the syllabus because Schreier obviously had to choose from what was available and so it is more than a decade out-of-date, and Schreier, who continues to offer the course, has no doubt revised it many times. But I give him credit for including Arthur Hertzberg's anthology *The Zionist Idea*, which gives students access to Zionism's diverse history.²⁰⁹ It is much more common to see but one such reading, often by Theodor Herzl, which is there so Zionism can be condemned.

It will be more helpful to look in detail at a recent course from Middle Eastern Studies taught by a well-known scholar at a major university. The

course is Joseph Massad's fourteen-week spring 2016 Columbia University undergraduate course on "Palestinian and Israeli Politics and Societies," a copy of the syllabus for which was supplied by a Columbia student. Massad has documented his unqualified hostility in his publications for many years. In "Sartre, European intellectuals and Zionism," for example, he writes about "the foundational racism of Zionism and its concrete offspring, a racist Jewish state" and adds that "European Jews who left Europe as holocaust refugees arrived in Palestine as armed colonizers." In 2006, in "Pinochet in Palestine," he embraced Hamas as the true voice of the Palestinian people and described it as the one group equipped to "defend the rights of the Palestinians to resist the Israeli occupation," meanwhile condemning Fatah's "collaborationist policies." He castigated the Geneva accords, "which recognize Israel's right to be a racist Jewish state as legitimate." In his 2015 *Islam in Liberalism*, he writes that "Israeli colonialism and racism operate with the same force, albeit with different means, inside the Jewish state as they do in the territories" (337). By 2016 Massad had embraced anti-Zionism for twenty years, defining Zionism as "Jewish supremacism." "Jewish supremacy," he asserted in an interview, "is the basis of the Israeli state" (214), which governs by "Jewish supremacist rules" (Whitehead 215).

Should anyone be inclined to dismiss his brief non-scholarly pieces as irrelevant political opinion, I should emphasize that the central text is his 2006 book *The Persistence of the Palestinian Question: Essays on Zionism and the Palestinians*, which collects essays from 1993 to 2005. There he does more than compare Israel to Nazi Germany; he considers it Israel's inspiration and philosophical base: "The Nazi precedent acts, not as deterrent, but rather as a pedagogical model for the Israeli army" (176). The revival of Hebrew, for Massad, is in no way an extraordinary achievement but instead echoes "the European nationalist principles of *Blut und Boden*" ("blood and soil"), a key Nazi organizing slogan and one that Hitler used to rally his supporters (174), in its attachment to an ancient language linked to the land the settlers were appropriating: "*blut und boden* would guide Zionism's invention of Jews as a nation with its own land" (169).

But Massad's claim is far more elaborate than what Santa Barbara's William Robinson offered his students. Massad's version of Holocaust inversion positions Zionism as a "Jewish supremacist Weltanschauung" entailing a complete "complicity between Zionism and anti-Semitism" (150). You have to understand "Zionism's project as nothing short of turning the Jew into the anti-Semite" (150). To create the muscular settler as Zionism's ideal, Israeli adopted the European anti-Semite's contempt for everything stereotypically Jewish: "it is the anti-Semite, not the Jew, who

constitutes the self for Zionism, with the Jew being the other against whom the new self must be based” (177). Then the Arab can become the New Jew, and Zionism can be based in a “religio-racial epistemology of supremacy over the Palestinian Arabs” (143). “Note the complete congruence between anti-Semitic adjectives used against European Jews,” he writes, “and their adoption by Zionism to describe the Palestinians” (172). “Much of what anti-Semitism projected onto European Jews would now be displaced onto Palestinian Arabs” (175). Israel’s “persistence in oppressing the Palestinians is precisely its persistence in suppressing the Jew within” (178). But this unitary Israeli is a product of Massad’s imagination; its pop psychology elevates some elements of early Israeli investment in agriculture to defining principles for a largely urban country that has long forgotten them. The danger in promoting this reasoning to students cannot be exaggerated. As I will point out later, there is evidence that Massad does so.

The required books make the course’s perspective perfectly clear: Edward Said, *The Question of Palestine*; Rashid Khalidi, *Palestinian Identity*; Joseph Massad, *The Persistence of the Palestinian Question*; Theodor Herzl, *The Jewish State*; Theodor Herzl, *Altneuland*; Shlomo Sand, *The Invention of the Jewish People*; Ghassan Kanafani, *Men in the Sun*; Kanafani, *Returning to Haifa*; Sara Roy, *The Gaza Strip: The Political Economy of De-Development*; Neve Gordon, *Israel’s Occupation*; Jeroen Gunning, *Hamas in Politics*; Israel Shahak and Norton Mezvinsky, *Jewish Fundamentalism in Israel* (2004 edition); Ali Abunimah, *The Battle for Justice in Palestine*.

Just to take one example, there are many elements of Herzl’s 1902 utopian novel *Altneuland* one might point out. When its protagonist visits the projected Jewish state in Palestine after spending twenty years in the Pacific, he finds that Arabs share equal rights with Jews, that several languages are spoken (German Hebrew, and Yiddish), that the European class system has been abandoned, and that something resembling a modern welfare system has been created. Massad instead in *The Persistence of the Palestinian Question* repeatedly presents the Jewish mission in the novel only as a colonialist one of bringing civilization to primitive Arabs, a mission for which the Arabs are appreciative (131). Are we to suppose Massad’s reading would not have classroom priority?

Herzl is thus there not to represent the varieties of historical Zionism but to serve as a foil for the course goal of demonstrating how Zionism has gone wrong. The other Jewish writers here either endorse BDS (Neve Gordon) or are fiercely hostile to Israel (Shlomo Sand, Israel Shahak). The result is a coherent course embodying overall only one point of view—a negative one that excludes any positive commentary on Israel or any recognition of Israel’s achievements. Massad’s course is designed to show that

everything originating in historical and contemporary Zionism is fundamentally deplorable and destructive. Thus the course in no way fulfills Massad's description, which claims comprehensiveness:

This course covers the history of Zionism in the wake of the Haskala in mid-nineteenth century Europe and its development at the turn of the century through the current "peace process" and its ramifications between the state of Israel and the Palestinian national movement. The course examines the impact of Zionism on European Jews and on Asian and African Jews on the one hand, and on Palestinian Arabs on the other—in Israel, in the Occupied Territories, and in the Diaspora ...The purpose of the course is to provide a thorough yet critical historical overview of the Zionist-Palestinian encounter to familiarize undergraduates with the background to the current situation.

Massad's course is about convincing students that his political opinions are correct and should be adopted. Since some of the readings entertain conspiracy theories about Israel or about Jewish history and culture, some students would find them to be anti-Semitic; whether that can be claimed of the course as a whole is impossible to say. The essays and book chapters that Massad adds to various weeks' readings do a good deal to flesh out Palestinian self-representation and the racial and ethnic tensions in Israeli society, but they can hardly be considered a fair representation of the varieties of Israeli culture or Jewish Israeli self-understanding. He assigns Ella Shohat's "Sephardim in Israel: Zionism from the Standpoint of Its Jewish Victims," but this represents the view of a tiny minority. Massad's "Zionism's Internal Others: Israel and the Oriental Jews" and a chapter from Sami Chetrit's *Intra-Jewish Conflict in Israel: White Jews, Black Jews* only reinforce the course's mission to prove that Zionism's whole legacy is corrupted by colonialism and racism.²¹⁰ One would not guess from Massad's choices, to cite a few examples, that there are Mizrahim and Druze who support the state, or that there is a large and distinctive Russian population.

The weekly topics for the course are as follows:

- 1) **The Haskala and Early Zionism.** The week is split between Regina Sharif's *Non-Jewish Zionism* and Michael Selzer's polemical anti-Zionist *The Aryanization of the Jewish State*.
- 2) **Zionist Foundations,** for which the week's reading include both Herzl and Shlomo Sand.
- 3) **Zionism and European Jews,** with Herzl's novel *Altneuland* and Shlomo Sand figuring again. A nineteenth-century utopian novel can easily seem misguided to today's students.

- 4) **Zionism and Nazism—Zionism and Asian and African Jews**, which opens with Walter Laqueur and Hanna Arendt, but moves on to Lenni Brenner’s *Zionism in the Age of the Dictators*, which purports to detail Jewish collaboration with Hitler. Brenner notably is a source for discredited former London mayor Ken Livingston’s anti-Semitic remarks, remarks which led to his suspension from the Labor Party.²¹¹
- 5) **Zionism and Asian and African Jews, and the Palestinians**. Readings by Khalidi, Massad, and Edward Said offer a range of anti-Zionist and anti-Israel views.
- 6) **Zionism and the Palestinians I**. Readings are limited to works by Khalidi and Massad.
- 7) **Zionism and the Palestinians II** (in Israel and the Diaspora). Readings include Schechla’s “The Invisible People Come to Light: Israel’s ‘Internally Displaced’ and ‘Unrecognized Villages’” and Massad’s “Producing the Palestinian as Other: Jordan and the Palestinians.”
- 8) **Palestinians in the Diaspora**. Selections from Said’s *The Question of Palestine* are supplemented by a Yasser Arafat speech and a Massad essay.
- 9) **Palestine and the Palestinians**. The week is devoted to Ghassan Kanafani and Neve Gordon. Kanafani’s novella *Men in the Sun* has been described elsewhere as “an allegory of Palestinian calamity in the wake of the Nakba in its description of the defeatist despair, passivity, and political corruption investing the lives of Palestinians in refugee camps.”
- 10) **Palestinians in Gaza**. Readings are limited to works by Sara Roy.
- 11) **Religion in Israel**. Gunning’s *Hamas in Politics* (2007) was completed before the civil war in Gaza between Hamas and Fatah commenced. Although he occasionally recognizes Hamas’s violence, Gunning tends to credit it as a resistance, rather than a terrorist, organization.
- 12) **Women in Israel and Palestine**. The twelve essays assigned for this week include five essays about Palestinian women activists.
- 13) **The Peace Process**. There are numerous books about the peace process, but none of them are assigned here. Instead there are readings by Massad, Neve Gordon, Sara Roy, and Jeroen Gunning.

- 14) **The End of the “Peace Process”** concludes the course with BDS advocate and *The Electronic Intifada* founder Ali Abunimah, who believes the Jewish state must be ended.

This is not to suggest that all these reading assignments are inappropriate. Many faculty members, including myself, would want students in a course on the Israeli–Palestinian conflict to read Rashid Khalidi and Edward Said. I quote Khalidi in my *Dreams Deferred*, and I quote Palestinians in an effort to honor their Nakba narratives, though I would not assign Brenner, Sand, Selzer, or Shahak, among others—unless of course I wanted to provide some examples that are widely regarded as irresponsible and unreliable, though I would not devote so much time to such work. They are here because they share Massad’s relentless anti-Zionism. The fundamental problem is that Massad uses a course claiming comprehensiveness as part of a biased anti-Israel political campaign. The coercive social, political, and intellectual force of the assigned readings and lectures, moreover, would make it extremely difficult for a student to voice an alternative perspective and equally difficult to gain a hearing for one; there are, after all, no assigned readings on which to ground a different historical narrative.

Massad is perfectly within his rights to teach the course this way—as a pro-Palestinian and anti-Israel polemic—and a department faculty could decide that all its courses should reflect similar viewpoints, but a university needs other points of view if it is to mount a responsible curriculum.²¹² Alternative points of view would then need to be represented in other departments eager to get the funding to do so. A department dominated by courses like Massad’s has effectively chosen to be a political, rather than an academic, enterprise. Massad’s academic freedom to teach the course the way he wants does not, however, protect him from other faculty members faulting the course. Just as publications are open to criticism and debate, so too are courses and their syllabi.²¹³

Syllabi are already on occasion part of departmental conversations. They are evaluated during job searches and contract renewal and promotion and tenure decisions. Faculty members routinely make suggestions to one another about potential reading assignments. Writing about her own course on the Arab–Israeli conflict, Donna Divine observes that her “task as instructor is to help students develop their analytical and critical abilities as well as make available to them the body of knowledge necessary for making their own informed judgments” about the subject. One may reasonably ask whether Massad’s course fulfills such aims. If not, does it meet other useful pedagogical goals? Challenges about such matters are appropriate components of professional life.

Massad's course resembles what many individually taught courses focused on key issues offer. In the next section we will see what amount to condensed student-taught versions in the same mold. Before that, however, it is worth thinking about a quite different effort, "History 182G: Making Palestine Visible," jointly taught by long-time BDS campaigner David Palumbo-Liu and Joel Beinin, both vocal opponents of Israel, at Stanford University in Fall 2017. As David Patterson points out, Beinin once declared "the state of Israel has already lost any moral justification for its existence" (241). The course description sets out its aims: "Israel-Palestine is one of the most difficult subjects to discuss in the United States, in large part because in this country we do not have much exposure to Palestinian history, culture, and politics in their own terms. This course aims to humanize Palestinians and asks why Palestinian claims to rights are illegible for much of the American public. We begin to answer this question by examining a broad sampling of history, structures of power and law, culture, and contemporary political issues."

One could easily enough construct a syllabus devoted to Palestinian voices to provide history and culture "in their own terms," but the Palumbo-Liu course immediately violates that frame. As its background history it uses the 3rd (2014) edition of UCLA historian James Gelvin's *The Israeli-Palestine Conflict: One Hundred Years of War*, a book grounded in the conviction that Israel alone is responsible for the failure of the peace process and that Palestinians have mounted a popular resistance since at least 1929. The conflict, for Gelvin, is one between "the Jews and indigenous inhabitants in Palestine." Mordechai Nisan's review of the first edition called it "a tract impaired by numerous errors of fact" (188). Martin Sherman counted it "appallingly shallow, shoddy, and slanted." It is a fairly standard resource in anti-Zionist courses. Among alternative histories, Mark Tessler's *A History of the Israeli-Palestinian Conflict* is not gentle in its treatment of Israel, but it is a scrupulously researched and objective account.

The other required books in the Palumbo-Liu/Beinin course help define its real objectives. Ariella Azoulay and Adi Ophir's *The One-State Condition: Occupation and Democracy in Israel/Palestine* offers a polemical argument centered on the claim that Israeli citizenship is structured around denying Palestinians both citizenship and civil rights. Israel as a consequence is not a democracy. This position underwrites a critique both of Israel's entire history and of Zionism itself; in the end they cast doubt on the need for a Jewish state. The unconventional choice of a collection of Naji al-Ali cartoons, *A Child in Palestine*, intersects with the Azoulay/Ophir polemic in interesting ways. Perhaps the most famous Palestinian cartoonist, al-Ali satirizes and critiques not only Israel and the Arab regimes

but also the Palestinian leadership. He opposed any solution that did not grant Palestinians control over all the land from the Jordan river to the Mediterranean sea. The two books reinforce one another with a distinctive conjunction of polemical text and polemical image.

Sara Schulman's *Conflict is Not Abuse* and Randa Jarrar's *Him, Me, Muhammad Ali* contribute to the course's unannounced and rather oblique intersectional agenda. Schulman is also a guest lecturer in the course. Her book is wide-ranging and only partly devoted to the Israeli-Palestinian conflict, but its final case study focuses on what she characterizes as the 2014 Israeli massacre in Gaza. Israel, she argues, exploits the Holocaust to justify the mass murder of Palestinians. Jarrar, who was born in Chicago and grew up in Kuwait and Egypt, has a Palestinian father and a Greek-Egyptian mother. She is an Arab-American novelist, short story writer, and Fresno State professor who achieved some fame in 2018 by celebrating the death of first lady Barbara Bush in notably unflattering terms, describing her as "a generous and smart and amazing racist who, along with her husband, raised a war criminal. Fuck outta here with your nice words" and later tweeted "I'm happy the witch is dead." These remarks, which were posted after the Stanford class was over, were all protected by academic freedom, as were her many hostile tweets about Israel. She writes fiction and teaches creative writing, so her anti-Israel tweets had no relevance to her areas of expertise. The stories in *Him, Me, Muhammad Ali* focus especially on Muslims, including women, in a variety of settings. "The Story of My Building" is about a family in the Gaza Strip. "A Frame for the Sky" features a Palestinian who settles in New York after being denied reentry into Jordan. In 2012 Jarrar wrote an essay, "Imagining Myself in Palestine," about being denied entry into Israel.²¹⁴

Despite the claims in the course description, the readings do not all by any means directly embody Palestinian perspectives. Some do, such as the two short story collections by Palestinian author and activist Ghassan Kanafani, but others do not. The authors are Americans, Israelis, and Palestinians. They certainly echo or parallel some Palestinian perspectives, but not others. Most of Israel's Arab/Palestinian citizens have no wish to live in a Palestinian-dominated state. They have noticed what life is like in the region, and they do not wish to embrace it. The diversity of readings here has more to do with reaching out to US students by giving them a variety of anti-Zionist authors with whom they can identify. Overall, with its use of multiple genres, including several films, it is an exceptionally diverse effort to build political convictions supportive of BDS activism among the students enrolled.

INTIMIDATING OR RIDICULING STUDENTS

As I have emphasized several times, an AAUP principle incorporated into many faculty handbooks and campus policies throughout the US stipulates that, while faculty have the right to express controversial views in class and to advocate for them, they have a concomitant responsibility to “create a civil and tolerant teaching environment in which opposing views can be expressed.” I am quoting in this case from an official Columbia University “Ad Hoc Grievance Committee Report” issued March 28, 2005 (Katznelson et al). The ad hoc committee was charged by then Vice President Nicholas Dirks and announced by President Lee Bollinger that January. The charge was to investigate claims “of inappropriate faculty behavior in their role as teachers” with the aim of establishing principles and guidelines to be followed by a permanent committee to be established to conduct such pedagogical inquiries.

The ad hoc committee decided to concentrate on three incidents from the 2001–2002 academic year, the first two of which concern Joseph Massad. An incident from his Spring 2002 class on “Palestinian and Israeli Politics and Societies” was the first one investigated. The second incident took place at a public lecture Massad presented at a location adjacent to the Columbia campus. My concern here is not to interrogate Massad’s teaching practices. Both incidents took place over fifteen years ago, and, while both received corroboration from some students, other students could not remember them. Massad, moreover, in the first case “denied emphatically that this incident took place” and in the second claimed “no recollection of the event.” The committee, however, in the first example found “it credible that Professor Massad became angered at a question that he understood to countenance Israeli conduct of which he disapproved, and that he responded heatedly.” In the second case the Committee found “it credible that an exchange of this nature did occur.” The principle the committee followed was that “instances in which a student is ridiculed, threatened or silenced for holding certain views contrary or inimical to those of the instructor constitute serious breaches of academic norms.”

There is, I believe, good reason to review these Massad cases here—because they illuminate what it can mean to ridicule or silence a student; that is true whether or not we believe the incidents took place. Moreover, in thinking through the implications we face a different political context than the committee did in 2005. Over the years encompassed by the incidents themselves and the committee deliberations there was not only the Second Intifada but also the well-publicized public interventions into

pedagogical practices. That was followed a few years later by ill-advised public interventions in tenure cases. Any inclination to hold faculty harmless for bad classroom behavior during the Second Intifada, however, can now be countered by the recognition that there is basically no period free of potentially compromising events on the ground in Palestine, so we either hold to professional norms comprehensively or decide they cannot apply. Steven Salaita's 2014 tweets provide an obvious point of comparison.

The most responsible way of describing the Massad incidents is to quote the two summaries from the report, beginning with oral and written testimony by Deena Shanker concerning his 2002 class:

Professor Massad was discussing Israeli incursions into the West Bank and Gaza, but I do not remember exactly what he was saying. I raised my hand and asked if it was true that Israel sometimes gives warning before bombing certain areas and buildings so that people could get out and no one would get hurt. At this, Professor Massad blew up, yelling, "If you're going to deny the atrocities being committed against Palestinians, then you can get out of my classroom!"

I don't remember exactly how I responded except saying, I'm not denying anything. I wasn't. But I was so shocked by his reaction that I don't think I said much more than that.

The other summary comes from Tomy Schoenfeld, a Columbia student who attended the public lecture:

I raised my hand to ask a question, and presented myself as an Israeli student. Professor Massad, in his response, asked me whether I served in the Israeli Military, to which I replied I had been a soldier. Then, to my surprise, Professor Massad asked me, "Well, if you served in the military, then why don't you tell us how many Palestinians have you killed?" I replied by saying that I did not see the relevance of that question to the discussion. Professor Massad, however, insisted, and asked again, "How many Palestinians have you killed?" I did not answer his question, and remained silent. A few minutes later, as my frustration grew, I decided to show Professor Massad how absurd was his response since it was stereotypical in nature. I raised my hand and asked Professor Massad how many members of his family celebrated on September 11th. By asking this question, I wanted to prove that stereotypes are misleading and do not contribute to an academic discussion. Professor Massad was very naturally very upset from my question, and the organizer of the event, at that point, decided to step in and stop the discussion. That is all my recollection from that evening.

In my view both incidents violate the standards the AAUP and Columbia itself argue should govern faculty conduct, though the first is more serious because it occurred in class. Part of what is instructive, however, is that the events describe partly idiosyncratic faculty behavior. That is typically true across a wide range of standards for faculty behavior. Nonetheless, both accounts give us some sense of how intimidation and ridicule might actually operate in teaching. Those standards may otherwise seem too vague.

The committee's charge, however, takes a stand on the limits of its investigation that may no longer be fully applicable: "its mandate will not include investigating anyone's political or scholarly beliefs or any departments or curricula." Thus the committee was not to inquire into "the relationship between the views of any instructor and his or her pedagogy." The aim was to protect academic freedom regarding faculty expression of political opinion. The problem is that, in the generation since 2001, teaching the Israeli-Palestinian conflict has become so definitively politicized that disciplinary and sub-disciplinary truths too often trump the faculty's "correlative obligation of responsible self-discipline." If you believe in the absolute moral and professional superiority of anti-Zionism, you may not believe civility toward Zionist student opinion is either necessary or appropriate. Do practitioners of ethnic cleansing, let alone genocide, deserve our respect as persons? Should those who merely endorse such practices be treated with care?

We are in a different academic world now, one in which we have to consider the impact consensual political opinion has on pedagogical practice. While the behaviors at stake need to be adjudicated apolitically and any resulting sanctions applied universally, the conditions that encourage faculty to set aside professional norms need to be studied, debated, and made part of the context of professional evaluation.

WEAPONIZING UNDERGRADUATES AS TEACHERS

In 2015 and 2016, widespread protest and debate erupted over student-taught one-credit courses offered at two University of California Campuses, Riverside and Berkeley. The courses were supervised, if that is the word, by prominent, nationally influential faculty BDS advocates, David Lloyd at Riverside and Hatem Bazian at Berkeley. In terms of any goal of assuring that the courses gave any reasonably balanced accounts of the Israeli-Palestinian conflict, the roles of Lloyd and Bazian each amount to a case of the fox guarding the henhouse. I wouldn't expect either of

them to offer anything like a fair historical overview were they teaching such a course, and it is clear they did not require anything of the kind from the undergraduate teachers they supervised. As Nazaryan writes,

Berkeley has a long tradition of students teaching classes. In 1965, in response to growing student unrest on campus, the Berkeley philosophy professor Joseph Tussman started a program that allowed both students and faculty to “engage in intensive reading and discussion of texts in an ungraded environment.” The experiment came to be known as DeCal, for Democratic Education at Cal. Any student can teach a class on any topic, provided the student has a faculty sponsor and approval from the Academic Senate. DeCal classes typically have about two dozen students and are quite popular, to judge by the current offerings. There are 195 such courses offered at Berkeley this semester, and they reflect the diversity of curiosities among the school’s 27,000 undergraduates: Intro to Baking, Intro to Surgery, Berkeley Poetry Review.

The relationship between the student teacher and the faculty supervisor varies. A student can package a long-term personal interest as a course, be inspired by a course he or she has taken to create a DeCal version, or develop a course that combines both impulses.

Paul Hadweh, who taught the Berkeley course, is an interesting case because he did not require Bazian’s influence to develop his anti-Israel perspective. He grew up in California’s Central Valley until his family moved to Beit Jala on the West Bank in 2003 when he was ten. He returned to the US at age 18 to attend college after completing high school. The Hadweh family is Christian and the father is a physician. He studied with Bazian, a cofounder of the radically anti-Zionist Students for Justice in Palestine, who helped him design the DeCal offering. Hadweh’s West Bank experience did not prepare him to design a syllabus or identify readings that might be included in it. When news about the course provoked a national debate, Berkeley political scientist Ron Hassner remarked “The class is despicable because it is bigoted.” It was advertised with a poster dominated by a famous 4-map design showing the gradually—and virtually complete—takeover of Palestine by Israel. The course, “Palestine: A Settler-Colonial Inquiry,” had been promoted on the local Facebook page of Students for Justice in Palestine and gained wide attention both on and off the campus, including assertions that the course promulgated the idea that Israel is an illegitimate state denying Palestinians their basic right to political self-determination.

In response to widespread protest, the Berkeley administration briefly suspended Hadweh’s course when it was already a week in session. Despite

the assurances offered by Carla Hesse, Executive Dean of the College of Letters and Sciences and Dean of the social sciences division, the review of the syllabus conducted by the university's Ethnic Studies department was perfunctory, producing only cosmetic changes. The readings assigned in the syllabus certainly do not present a representative range of views about the Israeli-Palestinian conflict. After a passage was added to the syllabus assuring that a wide variety of views would be entertained, and some additions were made to the opening statement about the purpose of the course, it was reinstated with the reading assignments unchanged.

A letter Hesse issued said she had asked all participating parties—namely Hadweh, Bazian, and the Ethnic Studies chair—whether the course “had a particular political agenda structured into its framing and weekly assignments in such a way as to limit open inquiry of the issue,” thus violating UC rules against political indoctrination and partisanship” and whether it crossed “over the line from teaching to political advocacy” (Watanabe). These are exactly the questions that should have been asked, but posing them to the three parties Hesse identified simply reinforced the model of asking the foxes to guard the henhouse.

Those defending the course argued that its brief suspension for review, not cancellation, constituted a serious violation of academic freedom. But students, it needs to be clear, have no academic freedom to teach as they choose. Their more limited academic freedom applies to such matters as their right to express their opinions freely in classes they are taking. A student-taught course can be reviewed by any relevant faculty bodies or authorities. The only academic freedom at stake was Bazian's and the Ethnic Studies Program's, but they could not be counted on to provide an independent and objective review. Bazian presents a guest lecture on anti-colonial resistance midway through the course. The application of their academic freedom to a review of a student-taught course was fundamentally flawed.

Berkeley still needs to explore whether the oversight process it uses for DeCal courses is adequate and unfolded properly in this case, even though the public rhetoric on both sides was overblown, given that this was not a permanent addition to Berkeley's course catalog. Yet issues remain that merit discussion, and they are relevant to all courses, not just those in the DeCal program.

The first is whether a course that is politically one-sided or even one that shades from pedagogy into advocacy and activism enjoys the unqualified protections of academic freedom. In keeping with ample precedents, academic freedom clearly gives faculty members the right to advocate for their political views in the classroom and even to design a one-sided

syllabus, however much we may disagree with the views expressed. Faculty are not required to produce a politically “balanced” syllabus. To have permanently canceled the course would have been to undermine academic freedom. At the same time, courses can be professionally criticized for their intellectual and political limitations. One should hold the same view if the course in question had the opposite political slant; one cannot fully understand the Israeli case without understanding the Palestinian case, and vice versa.

And, as a matter of pedagogical responsibility, no instructor (including a student instructor, as in this case) should disallow contrary points of view in the classroom. In any course, students have the right to present alternative and opposing points of view. They must not be humiliated, embarrassed, condescended to, or penalized in grading for doing so. Instead students should be encouraged to agree and disagree when they choose to do so. The instructor of any highly politicized course has a special burden to welcome—perhaps even to encourage—opposing opinion, since not all students are ready to differ with instructor views that are passionately held and expressed. The Columbia review of Massad’s teaching suggests that he does indeed welcome opposing views, but then unfortunately castigates students for holding them. It can be difficult or impossible for students to argue for a different position, however, whenever all the readings assigned for the course point in a different direction. They will have no readings in common on which to draw to represent opposing points of view or scholarly traditions.

In addition, the Berkeley case raises the question of the merits and pitfalls of student-taught courses. Because undergraduates attend colleges and universities above all to learn, any role they might take on as instructors is an occasion for their own development as students. Accordingly, student-led courses like those in the DeCal program require especially close review at both the departmental and campus level. Perfunctory faculty approval does not meet that oversight responsibility. Student teachers also must be explicitly educated about the values and responsibilities enumerated above, about what is gained and lost by a one-sided syllabus, and about why the classroom ought to be a place for something more than the propagation of the instructor’s own politics.

The fact that a one-credit student-taught course sparked a national debate about politically biased teaching suggests that on the matter of Israel and Palestine, as well as on other highly contentious issues, there are real hazards in letting students, as opposed to professionally credentialed and qualified experts, formally educate their fellow undergraduates. Faculty

members at each institution must decide for themselves whether to offer such opportunities.

Without observing the class or the instructor, one cannot definitively judge whether the course was anti-Semitic, but the readings were strongly biased.

According to the syllabus, “Palestine: A Settler-Colonial Inquiry” aims to explore a Palestine “in which justice is realized for all its peoples and equality is not only espoused, but practiced,” though it admits an “emphasis on scholarship in settler colonial studies.” To do justice to that goal, the syllabus might have benefited from treating the historical varieties of Zionism, the views of those advocates of a two-state solution who think both that the occupation must end and that Israel has a right to be a Jewish state within its pre-1967 boundaries, and proposals that enable both peoples to achieve their national political ambitions.

Instead, the first readings are Patrick Wolfe’s essay “Settler Colonialism and the Elimination of the Native” and Lorenzo Veracini’s introductory essay “The Settler Colonial Situation” from his book *Settler Colonialism: A Theoretical Overview*, followed by chapter 7 from Wolfe’s *Traces of History*, the introduction and opening chapter of Nur Masalha’s *Expulsion of the Palestinians: The Concept of “Transfer” in Zionist Political Thought, 1882-1948*, chapters 4-8 of Ilan Pappé’s *The Ethnic Cleansing of Palestine*, Fayez Saygeh’s 1965 pamphlet *Zionist Colonialism in Palestine*, Edward Said’s “The Morning After,” and Leila Farsakh’s “The Political Economy of Israeli Occupation: What is Colonial about It?” David Rose’s “The Gaza Bombshell,” and the fifth chapter of Adam Hanieh’s *Lineages of Revolt*.²¹⁵ The last weeks of the class include unspecified chapters from Eyal Weizman’s *Hollow Land: Israel’s Architecture of Occupation*, Saree Makdisi’s *Palestine Inside Out*, and Breaking the Silence’s *This is How We Fought in Gaza*. Everything here is written in opposition to the Jewish state, its fundamental character, policies, and practices. There are many essays and book chapters that could provide for exposure to alternative views and a basis of classroom discussion of them. As with Massad’s syllabus, no such opportunities are provided.

The pattern repeats itself with Tina Matar’s “Palestine & Israel—Colonialism and Apartheid,” retitled “Palestinian Voices.”²¹⁶ The syllabus identifies David Lloyd as the faculty advisor for Students for Justice in Palestine, whose chapter Matar headed, and reports that

He [Lloyd] has been working very closely with us for the last two years and has been in constant communication with not only me, but the other students as well. We have had a number of face-to-face meetings throughout the year about forming a class like this, but the number of meetings will again increase now that we have more concrete details

and ideas in place. During the quarter that I will be teaching, we will meet at least once a week to discuss the topics and course work.

All this is to assure the authorities at Riverside that everyone involved is being serious about the requirement for supervision, but given Lloyd's extremely polemical and sometimes invective-laced role in the BDS movement, it also suggests political and ideological influence and control. Like Lloyd, Matar has been a devoted BDS activist, promoting a divestment resolution on campus and a campaign to remove Sabra humus from the school cafeteria.

Once again, the readings are persistently anti-Zionist, repeating the BDS claim that Israel is a settler colonialist state. The course leads off with the introduction and opening chapter of Said's *The Question of Palestine* and followed by Uri Ram's "The Colonization Perspective in Israeli Sociology," pages 182-217 from Rashid Khalidi's *The Iron Cage*, the introduction and first chapter to Helena Lindholm Schulz's *The Palestinian Diaspora*, the first essay in David Grossman's *Writing in the Dark*, and selections from Nora Barrows-Friedman's *In our Power: U.S. Students Organize for Justice in Palestine*. Other readings include Saree Makdisi's *Palestine Inside Out* and Neve Gordon's *Israel's Occupation*, along with Sunaina Maira's "Jil Oslo: Palestinian Hip Hop, Youth Culture and the Youth Movement," and the introduction to Steven Salaita's *Israel's Dead Soul*. The inclusion of works by some of the writers given detailed coverage in *Israel Denial* is no accident. These are central figures in the anti-Zionist echo chamber. Maira's book *Boycott!*, which I discuss in my afterword, was published too recently for the syllabi I have reviewed, but it is certain to be in such courses in the future. The course concludes with pages 161-201 of Benny Morris's *One State, Two States*, presumably included to document hostility toward Palestinians among Israeli intellectuals. Khalidi's informative historical chapters are unfortunately not assigned.

In response to complaints about Matar's course, Riverside's Chancellor Kim Wilcox responded in much the same way Berkeley's Hesse had, by defending the process rather than taking on the specifics of the course: "The syllabus for the course was reviewed by a faculty committee which determined that the course meets University of California standards." In June 2015 Riverside's Chief Compliance Officer and Associate Vice Chancellor Bill Kidder distributed a substantial procedural review initiated by the office of the UC president. The conclusion was the same: "At the end of the day the existence of objections and concerns about 'Palestinian Voices' (some of which are eloquently articulated) constitutes an insufficient basis to second-guess academic judgment." As with Salaita's appointment

controversy at Illinois, faculty and administrators will often defend the process, rather than the substance, even if the substance is compromised and the process is inadequate. That is not to say there should be no process, rather it is to say that when politics has corrupted the substance and the process it is time to build more reliable review mechanisms into content analysis.

Heavily influenced and guided by Israel's professorial opponents at major universities, these courses are the products of faculty inspiration and indoctrination. Matar proudly announces the class will give students the "side of the conflict they never hear," a standard SJP claim that is especially absurd at a California campus that is part of the university system most permeated by continuing anti-Zionism. One can easily imagine a faculty member, other than Bazian, who could have helped Hadweh see the value of projects that brought Israelis and Palestinians together to understand one another and prepared them to work toward two states for two peoples. A number of syllabi embodying those principles many be found on the "isrealandtheacademy" website. And one can easily imagine a faculty member, other than Lloyd, who could have helped Matar mature into something more nuanced than a JVP avatar. Conversely, there is ample reason to condemn these courses as examples of the faculty weaponization of undergraduates to spread anti-Israel propaganda. But they also share the academy with pedagogy that even more decisively crosses the line into anti-Semitism.

CONSPIRACY PEDAGOGY

We are at least to some degree accustomed to helping people improve their teaching. We can also channel people into the kinds of teaching they do best. But we have no adequate model of how to address political fanaticism in the classroom, let alone ideological fanaticism endorsed by a community of faculty believers. Higher education's goal has always been good teaching across the institution. But the increasing politicization of pedagogy surrounding the Israeli-Palestinian conflict has left us with but one increasingly inadequate option: borrowing the compensatory and corrective model from scholarship—to counter bad teaching with good teaching.

That can only take place in an overall campus environment in which there are classes that combine forthright condemnation of the demonization of Israel with firm criticism of Israeli government policy when it is merited. The same requirement applies to demonization of the Palestinian

narrative, but there is no significant evidence of that taking place in class. Again, faculty can voice their political opinions in class, but they must welcome open debate from their students. If they repress, ridicule, or disparage opposing student opinion, they should risk exposure and sanction. Persistently using a class on an entirely unrelated topic as a vehicle for promoting either pro-Israeli or anti-Israeli views, however, violates AAUP standards and is unacceptable.

Many faculty members with strong views on the subject teach in fields with no connection to the conflict, and it is fair to assume most of those faculty members never deal with it in class. Many faculty members keep their politics separate from their teaching and are quite capable of signing a pro-BDS or pro-Israel petition without bringing their views to class or trying to persuade students to adopt them. Signing a BDS petition may be a warning sign, but it is not proof of classroom bias. A faculty bias against sharing their political views also still carries a good deal of weight in the academy, but anti-Israel passion is seriously eroding that tradition in some fields. If you believe Israel is the root of all evil in the world, as some on the hard Left do, then that conviction can trump all the restraints on propagandizing that have long sustained the profession. And that can lead to vitriol that cannot readily be distinguished from actual anti-Semitism. Vitriolic anti-Israel teaching can easily include contemporary versions of blood libel and elevation of Israel to a singularly malign force throughout the world.

If signing a pro-BDS petition is a warning to be alert for classroom bias, it only applies materially to those teaching about Israel or the Middle East. In that case there are several factors to be considered:

- 1) Support for the BDS movement embodied in petitions signed.
- 2) BDS advocacy expressed in strongly worded social media activity—blog, Facebook posts, or tweets.
- 3) Publishing independent anti-Israel op-eds or public letters.
- 4) Publishing fiercely anti-Zionist academic books or essays.
- 5) Course syllabi that are clearly biased and one-sided.

Students sympathetic to Israel who contemplate taking courses from faculty who are active in several of these ways should talk with others before assuming the courses will be fair. It isn't easy to obtain reliable perspectives because student opinions about their teachers are often widely varied and can simply mirror the student's own political views, but multiple conversations can help produce a consensus that informs decision-making. Unfortunately, as debates unfold, the evidence suggests the tide has begun to turn on the system of values and restraints that have long shaped the ethics of teaching. The prevalence of vicious anti-Israel

classroom proselytizing is increasing. At the annual anthropology meeting in 2014 cited earlier, attendees encountered anti-Zionist graduate students who seemed to be basically brainwashed, and it is rather worrying that they are the next generation of teachers. But some of those teachers, as my other chapters suggest, are already on the job.

In February 2016 Jasbir Puar, a tenured Rutgers University faculty member in Women's Studies, presented a talk at Vassar College devoted to an anti-Semitic claim that Israel has a formal policy of maiming and stunting the Palestinians in the West Bank and Gaza.²¹⁷ She added to it a claim that Israel regularly harvests the organs of dead Palestinians. Her accusations are treated in detail earlier in this book; I mention them again here because they represent the kinds of conspiratorial thinking that can influence faculty who are teaching about contemporary Israel.

There are faculty proponents of conspiracy theories that obsessively find clues everywhere; the project is to interpret myriad facts through a paranoid lens that turns them into proof. And there are projects, like Puar's, that find evidence, let alone proof as ordinarily understood, irrelevant. Neither proof nor evidence was at stake in the blood libel, still alive in Arab countries, that Jews added Christian blood to matzah dough. The existence of the matzah itself, combined with a thousand years of anti-Semitic rumor, were all that was needed for people to imagine any ingredient and add it rhetorically to matzo's preparation. And so with women's studies Professor Puar. Some Palestinians are maimed in confrontations with the Israel Defense Forces, so by extension Puar holds that Israel wants to stunt and maim all of them, keeping them alive as conveniently disabled enemies. According to Puar, Israelis can then bewail their own victimhood without being in any actual danger from the Palestinians. From this perspective there is no need to find documents supporting such a policy. All you have to do is play out the logic behind the slander. The sequential reasoning constitutes scholarship. One can respond by marshaling counterevidence; as I point out, her claims about extensive stunting in Gaza are contradicted by medical evidence from UNICEF, the World Health Organization, and the Palestinian Authority. The statistical facts refute her work. Nonetheless, her accusations will spread and be welcomed by those already conditioned to find them appealing. For others, the evidence should discredit her professionally.

For many, Jasbir Puar represents the lunatic fringe of the BDS movement, but many in the audiences at Vassar and elsewhere applauded her. Others around the country have disputed accusations about the anti-Semitic character of her work, as though criticism of Puar's claims amounts to an attack on academic freedom. In fact, faculty have a responsibility

to condemn slander packaged as academic reasoning. We have a responsibility to counter the impact such work has on impressionable students. Otherwise her views and those of others will become more widely adopted and normalized within some academic communities. Unfortunately, the lunatic fringe is already welcome throughout the BDS movement. It is increasingly at the heart of the matter. Some will endorse her theories out of political solidarity.

One may try a thought experiment. Do we suppose that in teaching about Gaza and the West Bank Puar would feel inclined, let alone professionally compelled, to reframe what she presented in lectures as factually true and instead treat it as hypothetical or open to debate? Would she pause before the anti-Semitic aura of her accusations against Israelis? There is certainly no hint in her lecture or in her publications that she feels the charges of stunting and maiming are open to debate. Quite the contrary.

If these claims represent the lunatic fringe of BDS thinking, what should we make of the extremist elements of BDS cited earlier that are shared by many of its loyal soldiers, including the conviction that Israel's aims are genocidal? Add to those the claim that Zionism equals racism. It was not long ago when that motto was considered an outlier in the humanities as a whole, despite its adoption by parts of the Left. Evidence that students have been affected by campus assertions like that is now common.

But there are even more fanatic extremes. Former Oberlin College Professor Joy Karega's online syllabus for her Fall 2015 Rhetoric course on "Writing for Social Justice" included a section on the Israeli-Palestinian conflict.²¹⁸ The rationale for the course, interestingly, contained its own trigger warning:

You may not always feel comfortable in this classroom. Social justice work is not generally geared towards making people feel comfortable. Social justice work attempts to enact social change, and that can be quite threatening and uncomfortable on many fronts. Also, polemical and agitation rhetorics are strategies that some social justice writers employ. As such, I will not discourage their usage in your own writing. We will also examine in this course several iterations of these kinds of rhetorics at work in the writings of social justice activists.

The readings included Rania Khalek's "How Today's Liberal Zionists Echo Apartheid South Africa's Defenders" and Bruce Dixon's "Cowardly, Hypocritical, Subservient Congressional Black Caucus Endorses Israeli Apartheid and Current War Crimes in Gaza," along with a long combined reading on intersectionality. There were no readings sympathetic to Israel listed, but then this was a training course in writing for social justice, and

social justice, the BDS movement tells us, is embodied in only one side of the conflict.

Most of the course was focused on US-based activism on racial issues, but antagonism toward Israel was integral to the course's concept of social activism and apparently to classroom discussions. It is not a course that simply studied the topic. It trains you to participate from a particular point of view. There is no evidence that the course included the lunatic topics Karega pursued on social media, even if the two are related by her core convictions.²¹⁹ But she certainly employed the "polemical and social agitation rhetorics" she trained her students to use in her public persona. She does assign four chapters from Christian Fuchs's book *Social Media* for this course but whether Karega pointed to her own use of social media one cannot say with any certainty, though it is easy to imagine that Karega's own uses of social media would come up for discussion. Would students struggle with her advocacy? Not if they were self-selected in sympathy with her anti-Israel hostility. In any case, the syllabus is perfectly rational, arguably more troubling because of that, because it's a course that could easily be emulated. Just how rational her classroom discussion of Israel was is another matter.

The contrast between the delusional and nakedly anti-Semitic character of Karega's Facebook posts—"ISIS is not a jihadist, Islamic terrorist organization. It's a CIA and Mossad operation" (November 17, 2015); "It seems obvious that the same people behind the massacre in Gaza are behind the shooting down [of Malaysia Airlines Flight] MA-17" (January 10, 2015)—and the rational but politically charged character of the syllabus provides a guide to how faculty who are basically unhinged opponents of Israel can make themselves academically respectable.²²⁰

But the anti-Semitic Facebook posts were still part of Karega's public persona; they were part of Oberlin's public profile and part of the gateway to her courses. The academic profession has yet to deal with the reality that faculty members can establish a public presence through social media, as Salaita did, that completely outstrips anything they could typically achieve through teaching and research. As I argue in the Salaita chapter, the AAUP has—in my view unwisely—taken the position that faculty statements on social media are not part of their professional profile, even if the arguments and subject matter clearly overlap with their teaching and research.²²¹ Those legislators who have reacted with hysteria to faculty members who make a couple of intemperate remarks on Facebook or Twitter are clearly out of line, but we need to think seriously about those faculty who make persistent use of social media in the same areas in which they teach or do

research.²²² In such cases, faculty members should be academically responsible for what they say.

The relationship between Karega's teaching and her social media activism, however, is still deeper, because she was effectively training students to emulate her. Not all of us would consider a for-credit tutorial on how to participate in extremist activism an appropriate college course, but some departments now would. There is yet another issue that student support for Karega suggests may have been embedded in her course—a call to bind identity with a perceived social justice issue. That, however, is how the academy has evolved in recent history. Its roots go back decades, having now produced consequences we hardly imagined. When Karega's public persona is integrated with the opposition to Israel that was embedded in her pedagogy, students may be led to ground their identities not only in the pursuit of social justice but also in a commitment to anti-Semitic conspiracy theories. It is a toxic combination.

This is a personally painful subject for me both because I do not welcome hearing Israel demonized but also because I have long argued that articulate, rational, well supported advocacy has a place in the classroom.²²³ It can help model intelligent argumentation for students. It can show students what academia brings to controversy that Washington politics often does not. But I did not have in mind David Palumbo-Liu's opportunistic anti-Israel sarcasm and his repeated indulgence in anti-Semitic tropes or David Lloyd's anti-Israel's harangues, let alone Puar's elaborate hate-based conspiracy theories or Karega's anti-Semitic demagoguery. And it does not help matters that Black students at Oberlin included a demand that Karega automatically be guaranteed tenure—without the required faculty review—among the December 2015 list of demands they gave Oberlin's President.²²⁴ At least in some quarters on the American campus there are no limits to the venom that will be embraced. Advocacy, in short, is only a classroom virtue if it embodies a search for the truth, including respect for facts, a serious engagement with opposing arguments, a commitment to self-criticism, and a devotion to well-documented argumentation.

BDS did not invent this problem. It reflects the degradation of some disciplines over decades, but BDS's influence is intensifying and advancing the problem. And unfortunately BDS's lunatic fringe is increasingly evident in some disciplines. What still counts as unquestioned lunacy—like Karega's Facebook posts—meanwhile helps make somewhat less rabid opposition to Israel seem reasonable. One hopes Karega could not get applause from a general audience for her claim that the Mossad was behind the Charlie Hebdo massacre, or for continuing to promote the anti-Semitic delusion that Israel was behind the assault on the Twin Towers of the World

Trade Center, but Jasbir Puar's alternate conspiracy mongering was well received by some and strongly defended by others.

All one can do about Puar, who is tenured, is to employ the fundamental practice of intellectual critique. But the call to counter defective speech with better speech does not cover all our responsibilities. We do not argue that it is fine to hire or grant tenure to someone who is incompetent as long as we compensate by hiring or tenuring someone smart. Based on her dissertation, there were clearly reasons to question the wisdom of hiring Karega. Her reliance on interviews with her father as her primary source for a study of a local black liberation movement is a viable strategy for a personal book, but not necessarily for doctoral research.

Karega was untenured, which meant that the adequacy of her teaching and research would be required to be reviewed on two occasions—first in her third year and then in her sixth. Serious complaints by students or faculty could also justify a special review, as they apparently did, but due process would still have been required. Public calls for her summary dismissal reflected a failure to understand and honor the standards for due process necessary to preserve academic freedom. The statement Oberlin released testified that Karega did receive due process.²²⁵

If Rutgers faculty decide that Puar promotes delusional standards of evidence in the classroom, there is not much they can do other than to assign her courses where her convictions will not be in play or compensate with better courses taught by others. Karega, notably, taught the basic Rhetoric course. That meant faculty across campus had a vested interest in whether she supported or undermined generally accepted academic standards in her teaching. Faculty members had the right to file a complaint separately from her scheduled 3rd and 6th-year reviews, and that could have produced action at any time. Whether the result would have been reassignment or something more serious is impossible to say. In any case full due process would apply. Given that her responses to public events appeared not to be rational, it is also possible that problems with her public persona could recur. Karega was dismissed as an Oberlin faculty member in October 2016.

Because of the risks to academic freedom and the potential for unwarranted criticism, we must tread very carefully in examining the pedagogical practices of individual faculty. We certainly have no comprehensive evidence of anti-Semitic teaching to present, not even broad access to appropriate syllabi, but we have enough evidence to know that the problem exists. Some of what is cited here is anecdotal. But developments at public meetings in academic associations, the character of several events on campuses, and the evidence of key course syllabi are sufficient to demonstrate

we have a problem we need to consider how to confront. On campus, the public sphere and the classroom are only partly discontinuous spaces. At the very least they interact and overlap. Competing accounts of the campus climate for Jews, however, remind us that students can proceed on separate tracks, with some who become involved in campus governance or devote themselves to more politicized disciplines encountering considerable stress and antagonism and others who concentrate on their Engineering major or socialize at Chabad and find the campus mostly hospitable.

There is too much evidence of the political corruption of academic disciplines, however, to treat pedagogy as sacrosanct. To ignore the issue will be to watch the problem rapidly get worse. How often we confront anything as decisive as demonstrable indoctrination—especially given the complex pluralism of much campus life—is very much open to question, though the Massad and Palumbo-Liu/Beinen syllabi are clearly efforts to persuade and perhaps to indoctrinate. But there is no question that the campus devotion to civil discussion and debate is frequently under assault and that in many local settings the campus has become inhospitable to presentable intellectual activity. The increase in BDS efforts to silence pro-Israeli speakers is especially clear evidence of that trend. Some disciplines no longer promote self-critical intellectual reflection. The time to confront these trends is now.

Perhaps our responsibility begins with broader forms of disciplinary critique. We need to take responsibility for the state of our own academic disciplines and subject them to serious scholarly evaluation. That means producing well supported and thoughtful analyses. And it means mixing the critique of individual faculty with disciplinary contextualization. Tempting though it is, just going after Puar or her equivalents without interrogating the cultural and professional developments that have made her possible is inadequate. But it is equally unacceptable to cower before the BDS intimidation campaign claim that criticizing someone's work constitutes a violation of academic freedom and a suppression of free speech rights. That message disavows the core purpose of academic research and debate, eviscerating the educational mission.

For now, it is fairly certain that in many quarters the situation will get worse, and that there is no evidence it will get better. It will unfortunately take real courage for people working in the more degraded disciplines to do the kind of informed analyses we need. And it is unrealistic to anticipate that some pervasively biased disciplines will reform themselves anytime soon. Instead, some departments will choose new colleagues as part of an effort to impose a single anti-Israel political perspective on what is actually a complex, unresolved issue. It then becomes necessary for colleges

and universities to approve hires in such a way that students are likely to be exposed to multiple perspectives. Some departmental propaganda machines may need to be mothballed, denied hiring rights until they can be reformed or their members retire. But that should not be a unilateral administrative decision; the faculty senate needs to be involved in a thorough program review and a resulting decision, not only to preserve academic shared governance but also because the campus as a whole will not learn anything from an administration decision that can be discounted on procedural, rather than substantive, grounds. We need multidisciplinary critique that draws on the resources of the academy as a whole if our educational institutions are to be insulated from the political conformity that BDS-allied faculty too often seek to impose on their students. Meanwhile, the best antidote to courses that demonize Israel, as I shall try to show in the next chapter, are courses that promote nuance and subtlety on both sides of the conflict.

8

CHAPTER EIGHT

PEDAGOGY AS EMPATHY: TEACHING JEWISH- ISRAELI, ARAB-ISRAELI, AND PALESTINIAN POETRY TOGETHER²²⁶

I am a man in transit
Twenty years in transit
A man who was even deprived
The right of having an address.
—Rashed Hussein, “An Address”²²⁷

When evening comes, once again
the armies of the uprooted
march in my blood.
—Natan Zach, “Landscapes”²²⁸

DEFINING ISSUES

Jews and Arabs have had an intersecting history in Palestine for over a century. It is a history in which poetry, once intermittently, eventually in some contexts persistently, has played an organizing and sometimes defining role. Since 1948 and the founding of Israel that role has evolved significantly, acquiring increasing linguistic variety, but it has also received seismic and defining shocks from historical events, including the 1967 and 1973 wars. Teaching this poetry comparatively offers an opportunity to place both peoples' aspirations, self-reflections, and accusations in dialogue with each other: to compare, contrast, and confront the most verbally compressed and metaphorically rich versions of their national narratives; to see rhetorical opportunities for engagement, commemoration, and vision that conventional political discourse rarely offers; to enrich our understanding of the genre in a specific historical context; and to encounter sometimes-unexpected local perspectives on the conflict itself. While there are many history and political science courses that aim to teach both sides of the Israeli-Palestinian conflict fairly and comparable courses emphasizing fiction, there seem to be few such courses focused exclusively on poetry. Poetry presents an especially intense challenge to a comparative course because it includes passionate, volatile imagery that requires considerable thought if you want to treat both sides to the conflict sympathetically.

The epigraphs that open this chapter evoke the uprooted as exiles from the perspective of a Palestinian (Hussein) and a Jewish Israeli (Zach). By telling us he has literally had no address for twenty years, Hussein embodies exile from his homeland not only in strikingly personal terms but also in an extreme version; it's not just that he as the speaker—and he is writing partly autobiographically—has lived in exile but that he had nowhere that he truly belonged. Zach, meanwhile, writes collectively; the exiled millions, most given over to death and thus exiled from life, rise in his blood in the quiet of the evening and in the advancing night. His consciousness, his body, are at such times not wholly his own. He belongs then to his people.

Poetry also has special power to promote nuance and subtlety. The kinds of courses that most regularly provide an alternative to the Manichean goals of those described in the previous chapter are courses that place Jewish and Palestinian historical narratives side-by-side. Those are important additions to a college curriculum, but they can also suggest

starkly opposed and irreconcilable visions. Poetry can offer unexpected complicating perspectives from both peoples, whether it be focused Jewish introspection or more intimate expressions of Palestinian experience. The voices the best poetry embodies are not those of simple hostility but rather those that complicate anguish with a deeper understanding of the other people. Yet that does not mean that poetry easily opts directly for reconciliation instead. Poetry by Israeli Jews and Palestinians for half a century has instead often emphasized eloquent and passionate protest.²²⁹

In what follows I will need not only to explore some of the principles at stake in such a course but also to offer illustrative examples from the poetry itself. And I will have to address enough of the relevant poetry to convince readers that such a course is doable and worth teaching. That will require commenting on a few poets in detail and drawing together brief quotations from others to suggest broader bases for comparison. Finally, I will try to document the main resources available to teach such a course. The principles guiding the course explored here can underwrite a wide variety of courses about the Israeli-Palestinian conflict, though literature courses in general have at least one inherent advantage over those in most other fields: the built-in guarantee that primary Arab and Jewish voices will be represented.

I must begin, however, by acknowledging that it is easier to design courses devoted exclusively to either Jewish-Israeli or Palestinian poetry. A course on only one people's poetry can cover more of its particular territory and bracket vexing questions raised when designing a comparative Israeli-Palestinian syllabus or attempting to teach from it. Indeed, most anthologies devote themselves only to one people's poetry.²³⁰ But courses limited in this way carry a specific political and cultural risk: that poetry's distinctive capacity for identification, naming, and idealization will be attached to one people alone, thereby increasing rather than ameliorating the distrust and ignorance that already accompanies the Israeli-Palestinian conflict. This is a pedagogy with potential cultural and political consequences with regard to how it affects students' understanding of the world in which they live.

For anyone seriously invested in the history of the conflict and its current status, comparing Jewish-Israeli and Palestinian poetry can be painful and challenging. Even those who are committed to honoring both peoples' narratives may recoil at unwarranted Holocaust comparisons or overly blunt and literal poetic accounts of violence and find them difficult to process and evaluate. The way violence is represented is a frequent problem in antiwar poetry generally, one that was repeatedly in evidence from World War I through the anti-Vietnam War movement. Poets can also

be especially unsparing in their portraits, not only of their adversaries but also of their own people. Poetry engaged with traumatic histories—and both Jews and Palestinian Arabs have them—often seeks uncompromising and essential truths. When poetry opts instead for irreducible complication, that too can leave readers frustrated. To address the poetry about the conflict means to confront the fundamental character of the conflict itself, even while exploring the culturally distinctive functions poetry can serve.

Teaching the poetry comparatively means that Jewish and Arab voices call out to one another in the classroom. There are numerous topics that both groups address and that can be the subjects of assigned readings for one or more weeks. One might compare the following:

- how both peoples mourn their dead lost to wartime or terrorist violence
- how poets address the very different historical contexts and nature of exile
- the ways love and politics intersect
- wartime poetry by both Israelis and Palestinians
- songs of affection and lament about Jerusalem, the critical city for both peoples
- responses to the military occupation of the West Bank

This is not an exhaustive list, but it is a more-than-adequate basis for a course. I will devote a separate section of what follows to each of the last two topics. The individual volumes and anthologies cited here include many poems on these and other fruitful topics common to both bodies of poetry.²³¹ The first topic in the preceding list might pair poems by Jewish poets about people lost in the 1948 war and since with decades of Palestinian poetry about martyrdom. Teaching the poetry separately, as one can see from even this one example, can serve an impulse to instrumentalize it for partisan political ends. Mahmoud Darwish, for example can easily be instrumentalized for an anti-Israel agenda, but that is not how I read him. That follows the emerging disciplinary inclination to jettison the commitment to complexity that has shaped literary close reading from the new criticism through deconstruction and to substitute it with the belief that interpretation should serve simplicity instead, that interpretation should reduce literature to simple, repeatable truths and serve a specific political agenda. The Jews of Israel and the Palestinians are each consequently either magnificently heroic or obsessively violent, virtually invisible or the world's preeminent victims.

This emerging trend in literary studies can be imposed on either Jewish-Israeli or Palestinian Arab poetry, but it can also follow textual

prompts within the poetry itself. That is partly because both bodies of poetry have contributed substantially not only to the ideologies of nationalism but also to the articulation of individual identity models grounded in collective needs, histories, and aspirations. As Michael Gluzman writes, “literature, by permitting an imaginary perception of unity before it is achieved politically and administratively, is instrumental in creating an ‘imagined community’ and in effecting national unity.”²³² In a struggle for new or redefined nationhood, individual identity can be articulated to that ideal of collective unity. Readers nowhere near the Middle East can then empathically internalize the poetry’s identity discourses and imagine themselves to be heroes and victims of area struggles. Both peoples have produced poetry in which subjective experience is subordinated to or understood in terms of collective experience and goals. The challenge to the teacher who identifies primarily with one or the other people’s traumatic history is to compensate by the selection of poems within each tradition that complicate that impulse toward unitary political commitment and to give full credit to textual evidence of nuance and contradiction. Rather than opt exclusively for simplicity or complication, the poetry, broadly speaking, embraces both.

I believe the goal should be to combine empathy with objectivity, to teach both Jewish-Israeli and Palestinian Arab poetry sympathetically but reserve the right to distinguish between poems that do and do not succeed, between poems that may serve only near-term political needs and those more likely to engage critical attention over time. Both purposes are valid, but they may implicate different evaluative criteria. Both can include the application of appropriate aesthetic standards, but, as I have argued for years, explicitly political or agitational poems can implicate different aesthetic principles.

In the history of modern political poetry, there are few conflicts for which there is a substantial and equivalent body of complex and ambitious poetry from both sides.²³³ Here there is, at least in recent decades, and it requires rethinking what counts as and constitutes political poetry. Indeed the history of Jewish-Israeli and Palestinian Arab poetry includes intense debates about the nature and goals of political poetry, debates waged not just in scholarly work but in media outlets contemporaneous with the poems themselves.

Deciding what poems to assign to a class will depend in part on how each of us addresses such questions. Since few American, Canadian, or European students and literature faculty are proficient in both Arabic and Hebrew, as I am not, most such classes will assign English-language versions of the poems. Outside Israel itself, indeed, that limit will apply almost

everywhere. A substantial amount of critical analysis in Arabic and Hebrew remains untranslated, which constrains faculty preparation as well. The reliance on what has actually been translated can distort poetic careers, even though it opens possibilities for classroom discussions about translation that focus in part on which translation offers the most effective version of a poem. Often enough, comparing different translations means discovering that some passages are translated more powerfully in one version, while other passages are better handled in others. Combining elements to produce a new composite translation is sometimes useful both in the classroom and in scholarly analyses.²³⁴ Comparing multiple translations can also help establish what the poet's intentions were. Even translated poems merit detailed commentary on their language, which we need if we are to deal with translated poems *as poems*.

My own view is that such a class should not only cover broad trends in the bodies of poetry, for which individual poems are useful, but also spend time on individual poets' full careers. Time spent on coverage of several poets' full careers would thus balance topical weeks that cover the responses that a number of poets have had to a given subject, such as the five topics listed previously. I will give examples of each. The number of poets comprehensively translated, however, is small. Several more have good representative selections available in English, but many recognizably influential Israeli and Palestinian poets do not. I begin, then, with the two best candidates for comprehensive coverage.

Before embarking on that comparison, however, I should warn that it is unwise to imagine that comparing Jewish-Israeli and Palestinian Arab poems will produce a reconciliation between these competing voices. Exploring the two bodies of poetry comparatively instead foregrounds at once points of convergence and divergence.²³⁵ No tracking of similar or intersecting needs and discursive resources can obscure the fundamental collision of irreconcilable narratives. That is the context, nonetheless, in which a conversation can take place.

DARWISH AND AMICHAÏ

Almost any imaginable comparative course on Jewish-Israeli and Palestinian Arab poetry would include Mahmoud Darwish (1941-2008) and Yehuda Amichai (1924-2000), two poets, respectively Palestinian and Israeli, who are widely considered the foremost modern poets of their peoples.²³⁶ Their prestige and the universally admired caliber of their work is unsurprisingly matched by the fact that they are the poets with the most extensive body

of work translated into English, as well as the largest body of criticism of their work available in English. They are also the only two poets with a large number of poems in multiple English-language versions.²³⁷ Here and throughout what follows, poems by Palestinians are presented in translation from the Arabic, and poems by Israeli Jews are presented as translated from Hebrew. Not all poets, however, follow that exclusive pattern of language choice. The Druze poet Naim Araidi (1948-) writes in both Arabic and Hebrew, as does Anton Shammas (1950-), a Palestinian who was born Catholic, while Reda Mansour (1965-), also Druze, writes exclusively in Hebrew. Salman Masalha (1953-), a Muslim Druze, also writes in both Arabic and Hebrew.²³⁸ Rashed Hussein (1936-1977), an Arab Israeli, translated some of his own poetry from Arabic to Hebrew, meanwhile translating Chaim Bialik's Hebrew poetry into Arabic and a number of Arab songs into Hebrew.

Darwish is perhaps the single most prolific and certainly most revered of Palestinian poets. He sometimes saw himself as competing with Amichai. Darwish is unstinting in his condemnation of Israeli policies and their impact on and consequences for Palestinians, though his recommendations for the future varied during the course of his career. For quite some time, he rejected any accommodation with Israel, but eventually he made his peace with the necessity of a two-state solution. In the wake of particularly lethal events, he used poetry to elevate his anger to the level of principle. A poem published in the *Jerusalem Post* (April 1988) in response to the First Intifada, "Those Who Pass Between Fleeting Words," met with a firestorm of Israeli protest, as he sought to cast out Israelis for the betrayal of their ideals, echoing the rage of Moses when he descended from Mount Sinai:

O those who pass between fleeting words
Pile your illusions in a deserted pit, and be gone
Return the hand of time to the law of the golden calf
Or to the time of the revolver's music!
For we have that which does not please you here, so be gone
And we have what you lack: a bleeding homeland of a bleeding
people . . .
It is time for you to be gone
Live wherever you like, but do not live among us
It is time for you to be gone
Die wherever you like, but do not die among us
For we have work to do in our land
We have the past here
We have the first cry of life
We have the present, the present and the future

We have this world here, and the hereafter
 So leave our country
 Our land, our sea
 Our wheat, our salt, our wounds
 Everything, and leave²³⁹

If this poem's thundering accusations verge on schematic dehumanization, they are nonetheless mixed with eloquent and surprising exhortations to recognize his own people's heritage. It is also true that Darwish's poetry often resists a schematic temptation. His 1967 poem "A Soldier Dreams of White Tulips" faults the Jews for what he considers a superficial, invented connection to the land, but the poem is constructed as a dialogue with an Israeli soldier and was widely criticized in Palestinian circles for humanizing the Israeli.²⁴⁰ Early on, Darwish fell in love with a Jewish woman, Tamar Berkman (Ben 'Ami), giving her the name "Rita" in several poems written over a period of years, from "Rita and the Rifle" (1967) and "A Beautiful Woman from Sodom" (1970) to "Rita's Winter" (1992). The poems have a fundamental duality in common: they are at once exquisite love poems and testaments to the political impossibility that their feelings present. Here is a stanza from "Rita's Winter":

Rita sips the morning tea
 and peels the first apple with ten irises
 and says: Don't read the newspaper now, the drums are the drums
 and war isn't my profession. And I am I. Are you you?
 I am he, I say
 who saw a gazelle throw her glitter upon him
 and saw his desires stream after you
 and saw the two of us bewildered in unison on the bed
 before we became distant like a greeting between strangers on the pier
 then departure carried us like a paper in its wind
 and threw us at the doorsteps of hotels like letters read in a hurry.
 She says: Will you take me with you? I would
 become the ring of your barefoot heart
 if you take me with you
 I would become your garb in a country that birthed you...to kill you
 I would become a coffin of mint that carries your doom
 and you would become mine, dead and alive...?
 O Rita, the guide is lost
 and love, like death, is a promise that can't be refused...and doesn't
 vanish²⁴¹

The poem is remarkable for the intricate way that it interweaves intimate erotics with public conflict. A line like “I would become a coffin of mint that carries your doom” combines an ineffably delicate image with an unyielding fate. In a willed plea that private affirmation triumph over an overshadowing history, Rita urges Darwish not to read the newspapers, for war is not her profession. And yet they are at once intertwined and “bewildered” in bed. Every moment of psychological distance replicates the political distance between them.

Darwish began publishing in the 1960s, establishing himself as the premier liberation poet of the Arabs of Palestine. The early poetry was direct and partly polemical. I actually find much of Darwish’s early work effective and compelling, though Arab critics often share the standard academic bias against more aggressive political poetry and consider his work after 1985 not just different but better. His signature poem of the 1960s, “Identity Card,” which opens *Leaves of the Olive Tree* (1964) but was read aloud earlier, repeats the defiant declaration “Write it down, I am an Arab” at the outset of each of its four stanzas.²⁴² The repeated declaration is hurled in the face of an Israeli official, but it is also a challenge to self-representation to all Arab readers; it became not just an anthem of resistance but also a rousing affirmation of identity. Its recitation of working-class labor made Darwish a people’s poet throughout the Arab world:

Write it down
 I am an Arab
 & I work with comrades in a stone quarry
 & my children are eight in number,
 For them I hack out
 a loaf of bread
 clothing
 a school exercise-book
 from the rocks
 rather than begging for alms
 at your door
 rather than making myself small
 at your doorsteps.
 Does this bother you?²⁴³

After 1985—the date Darwish identifies as marking a major change in his style—he often embedded political work in more oblique and reflective poems, but the political import is often still strong. To open one of the books Darwish published since 1985 is at once to find yourself in a terrain of inscape and insight. It is territory both familiar—invoking historical and

contemporary experience that we should know well—and uncanny, evoking surprising and unsettling forms of alienation, empathy, and anguish. “The girl / The scream” opens his 2008 collection *The River Dies of Thirst*, a remarkable mixed-form book including poetry and prose poems reminiscent of William Carlos Williams’s mixed forms from the first decades of the previous century:

On the seashore is a girl, and the girl has a family
 and the family has a house. And the house has two windows and a door
 And in the sea is a warship having fun
 catching promenaders on the seashore:
 Four, five, seven
 fall down on the sand. And the girl is saved for a while
 because a hazy hand
 a divine hand of some sort helps her, so she calls out: ‘Father
 Father! Let’s go home, the sea is not for people like us!’
 Her father doesn’t answer, laid out on his shadow
 windward of the sunset
 blood in the palm trees, blood in the clouds

Her voice carries her higher and further than
 the seashore. She screams at night over the land
 The echo has no echo
 so she becomes the endless scream in the breaking news
 which was no longer breaking news
 when
 the aircraft returned to bomb a house with two windows and a door.²⁴⁴

Of course, this is fundamentally—but not only—a protest poem. For Darwish, the seashore was primarily Lebanon’s; reading it now, for us the seashore is also Gaza’s, but the planes remain Israeli. The poem is also partly a parable. That house with two windows and a door is symbolic and real, partly a human face with two eyes to see with and a mouth with which to speak, partly a typically modest house of the poor. The personified warship bounces on the waves observing—“having fun” in a phrase that is both innocent and chilling or outrageous—but when the promenaders “fall down,” despite the contrast with the diction, it is more than a nursery rhyme or a child’s account because they do so from the impact of real bullets. That hazy unknowable hand may be fate’s, and Darwish adds an uncanny element of whimsy to the scene when he calls it “a divine hand of some sort.” The call to a father resonates with half a century of Darwish poems to his own and others’ fathers; when the girl innocently calls to her

own father, it serves for the reader at the same time as a call to the father above. "People like us" invokes Palestinians but also all innocent victims of war. The father "laid out on his shadow" is again an uncanny image of the pity of war, fusing the absolute fact of death, something the child cannot understand, with the fleeting character of shadows that are by nature temporary. "The endless scream in the breaking news" with no echo fuses transcendent, unbounded horror with contingency in such a way as to tell us that this is a repeated and ongoing story in which all play parts that seem preordained. It is breaking news "which was no longer breaking news." I do not see this only as an anti-Israel poem but also as a poem about the overall pity of this ongoing war, one that teaches empathy through both anger and sorrow. But it is not simply a universal poem; it keeps pulling us back to a particular history.

A very different particular history is at issue in Amichai's poem "The U.N. Headquarters in the High Commissioner's House in Jerusalem" from his 1955 first book. Written in the wake of the UN partition plan of 1947, the recognition of the Jewish state amid complex political maneuvering the following year, and the partition plan's failure amid the outbreak of war when the Arab states attacked in 1948, it gives a compelling portrait of the vicissitudes of international politics. I use the English translation by Assia Gutmann but the longer title as translated by Chana Bloch and Stephen Mitchell.²⁴⁵ For the poet, the UN represents not only itself but also the staging ground for the whole international community's investment in the Arab-Israeli conflict. The poem opens with a grotesque portrait of international diplomats and their staffs and assistants all playing their preordained parts, none of them acting out of individual agency:

The mediators, the peace makers, the compromisers, the pacifiers
Live in the white house
And receive their nourishment from far away,
Through twisting channels, through dark veins, like a fetus.

And their secretaries are lipsticked and laughing,
And their immune chauffeurs wait below, like horses in a stable,
And the trees whose shadow shades them have their roots in disputed
territory,
And the delusions are children who go out into the fields to find
cyclamen
And do not come back.

And the thoughts circle above, uneasily, like scout planes,
And they take photographs, and return, and develop the film

In dark, sad rooms.

And I know that they have very heavy chandeliers,
 And the boy that I was sits on them and swings
 In and out, in and out, and out, and does not come back.

Later on, the night will bring
 Rusty and crooked conclusions out of our ancient lives,
 And above all the houses the music
 Will gather all the scattered words,²⁴⁶
 Like a hand gathering crumbs off the table
 After the meal while the talk continues
 And the children are already asleep.

And hope comes to me like daring sailors,
 Like discoverers of continents
 To an island,
 And they rest for a day or two,
 And then they sail away.

Setting this Amichai poem beside Darwish's "The girl / The scream" makes them echo one another despite the lack of similar topicality. This poem—traversed by bitterness, sorrow, and the lament for lost opportunities—could have been written last week, last month. The building in question in Amichai's poem is still there, but more importantly, the diplomats have not ceased their failed meddling, their disposal of hope from all sides. Benjamin and Barbara Harshav translate Amichai's first line as "the mediators, reconcilers, compromisers, appeasers," giving it a still-darker edge, especially with appeasement still in mind from Europe in 1938. The planes that circle overhead suggest UN oversight of the armistice lines as the '48 war ended, but they echo down to the boundary disputes of our own day. Jerusalem is no less disputed territory now than it was then. The fourteen lines that begin with "And" add to a sense of an endless, ongoing political cycle, reinforced by additional uses of "and" midline.

As so often with both Amichai and Darwish the poem here is woven partly out of representative autobiographical material. Autobiography, in other words, stands in for generational and national experience. Amichai was eleven years old when his family emigrated from Germany to Israel in 1935. The boy that he was symbolically climbs the ornate chandeliers at the UN's Jerusalem headquarters, dreaming that his hopes will be fulfilled. But the political possibilities in play internationally arrive "from far away,

/ Through twisting channels, through dark veins,” and their engagement with the human needs on the ground can be oblique, compromised, misguided. The political proposals “bring / Rusty and crooked conclusions out of our ancient lives,” diminishing an ancient heritage in the process. The lament at the end has the kind of whimsical charm that also animated Darwish’s “The girl / The scream,” though it embodies hopes that have no material future. “They rest for a day or two, / And then they sail away.”

As with Darwish, subtle complication is at the heart of Amichai’s poetry. Immediately after the Six-Day War, in “Jerusalem, 1967,” when Israelis were ecstatic at the reunification of the city, Amichai began to warn of unforeseen consequences. “Jerusalem stone,” he tells us, “is the only stone that can / feel pain”; the city is “built on the vaulted foundations / of a held-back scream.” The scream in Darwish’s poem is not held back. Amichai asks that we consider what Palestinians are paying for the Jewish victory:

On Yom Kippur in 1967, the Year of Forgetting, I put on
my dark holiday clothes and walked to the Old City of Jerusalem.
For a long time I stood in front of an Arab’s hole-in-the-wall shop,
not far from the Damascus Gate, a shop with
buttons and zippers and spools of thread
in every color and snaps and buckles.
A rare light and many colors, like an open Ark.²⁴⁷

A possible allusion to Joseph’s coat of many colors is followed with a suggestion that verges on blasphemy. The Harshav translation makes the comparison that concludes the stanza explicit. The Arab’s shop glows “like an open Ark of the covenant.” It is a dual reference. The wooden ark held the Ten Commandments that Moses brought down from Mount Sinai. The reference to the sacred ark turns it into a burden for secular reverence. If we cannot honor the commandments as they apply to the Arab in the Old City we are doomed. But the ark is also now the ark in the synagogue where the Torah is kept, opened, as the poem implies, for the Yom Kippur service. Then the speaker addresses the shopkeeper internally, making a link that warns us violence cannot but echo violence:

I told him in my heart that my father too
had a shop like this, with thread and buttons.
I explained to him in my heart about all the decades
and the causes and the events, why I am now here
and my father’s shop was burned there and he is buried here.

“There” is Germany, but Amichai offers the link more with sadness than in accusation.

Amichai can also be fiercely prophetic when he testifies to the consequences of militarization. In the concluding stanza of “I Guard the Children,” written—as Chana Kronfeld points out in a fine analysis of the poem—in the wake of Israel’s 1982 invasion of Lebanon, Amichai castigates Israel’s leaders with rhetoric that also implicates their equals worldwide:

But I lift up my face and see above us,
 as in some hideous vision, wielders of power,
 uplifted by honor, vaunted and vaunting,
 clerks of war, merchants of peace,
 treasurers of fate, ministers and presidents
 flaunting their gaudy responsibilities.
 I see them pass over us
 like angels of the plague of the firstborn,
 their groin gaping and dripping
 a honeyed dreck like sweetened motor oil,
 and the soles of their feet clawing like the feet of Ashmedai,
 their heads up in the sky, stupid as flags. (57)²⁴⁸

The poem opens with an Israeli father meditating while he serves as an armed guard in a schoolyard. At the end, as Kronfeld writes, he “insists that if the schoolchildren are in danger, it is only the politicians’ doing” (56).²⁴⁹ They are compared to Ashmedai, king of demons, said to be here on Earth after millennia in hell. The poem refuses to distinguish Israel’s nationalism and its flag from that of any other country. “Like angels of the plague of the firstborn,” the politicians pass over us, but unlike those below in the story of flight from Egyptian bondage, the houses of those to be freed will not be clearly marked. We are all consequently in danger.

Though it would help to have a substantial English-language selected poems 1960–85 for Mahmoud Darwish, a volume that would have to include the widely celebrated but untranslated “In Praise of the High Shadow” (1983), there is a considerable amount of his work in translation, enough to base a full course on his work. The extensive body of Amichai translations puts him in the same category. Nonetheless, although Amichai and Darwish are the most widely translated Jewish-Israeli and Palestinian poets, the English-language reader and teacher face notable challenges. The available translations are scattered across many volumes. If you admire Darwish’s 1986 poem sequence *Lesser Roses*, as I do, you may want to assign the only volume of his selected poems that more or less spans his whole career, *Unfortunately, It Was Paradise*, translated by Munir Akash and

Carolyn Forché, where you can find the first half of the fifty poems of *Lesser Roses*. You can find four more in the three-poet collection *Victims of a Map*, along with alternative translations of eight of the poems, but that still leaves you twenty-one poems short of the complete sequence. One important additional poem from *Lesser Roses*, “Oh, Father, I Am Joseph,” is translated by Reuven Snir in the valuable critical anthology *Mahmoud Darwish: Exile’s Poet*.²⁵⁰

If you want to teach Amichai’s key Jerusalem poems—Adam Kirsch has called him more a poet of that city than of his country²⁵¹—then you can find the compelling poem sequence cited earlier, “Jerusalem, 1967,” in Robert Alter’s fine 2015 collection *The Poetry of Yehuda Amichai*. But you might want to pair it with his 1974 “Songs of Zion the Beautiful,” another intermittently personal poem about the city and its history. Twenty-five of the thirty-nine poems in the 1974 sequence can be found in Alter. Three more are translated in Benjamin and Barbara Harshav’s *Yehuda Amichai: A Life of Poetry, 1948-1994* and still another three are in Amichai’s *Poems of Jerusalem and Love Poems*. Yet one more each are in *Amen* and in Glenda Abramson’s critical book *The Writing of Yehuda Amichai*. That gives you a total of thirty-three out of thirty-nine.²⁵²

If you combine all of the volumes of Amichai translations you end up with something reasonably close to a collected Amichai, minus a few key omissions.²⁵³ Darwish is a more complex case. His work since 1986 has been widely translated. The sometimes more polemical and agitational poetry he wrote before then has a much spottier translation history.²⁵⁴ What is more, most of those who translate poems from the first twenty-five years of his career do not tell us which books the poems are from. Some of the information can be gleaned from critical sources, and his three-volume collected poems in Arabic divides the poetry by book; so a complete Darwish table of contents could be translated into English from that source. *Unfortunately, It Was Paradise* presents poems book by book chronologically but adds three poems labeled only “before 1986” at the end as though they are juvenilia.²⁵⁵

THE JERUSALEM CHALLENGE

The poem by Amichai above is but one among many he devoted to Jerusalem. Indeed the city, unsurprisingly, has long been a subject in both Arabic and Hebrew poetry, and that fact suggests that the poems at stake should include recognition of that wider corpus. Perhaps the strongest tradition of contrasting representations of Jerusalem is the one

that follows the 1967 war, when Israel captured the eastern half of the city from Jordan, which had controlled it since the conclusion of the 1948 war. Those Palestinians who fled in 1967 were added to the exiles of twenty years earlier. Because Jerusalem as a consequence of the war was under Jewish control, a new sense of loss and violation was awakened among the generation of Palestinian poets who came of age in the 1960s.

That emotionally charged political and emotional context has, however, produced paeans to Jerusalem and protests about violence that in the end do not, in my view, make the sort of difference that makes a poem particularly memorable. The late Arab poet Isma'il Ibrahim Nawwab's "The Thrice-Loved Land" complains that

In the City,
Transplanted Sharons and Shamirs—
Fed on the milk of myths,
Floating on the foam of invincibility—
Go on the rampage²⁵⁶

But these images are caught in their anger without really changing what we can see. And the poem's biblical references are not adequately earned; they are forced:

Uzis.
Rat-a-tat! Rat-a-tat!
Lazarus is dead.
He shall not rise again.

On the other hand, Ramallah-born poet Ibtisam Barakat (1964-) opens "Diaspora, Step by Step," a poem about exile from Jerusalem, with the kind of telling detail that can continue to haunt the reader:

A man from Palestine,
Who has lived for forty years
Away from his home, tells me:

I used to be able
To close my eyes
And count the steps
Of any street
In the old city of Jerusalem

They were wrinkles
On the face of my old city,
Inside of which I had a place.

I used to be able
To clench my eyes
And visit my old household
Inside the old city of Jerusalem.

Now, my eyes are failing.
My memories are blocked;
I do not dare.²⁵⁷

This fading muscle memory of the steps walked in the city, once part of self-awareness, gives us an uncanny consequence of exile, a loss perhaps more telling than straightforward condemnation of the occupation could offer. The speaker then shifts to sight, describing things he saw in the city:

Remember Salah Eddin street?
The vendors with round sesame cake and
Falafel?
The semi terrace
Facing the entrance to Bab al-‘Amoud?

Hurry up! let us go
Sit on the steps,
And see who’s there.

Then, toward the end of the poem, he returns to the physical experience of walking and climbing:

I used to close my eyes
And be able to count its steps
Even on rainy days.

The intimate sense of touch, the material feel of the city, serves as a framing device for the account of what could be seen. Other poems aim to compress the complexity of Jerusalem into a single short lyric. Marcela Sulak’s (1968-) poem “Jerusalem” (2010), a modified ghazal based on internal rhyme and a refrain of one noun, is by an Israeli-American poet who grew up Catholic in Texas and later converted to Judaism:²⁵⁸

In the covered shuk an orange was the only source of light,
the spices snored in canvass bags all night in Jerusalem.

There are always scored stones above, curtains, flags below,
shifting their gravity from shoe to shoe in tight-fitting Jerusalem.

The cracks in the Western Wall are soaked in prayers,
the doves are scraps of light above Jerusalem.

The Mount of Olives crouches over the Wailing Wall:
bleached bone, bleached stone, sun-crumbled white Jerusalem.

Like teeth broken on what they've been given to say,
rows and rows of white boxes, asleep against the might of Jerusalem.

Bullet holes are horizontal, rain-bored holes are vertical.
The pools, the ritual baths fill themselves in the sight of Jerusalem.

No other city has drunk so much ink;
who from the sages would know how to write, but for Jerusalem?

The poem opens in Jerusalem's famous market, the shuk, a maze of streets with stalls and deeper stores selling everything. Under makeshift canopies, gleaming oranges stacked for the day's shoppers glow with historical resonance. The citrus crops in the area have been fought over, claimed, and reclaimed. Citrus harvests have won and lost critical foreign income and been temporary grounds for nation building. As the shuk settles down for the night, its bags of spices snore in dumb witness to centuries of harvesting and sales. The flags of the day wave beneath stone walls marked and cratered by battle and nature alike. "Bullet holes are horizontal, rain-bored holes are vertical," she will say later. And the two forms of the record of time—equal, inescapable, layered, intersecting—compose a limestone palimpsest of human passion and natural indifference.

This is partly a strongly visual poem, so it may not be as powerful for those who are not among the many millions who have walked Jerusalem's streets through the centuries, though the millions who have done so and are still alive surely constitute a sufficient audience. But "bleached bone, bleached stone, sun-crumbled white Jerusalem" does merit being seen, as does the light bathing that stone and reflected from it, light claimed by several religions as their own. The Mount of Olives is irreducible to any single meaning, linked as it is to Christian, Jewish, and Muslim history. It is a cemetery, a village, and a religious site. When Jerusalem's doves rise in the sun and glow, they embody the most extreme and enduring forms of organized human passion.

I take the "rows and rows of white boxes" to be the rectangular stones, old and new, crumbling and crisp, that compose Jerusalem's many walls and buildings. It is a city of subtle variation within a limited limestone

palate, with variation mostly a product of time—ancient, modern, and everything in between. Jerusalem is also a city—and here a poem—about speech, not just sight, about verbal witness as demanding, insistent, compelling, and impossible as any history has recorded. In a brilliant line making that echoing and competing verbal legacy as sorrowful as it is inspiring, Sulak describes Jerusalem’s crumbled stones lying “Like teeth broken on what they’ve been given to say.” “No other city has drunk so much ink,” she concludes, “who from the sages would know how to write, but for Jerusalem?” And indeed, without Jerusalem, the history of Western writing as we know it would largely disappear, nothing we now know would remain—nothing we admire and much that we regret. Centuries of inspiration and conflict at once would be gone.

It would take at least a book-length poem to name all of Jerusalem’s voices sacred and profane across the reach of time recorded and time dreamed. It is a city uncannily bearing witness to a history that predates reliable records. Sulak’s task is a different one—to do poetic justice to that complexity allusively, to evoke it without compromising it, to bear concise witness to its structural truths. It is a poem that can thus serve for Jerusalem’s past, present, and future—its light, its might, its capacity for enabling and corrupting sight. It is a poem for all Jerusalems. That is not a bad task for a poem engaged with history.

But one could also say that, despite the poem’s invocation of the Mount of Olives cemetery, the bleached bone indistinguishable from bleached stone, and the bullet holes that mark some walls, Jerusalem has been yet more terrible over the centuries than the poem viscerally acknowledges. For that subject, Jerusalem’s anguish, one text above all now hovers over all that can be said by way of a poem, and that is Syrian-born Arab poet Adonis’s 2012 book-length poem sequence *Concerto al-Quds, or Jerusalem Concerto*, translated by Khaled Mattawa.²⁵⁹

While many poets invoke the record of three monotheistic religions that have both historical and contemporary investments in the Holy City, only Adonis, so far as I know, condemns them all. All, he argues, make incompatible absolutist claims, guaranteeing centuries of hostility and bloodshed, much of it focused on Jerusalem. “Do you want to be described as a believer?” he asks late in the book, “Then you must kill” (56). “Murder to improve the race to perfect the mind” (62):

The blood shed on Mediterranean shores,
 Since its beginnings, has spelled a ravaged history.
 And the earth’s history
 Has a heavenly summary named al-Quds (7)

“How can a head be imprisoned,” he asks, invoking faith as ideology, “in a cellar of words it had invented” (6)? Nothing is untouched by the beliefs that screen our perceptions: “Day and night wrestle / to choke one another in the name of al-Quds (8).” Those passages all come in the first section of the poem, which then proceeds to parenthetical lists littered with the language of conflict: “(Terrorism. Kidnapping. Unknown entity. Extremism. Accusation. Denial. Condolences. Law. Corruption. Infidels. Forgery. Campaign. Violence. A court ruling. Al-Qaeda. Danger. Struggle. Hegemony. Refuge. Invasion. Route.) (11).” A critique of the occupation runs through his several lists, but none of the city’s residents escape the poem’s judgment:

Why do only two kinds of people live here:
 The dead who inhabit the desert
 and the living who reside in graves? (7)

The poem continues to ask questions: “What if we counted the skulls that tumbled and rolled (in your name) into history’s tunnels and coliseums” (24)? And “Or do you know a greater sinner, more arrogant and lethal than yourself, al-Quds” (25)? Adonis intersperses these questions with apostrophes to the city’s unique confluence of transcendence and mire: “a scent rises where gentleness and slavery mingle, and around them demons and angels dance like a roiling surf” (21). Adonis gives no one comfort. The city is governed by “a politics / of prostitution under a sky patting prayers on their shoulders” (67).

Adonis writes in a mode of prophetic denunciation, undermining every poet who would offer paeans to the white city’s beauty and the diversity of its cultures. He had earlier attempted a similar critique of another city in “The Grave of New York” or “The Funeral of New York,” ably translated by Samuel Hazo, but Jerusalem’s theological status and its much longer history propel him into still more apocalyptic terrain.

POETS CONFRONT THE OCCUPATION

No credible course comparing Jewish-Israeli and Palestinian poetry can avoid the most pressing political subject, the occupation of Gaza until 2005 and the occupation of the West Bank from 1967 to the present. A good place to begin is with Dahlia Ravikovitch (1936–2005), a Jewish Israeli whose impact on the Israeli scene has been exceptional. Happily, she has a true collected poems in English. Like Amichai, she also felt intimations of disaster in the wake of the 1967 war. In her case, that anxiety found

expression in “The Horns of Hitin,” published in her 1969 volume *The Third Book*. The poem invoked the Crusaders who “plundered everything,” an allusion that the Palestinians draw on as well. But it was the war in Lebanon that gave Ravikovitch and thousands of Israelis reason for the first time to oppose the government aggressively in the midst of war. When then faced with Palestinian deaths, Ravikovitch refused, as Ilana Szobel puts it, “to take part in the dominant political narrative, which forms the victimized Israeli and which defends only its own existence” (121).

Describing her divided impulses graphically—“As the tiger gnaws at the wild ox, / that’s how doubt eats away at me” (217)—Ravikovitch reserves most of her empathy for Palestinian victims.²⁶⁰ “In the valley, the army was hunting down human beings” (213):

These are the chronicles of the child
 who was killed in his mother’s belly
 in the month of January, in the year 1988,
 “under circumstances relating to state security.” (215)

but who was that man
 lying there lonely,
 choking on his blood?
 What did he see
 what did he hear
 in the uproar that seethed
 above him? (196)

She wrote “The Story of the Arab Who Died in the Fire” to bear witness to a man burned alive, and she produced “Hovering at a Low Altitude,” her most famous protest poem, to put us in the place of a Palestinian shepherd girl who is raped and murdered. It is a complex imaginative exercise that both dramatizes and condemns readerly distance:

She still has a few hours left.
 But that’s hardly the object of my meditations.
 My thoughts, soft as down, cushion me comfortably.
 . . . I am not here.
 I’m above those savage mountain ranges . . .
 Can make a getaway and persuade myself
 I haven’t seen a thing. (175–76)

Ravikovitch is thus also concerned with what the occupation has done to corrupt Jewish Israel and with the irrelevance of this or that camp of opinion in the light of the fundamental violence done to the Palestinians:

No point in hiding it any longer:
 We're an experiment that went awry,
 a plan that misfired,
 tied up with too much murderousness.
 Why should I care about this camp or that,
 screaming till their throats are raw. (198)

A course in Israeli and Palestinian poetry might pair Ravikovitch's work with the equally uncompromising and poetically inventive anger that a major Palestinian poet, Taha Muhammad Ali (1931–2011), reveals in the evocative translation of his selected poems, *So What: New and Selected Poems, 1971-2005*.²⁶¹ Once again, as with Darwish and Amichai, we see what perhaps only poetry can contribute to a political struggle. Born in rural Galilee, Muhammad Ali saw his village destroyed in the 1948 war, but he keeps the village alive in his poetry. "Sabha's Rope" tells the story of a cow that swallows a rope and has to be slaughtered as she is dying. Only after the village scene is detailed—the cow meat is cooked, but no one is emotionally able to eat it; and Ali tells us that the bitterness of hard times can be savored—does he offer a political message:

and with all my heart I would have agreed,
 to swallow a rope longer than Sabha's,
 if only
 we could have stayed in our village. (105)

"Sabha's Rope," notable for its humanism and its rejection of unqualified anger, is among the poems Muhammad Ali wrote, remarkably, in 1988 in the midst of the First Intifada, when others might have settled for simple rage. In "Fooling the Killers," written the same year, he enlarges on the story of a ten-year-old boy who dies, giving it near-mythic status:

But even if they did it,
 Qasim,
 if, shamelessly,
 they killed you,
 I'm certain
 you fooled your killers,
 just as you managed
 to fool the years.
 For they never discovered
 your body at the edge of the road,
 and didn't find it
 where the rivers spill,

or on the shelves
at the morgue,
and not on the way to Mecca,
and not beneath the rubble. (57)

Muhammad Ali is also forceful and uncompromising in political critique, concisely combining outrage at repeated violence with a blunt critique of its religious rationalization and speaking in the collective voice of his people:

In God's name
they slit my throat
from ear to ear
a thousand times (15)

But his narrative inventiveness, his love poems, and his lyricism give us a fully nuanced version of someone who preserves his humanity while solidifying his activist commitment. Thus he can also write in sorrow that haunts us of

. . . countless blinded birds
that have lost their way
to the heart of the forest (49)

or give a visceral, naturalized, and affecting portrait of his anger:

my blood rushing
like the shadow
cast by a cloud of starlings (123)

while protesting,

Our land makes love to the sailors
and strips naked before the newcomers:
it rests its head along the usurper's thigh (45)

and entertaining a vision in "Empty Words," another of his 1988 poems, in

which the young men
from Hebron explode
and offer as a gift to Jerusalem's children,
ammunition for their palms and slings! (109)

From Ravikovitch and Muhammad Ali, we can segue to protest poetry that is still more bluntly unforgiving, as in the work of the Israeli Jew Aharon Shabtai (1939-). His two translated collections, *J'Accuse* (2003)

and *War & Love / Love & War* (2010) give a good indication of his formal and thematic range and the ferocity of Israeli poets' critique of the occupation—both of its consequences and of the policies that sustain it. In “The Reason to Live Here,” a poem that opens with an indictment of Israeli capitalism, with its increasing concentration of wealth in the hands of the few, he tells us “The pure words I suckled from my mother’s breasts: Man, Child, Justice, Mercy, and so on, / are dispossessed before our eyes, imprisoned in ghettos, murdered at checkpoints”(5).²⁶² Here, as elsewhere in his work, contrary to many supporters of BDS, he insists that the Zionist vision has only been corrupted over time, that its origin was not in moral darkness. Part of his aim, as in the title poem “J’Accuse,” is

to reconstruct the manner
in which public discourse itself
is corrupted and turned into refuse
. . . words
are only the skins of potatoes
with which the stupid are to be stuffed (18, 21).

He ends the poem “2006” by asking what came of the withdrawal from Gaza, with one declaration:

I see only a single sentence:
Mothers and children
in Gaza are searching
for food in heaps of trash.²⁶³

“The wells of morality have all gone dry,” he writes in “Summer 1997,” “the wine of mercy run out” (11). In “Toy Soldiers” he asks

What muck have you filled your heads with,
that you came by night in the driving rain
to tear down seventy miserable shanties
and toss seven hundred people—
women and children—into the mud? (41)

It is not that Shabtai has no hope. Indeed his poetry aims to shock an oblivious population into the need for reform, but in “The Moral, It Seems, Doesn’t Come with a Smile,” he warns that “only when the wealthy are drowning in the tears of the poor will it come” (10). In “Lotem Abdel Shafi” (12), he extends the emotions of intimate relations to the political realm, imaginatively welcoming the thought that his daughter might marry the grandson of a Palestinian politician and thereby reconcile two peoples. Yet he reserves his strongest rhetoric for condemnation. In

“To My Friend,” a poem that recalls the anticapitalist rage of Depression-era poetry, he castigates the corruption of the country in the language of apocalyptic satire:

A man with the head of a pig becomes king;
 people mutter gibberish and turn into wolves.
 Beautiful women fornicate with apes.
 Rabbis shoot pistols, affix mezuzahs to a whorehouse (8)

But Shabtai also knows that even the most savage political critique does not compensate for the damage done to the Palestinian people. In “To Dr. Majed Nassar” he asks a rhetorical question: “Is it any comfort to know that the tanks murdering / in my name are digging a grave for my people as well?” (38)

At the same time these observations point to a fundamental difference between what Palestinian and Jewish-Israeli political poets are culturally and politically empowered to do. Both call out and condemn the brutality of the occupation, highlighting its violence. But Jewish-Israeli poets take a further step and ask what Israelis themselves have become as a consequence, who they *are*. This produces a body of oppositional poetry that is arguably fiercer, more fundamental, more unforgiving, and more pervasive than anything Palestinian poets feel able to muster. It is a judgment rendered simultaneously from within and without. That fierce self-critique is partly made possible by the power differential between the Israeli state and West Bank Palestinians, but it also draws on Jewish traditions that date back to the prophets of the Hebrew Bible. It can be compared with a century’s pattern of Palestinian Arab poetry that critiques corrupt Arab regimes and their failure to resist the political realities in Palestine. Perhaps alone among Palestinian poets, however, Darwish late in his life issued a challenge to his people to consider what follows anger if they were to achieve a state of their own; he imagined that he would be among the loyal opposition.

After the First Rain: Israeli Poems on War and Peace (1998)²⁶⁴ gathers poems written in doubt and anguish. Many are poems of foreboding or of a reversal of values and the natural order, as with “The Rain Is Ready to Fall” by Eytan Eytan (1940–1991): “The rain is ready to fall downside up / On the defeated victors” (55). “Unable to cleanse inundations of hate,” Shlomo Tan’ee (1919–2000) writes in “Rains,” we are “sucked down to its dark abysses” (133). But there are also specific indictments, as in “Memory of Three Dead” by Yitzhak Laor (1948–): “Lina from Nablus, who was killed in ’76, / fleeing from the soldiers; she was slain by the door / to her home” (85). Similar judgments from Israelis occur throughout *With an Iron Pen: Twenty Years of Hebrew Protest Poetry*; first published in Hebrew in

2005, the book includes a number of younger poets. Dvora Amir (1948-) in “Woodcut of a Landscape” sees only “killing in the name of the law” (34). Dahlia Falah concludes “Thursday at Angel’s Bakery” by reminding us that “The children on vacation gather rocks to throw at the Jewish soldiers” (36).²⁶⁵ Oreet Meital (1957-) in “October 2000” concludes, “here, in the darkness, if we breathe in anything / it is forgetting” (75). Tal Nitzán (1960-) asks “what it means / to bring forth children in sorrow” (83).²⁶⁶ In a moment of desperation, Tali Latowicki (1976-) cries “Call in the snakes, let them come and pluck out my eyes, / for I am weary and have no desire to see” (122).

Some Jewish-Israeli poets invoke memories of the Holocaust to bring the ultimate challenge to the country’s West Bank policies, not always with appropriate care. Palestinian poets do so as well, with equally varied results. Claims of equivalence, I believe, are historically irresponsible and unwarranted. But one may fairly ask, as Samih al-Qasim (1939-2014) does, what bearing the Holocaust has on how we live now. Along with Mahmoud Darwish one of the two most prominent poets of the Palestinian resistance, al-Qasim is the author of “Buchenwald.” Addressed to the Israeli people, “Buchenwald” issues an appropriate question: what are the ethical demands that the memory of the Holocaust brings to contemporary conduct?

Have you forgotten your shame at Buchenwald?
 Do you remember your flames at Buchenwald?
 Have you forgotten your love in the lexicon
 of silence? Do you remember your panic—
 at the reign of death, in the nightmare of time—
 that the whole world
 would become a Buchenwald?
 Whether you’ve forgotten or not,
 the dead’s images linger
 among the wreaths of flowers,
 and from the dismembered corpses
 a hand emerges,
 a nail in the palm and tattoo on the wrist—
 a sign for the planet.
 Do you remember? Or not?
 Buchenwald—
 whether or not you’ve forgotten,
 the images of the murdered
 remain among the wreaths of flowers²⁶⁷

Jewish-Israeli poets also frequently call on their fellow citizens to use the legacy of the Holocaust to instill mercy and justice in their hearts. In evoking the fear that the world would become an extension of Buchenwald, al-Qasim's lyric honors the scale and gravity of the Holocaust. By linking "a nail in the palm and tattoo on the wrist" he places the murder of six million Jews alongside what Christians understand to be the crucifixion of the son of God. While I expect some might respond differently, I do not consider "Buchenwald" in any sense to be an example of Holocaust inversion. It does not claim, as Hazem Saghiyeh and Saleh Bashir did, that the Holocaust burdens Jews with special "accountability," that it "compounds their moral responsibility and exposes them to greater answerability." It does suggest, however, that victims of state violence can be called to a special sensitivity to violence carried out by their own state. "Buchenwald" might well be added to a full section of the course devoted to Holocaust poems by Israeli poets, which should be an essential part of any course devoted to Israeli poetry. From Abraham Sutzkever (1913-2010) to Dan Pagis (1930-1986) and many others the Holocaust has been central to the work of numerous Israeli poets.

Many other Palestinian poets as well, first protesting either their exile from their homes or their status in Israel and then castigating the occupation, are in inescapable dialogue with Jewish poets. In "Tent #50 (Song of a Refugee)" Rashed Hussein registers the impossible contradiction of trying to live as a refugee in one of the early camps: "Tent #50, on the left, that is my present, / But it is too cramped to contain a future!"²⁶⁸ Tawfiq Zayyad (1929-1994) in "Cuba" embodies the anger growing out of exile:

Within me lies the vengeance of a wounded people
 Thrown into the streets
 A people yearning for their usurped lands²⁶⁹

Fouzi El-Asmar (1937-2013), echoing Matthew 16:26 in "The Wandering Reed," captures the impossibility of fulfillment in exile:

Of what benefit is it, if man were to gain the whole world
 But lose the green almond in his father's orchard?
 Of what benefit is it, if man
 Were to drink coffee in Paris
 But none in his mother's house?²⁷⁰

"I shall open a map of the world / to look for the village I lost," writes Anton Shammas in "Prisoner of Sleeping and Waking."²⁷¹ Hussein explores a related conceit in "At Zero Hour": "I traced the outlines of my country upon my heart / Turning myself into an atlas for her contours." But then he vents his resulting despair: "While she became the milk of my verse, / Yet

nothing has changed.”²⁷² Reading through such poems, one begins to recognize the special ways poetry can build empathy by registering versions of it that are not typically found in argumentative prose. “How it hurts to see the flocks of birds returning / without us” Harun Hashim Rasheed (1927-) exclaims in “We Will Return One Day,”²⁷³ investing nature’s rhythms with Palestinian awareness of exile. Birds are free to travel, but Palestinians are not. Salem Jubran (1941-2011) makes a similar point in “A Refugee”: “The sun crosses the borders / Without the soldiers firing bullets at her forehead.”²⁷⁴ Mourid Barghouti (1944-) ends “The Balcony” with a definition: “A Balcony looking for its demolished home / That is my heart.”²⁷⁵ In “Remainder,” Hussein tells us “the bones burn under his skin,” capturing pain that will not let him rest.²⁷⁶ Salim Makhuli (1938-) captures something of the collective passion of the resistance in one image: “we found ourselves / In the furnace of struggle—and we were its fuel.”²⁷⁷

Few poems, however, carry a greater freight of anguish than the second section of Abd-Al-Karim Al-Sab’awi’s (1932-) “Three Poems to Palestine”:

Abel on my shoulders, how heavy he is!
 They killed him, yet I must carry him,
 Roaming the streets with his corpse,
 Lamenting, wailing, crying, “Abel is dead.”
 Abel, my grief, my dark fate,
 I did not kill you; I did not beat your head with a rock
 For years I have wandered in the wilderness,
 You upon my shoulders like a curse

Your flesh has fallen away, Abel.
 But woe unto me if I refuse,
 Or rebel against my fate and dig a hole
 To fling you in.²⁷⁸

Perhaps even more than those poems by Palestinians that compare their suffering with those of Jesus on the cross, of which there are many examples, including examples by Muslim poets, this poem invokes an originary and unresolved violence. The speaker wanders the earth carrying the original murder victim, unburied, on his back. The death is primal; it does more than make an analogy with the Genesis story; it collapses the intervening millennia into a single moral accusation against an Israeli perpetrator. And it treats all Palestinians as members of an extended human family, unable to make peace with their dead until justice is achieved. As Zayyad writes about “our tragedy” in “On the Trunk of an Olive Tree,” “It has absorbed us and we have absorbed it.”²⁷⁹ The anger that flows from

this reality is not surprising, even if its tropical realization sometimes is. In “Dearest Love II,” Salma Khadra Jayyusi (1928–) commemorates 1967’s Six-Day War with heightened accusatory language: “the hyenas of June went on the rampage: June cut through the ramparts of the sky.”²⁸⁰ Zayyad in “The Skull Harvest” urges his people “to destroy a system based on oppression / to destroy a system of crime and blood.”²⁸¹ Rashid Hussein in “Jerusalem...And the Hour” tells us “Anyone born in Jerusalem / is a potential bomb.”²⁸² At times the rhetoric of protest is brutal. Here are the opening lines of Zayyad’s “Taxation”:

Taxes of every type and stamp
Leave us indigent and penniless
Our children craving
Wandering amidst the dump
To pick some remnants of food
Abandoned by affluent breed
While their brats are boneless
Like balls of fat²⁸³

Repeatedly in revolutionary Palestinian poetry, however, and perhaps increasingly so as the occupation continued for decades, there is the fatalistic sense that the future failure of the revolution has always already taken place.

Israeli poet Sharron Hass’s (1966–) 2011 poem “Thefts,” here excerpted from a translation that Marcela Sulak did and shared with me, addresses a companion failure, that of the Second Intifada and its continuing reverberations.²⁸⁴ As she writes in another poem, “Dinner with Joachim,” one not about the Second Intifada and suicide bombings but that has a comparable understanding of narrative collision and overlap, “it is a moment that is unrelenting, that is splitting, that is burning.” “At the moment foulness joins fullness and leaves us bound / to a sight that keeps rolling down the slopes of time and family . . . the unravelling threads of narratives, in which the soul, which doesn’t / know how to distinguish/ itself in its forkings, is caught.” “Thefts” is not only about the theft of lives but also about the intersection of narratives that facilitates thefts of meaning.

In 2004, a twenty-one-year-old Palestinian woman from Jabiliya in Gaza named Wafa al-Bass was admitted into Israel for a series of treatments at Beersheba’s Soroka hospital for serious burns she had received in an accidental gas-tank explosion.²⁸⁵ On a return visit on June 20, 2005, guards at the Erez crossing noticed she was walking awkwardly. Stopped for questioning, she attempted to detonate a suicide bomb hidden under her traditional heavy coat. It had been destined, at the direction of Fatah’s

al-Aqsa Martyrs Brigade, for the hospital where she was being treated. But the bomb failed to explode. Sentenced to prison for 12 years, she was released as part of the 2011 prisoner exchange for Gilad Shalit, an Israeli soldier captured in 2006. Back in Gaza, she urged others to follow her lead.

It is this moral and political conundrum, one arguably beyond full comprehension, that Hass takes up in “Thefts,” published the year of Wafa al-Bass’s release. Here are the poem’s central stanzas:

There is a woman inside of a woman who wants what she doesn’t want
 And she steps into the heat wave in a red wool coat,
 Into the impossible—a burnt offering the fire refuses to burn.
 What lacks the sweetness of a double and a shadow
 Falls under the lust for beauty, the greatest of desires,
 And what only God, if he were, were permitted—
 To bind defeat with ecstasy—is a mark of disgrace
 On all who see, unseen, and sing.

*The bomber Wafa al-Bass undressed,
 exposing explosive undergarments
 yesterday in the isolation room at the check point.
 She tried to ignite the explosive, but she failed.*

Had there been a messenger to sing into the ears of the king
 who had slept with his mother and killed his father,
 like a monstrous magician, concealing the tangles
 of blood, had there remained strength in the king to say
 “This hideous creature of night, it is I,” and had his soul,
 in the presence of a singing line of fate, not been
 debased by the humiliation of suffering...

The poem unstably blends the observer’s and the would-be suicide bomber’s points of view. Wafa al-Bass is divided; she “wants what she doesn’t want.” How could it be otherwise? And so she becomes a sacrifice aborted, “a burnt offering the fire refuses to burn” when the bomb fails to detonate. Her grasp for the ecstasy of sacrifice that she will never know falters. Martyrdom, that suicidal thirst for an imaginary transcendent beauty that ruptures all value, hangs in the air unresolved. One is not supposed to survive that quest.

Suicide bombing was the primal violation of the Second Intifada, the period’s substitution for an Oedipal crime—“the king / who had slept with his mother and killed his father”—but Hass does not simply want to condemn it, to have the bomber declare “This hideous creature of night, it

is I” and leave it at that, though the confession is also Dracula’s and spares no horror. When in the third stanza she reflexively writes

(Somewhere nature prepares to look at me,
And to change my form if I dare fill
empty lines of poetry because I saw).

She testifies that all are changed by the spectacle of a martyr at once inspired, brainwashed, and coerced. And Wafa al-Bass’s failed mission in some way makes all this visible—because the deaths do not actually occur. If they had, the poem might be obscene, but they didn’t. Instead lives are miraculously spared. There is no earthly explanation either for the murderous impulse or for its failure:

I bent over the newspaper and I saw, like Mary,
Your defeat uplifted; the miracle of my life, and your death
That failed is wondrous to our eyes—here is the double
In the shadow-less land at the border of dreams, and she has a wound
for it.

It is not poetry’s job, one may certainly conclude, to make history easier for us, to free us of complication. More recently, Mizrahi poets like Erez Bitton, Adi Keissar, and Roy Hasan and the *Ars Poetica* movement complicate the poetry scene still further by introducing Arabic-speaking Israeli poets who were exiled from Arab countries and register their alienation from elite Ashkenazi culture in their work.²⁸⁶ As translations become available, one could include a poet like Nidaa Khoury (1959–), the author of several volumes of poetry, who saw herself as Palestinian but now views herself as Arab Israeli; she also teaches a course on “Arab Women’s Poetry in the Shadow of Struggle” at Ben-Gurion University of the Negev. And there is the deep message fundamental to Holocaust poetry—that there is no longer basis for continued confidence in any human endeavor.

TRANSLATIONS

The translations available for this group of poets present somewhat different classroom opportunities. Ravikovitch comes to us in what is, except for a few poems that were deemed impossible to offer in English, a complete collected poems. One may aim to talk productively about her career as a whole or about any of its major elements—from her poems about the occupation to her classic feminist poems to the important role her work played in the rise of the women’s peace movement in Israel. Shabtai’s two

translated volumes make an evaluation of his whole career ill advised, but they do make it possible to discuss his unusual erotic love poems or his distinctive contribution to the poetry of the occupation.

In the case of Samih al-Qasim, one can combine *Sadder Than Water*, cited earlier, with *All Faces But Mine: The Poetry of Samih al-Qasim* to obtain a working selection of his poetry and a reasonable assessment of his contributions to Palestinian poetry, although not a full assessment of his career. One should, however, add to those single-author translations the twenty-one al-Qasim poems in *Enemy of the Sun*, which translates poems before 1970, the twelve poems from *Victims of a Map*, and the nine poems in *The Palestinian Wedding: A Bilingual Anthology of Contemporary Palestinian Resistance Poetry*, which collects poems published before 1982, as well as poems from other anthologies.²⁸⁷ Those collections help flesh out Mahmoud Darwish's early career as well, as do a number of early collections of Darwish poems in English.

I list these examples, along with those provided for Darwish and Amichai earlier, not to provide a comprehensive bibliography of Palestinian and Jewish-Israeli poetry available in English (or not), which would require a substantial document, but rather to alert readers to the kinds of resources that are available, to the distinctions that need to be made, and to the work that has to be done to find what is in fact available in translation. Once specific subtopics are defined, moreover, even poets with very few translated works can have their poems integrated into a discussion of the kinds of poems Jews or Palestinians wrote about given subjects. Palestinian poets with only limited work in English who can be used that way and need also to be credited as significant literary figures in English-language courses include Fadwa Tuqan (1917-2003), Tawfiq Ziad (1929-1994), Mai Sayigh (1940-), Khalil Touma (1945-), Nidaa Khoury (1959-), and many others.

CONCLUSION

In thinking through the issues at stake in teaching a course on Jewish-Israeli and Palestinian poetry I have focused on poetry on major political issues. It would be possible, conversely, to base a comparative course on Jewish-Israeli and Palestinian poetry on relatively apolitical humanistic affirmation.²⁸⁸ Most of the poets mentioned previously write on non-political (or on less centrally political) topics as well. Some poets have written and continue to write autobiographical poetry that is more personal than political. Both Jewish-Israeli and Palestinian poets write love poetry, some of which, unlike Darwish's Rita poems, places politics and history in the background. But

to teach only such poems in a comparative course would be to deliberately exclude the poetry that has been culturally and politically most influential. In the United States and Europe alike one can find countless poems about parents, children, death, religion and other subjects in which politics and history either have retreated beyond the horizon or have been displaced by sentiment. This is not so recently anywhere in Palestine, on either side of the Green Line, where a substantial body of love poetry by major poets in both groups explicitly mingles love and politics. If one is unwilling to teach poetry at the heart of the Israeli-Palestinian conflict, one might be advised not to teach such a course.

A few further issues, however, need to be noted here. Space does not permit me to offer even a capsule history of the two bodies of poetry, but there are a few points to keep in mind.²⁸⁹ Teachers should recognize from the outset that the parallelism implicit in a comparative course title does not begin fully to apply historically until about 1960. That was when Arab poets in Palestine began to create a notable poetry of resistance. Until the '67 war, however, as Muna Abu Eid confirms, Arabs in Israel identified as Arab, not Palestinian (135). A few Jewish-Israeli poets produced work addressing the Arabs in their midst before then, Avot Yeshurun's (1904-1992) long poem "Passover on Caves" (1952) being the most widely debated example, but most Israeli poets who dealt with public issues (and many did not) concentrated on creating a homeland and the identities that could sustain it through the 1950s.²⁹⁰ As Emmanuel Levinas might have observed, it took some decades before Jewish-Israeli poetry fully recognized and engaged its other. As the Palestinian poet and Israeli citizen Hanna Abu Hanna (1928-) writes in "The Desire's Squint," "I am the burden of the chosen people."²⁹¹ Poets overall are well ahead of other segments of Israeli society in confronting that recognition.

The Jews who relocated to Israel beginning in the late 19th century included both established writers and young educated people ready to write poetry in the first four decades of the 20th century. A majority of the Arab population in Palestine had no access to schooling and literacy, and many of the literate Arabs were among the elite who fled or were pushed out in 1947 and early 1948. Both for the Arabs remaining in Israel and those under Jordanian occupation on the West Bank from 1948 to 1967, conditions were not ripe to create a community of writers for many years. Israel meanwhile produced more than one generation of poets.

Both Jewish-Israelis and Palestinians, however, had to go through parallel processes of breaking with the past, though not in the same decade. Jews were focused on turning Hebrew into a modern, secular language. Until that goal was achieved a viable contemporary poetry was impossible.

Both peoples inherited very long histories of highly formal poetry in either Hebrew or Arabic. In the case of the Jews much of the poetry was religious; for the Arabs it was a formal tradition of love poetry that had to be superseded before contemporary history could be addressed. Both had a cultural and political need for vernacular poetry, and both peoples in time embraced free verse as a way to produce it.

Finally there is the complex and debatable question of who constitutes a Jewish-Israeli or Palestinian poet. Both peoples also have prehistories that include poetry relevant to the current state of national aspiration and identity. There is an anachronistic tendency to project the label of “Israeli” or “Palestinian” back in time to embrace larger and longer-running national poetries. I prefer an effort to draw distinctions, but it is complicated by individual careers that span multiple periods. As political conditions change, a Hebrew-language poet can become a Jewish-Israeli one; an Arabic-language poet can become a Palestinian one. And their careers can begin to include poetry that addresses identity or political issues that they did not address in their early work. Jews and Palestinian Arabs are both, in different ways and with different temporalities, diasporic peoples; critics of poetry must decide whether poets who emigrate belong to the poetries of their native land, to an adoptive country, or to both.

A few examples can suggest how distinctions can sometimes be drawn. Chaim Nahman Bialik (1873–1934) was the premier poet of European Zionism and of the effort to revive the Hebrew language. Born in a Ukrainian village, he emigrated to Palestine and settled in Tel Aviv in 1924, but he wrote little poetry after 1911 and, despite being recognized as Israel’s national poet, arguably belongs with the forerunners of Israeli poetry.²⁹² One can argue that he never wrote as an Israeli poet. On the other hand, Ra’hel (Ra’hel Bluwstein, 1890–1931) did, despite her brief career, sometimes write as a poet of the *Yishuv*, the Jewish community established in Palestine before the Jewish state. Born in Russia, she was in Palestine briefly from 1909 to 1913; she returned to live there permanently in 1919. Her nostalgia for her time in the Kinnereth and later in the Degania kibbutz, the later cut short due to her worsening tuberculosis, is one of the themes of the poetry she wrote in Palestine, mostly in the 1920s.²⁹³ Her nostalgia for kibbutz life can be compared with Darwish’s nostalgia for the lost village of his childhood.

Ibrahim Tuqan (1905–1941), the foremost poet of his generation in Palestine, predates the Palestinian national movement, but his political poetry partly written in protest of the British presence in the Mandate period (1922–47), makes him a clear precursor poet. Rashid Hussein was born in a village near Haifa and was politically active in Israel until he

chose exile to the United States after the 1967 war. He had been under assault from both sides for his support for coexistence. Eventually dying impoverished in a fire in New York, he is clearly a Palestinian poet, on the basis not only of his birth and activities in Israel but also of the political themes in his poetry. Ahmed Dahbour (1946–2017) was born in Haifa but has lived in exile since 1948; the combination of birth and subject matter makes him a Palestinian poet.

The benefits of a course taking up politically engaged Jewish-Israeli and Palestinian poetry together are considerable. From a broad perspective, Jewish-Israeli and Palestinian poetry raise challenging questions about the relation between individual and collective identity. Both bodies of poetry open a debate over the question of what constitutes a national poetry. Teaching the poems together puts both students' and faculty's political and disciplinary value systems in dialogue and potential conflict with one another. The resulting conversations can be a good way to think about literature itself and to enrich self-understanding and political understanding alike with poetic nuance.

I believe it is easier to conduct this conversation fairly, however, if you feel empathy for both peoples and believe that a political route must be found to honor both peoples' national aspirations. For a literature course, that aim can be fulfilled simply by teaching both bodies of poetry sympathetically. It is not necessary for a poetry or fiction course to commit to a given political solution, though a general sympathy for a two-state solution comports well with sympathetic readings of poems from both sides of the Israeli-Palestinian conflict. It is more difficult, conversely, to produce sympathetic readings of both peoples' poems if you believe that justice resides on only one side of the conflict. My aim in this chapter has been to persuade by example, to show how the poetry can be taught. Although I do not like to exaggerate the effect that one course can have on students, I do hope that teaching the poetry this way can lead to greater political understanding. Perhaps such a course can also suggest how pedagogy can enrich and complicate campus debates that can otherwise be unproductively acrimonious.

PART FOUR

CHALLENGES IN PROFESSIONAL ASSOCIATIONS AND IN PALESTINE



CHAPTER NINE

A FACULTY GROUP ORGANIZES A BOYCOTT CAMPAIGN

We live in an age in which millions of people are exposed daily to some variant of the argument that the challenges of the world they live in are best explained in terms of “Israel.”

—David Nirenberg, *Anti-Judaism*, 471

INTRODUCTION

The second section of *Israel Denial* is devoted to four case studies of publications by prominent faculty who are BDS advocates. That work has helped inspire and rationalize collaborative BDS projects in a number of academic associations. At least three of the four faculty members whose work I analyze have been active in one or more boycott campaigns in their professional associations. In the case of the Modern Language Association (MLA) the campaign to boycott Israeli universities is into its second decade. The documents supporting an MLA boycott, also written by faculty, over time have grown longer and more complex, so that they now constitute substantial statements. They thus merit the same sort of analysis I have given to books and essays by single authors. At the same time these collaborative texts do not aim for originality. They are consensus documents. Indeed, members of one discipline's BDS cohort will readily borrow from texts produced in other fields. It wouldn't consequently be useful to take up documents from several disciplines. I am focusing instead on major statements from my own field, which are among the most ambitious in the academy. But the same arguments have been pursued in boycott proposals in the American Anthropological Association, the American Historical Association, and other groups.

MLA is the major professional organization representing faculty members and graduate students in English and foreign languages in Canada and the United States. Because these fields are large, the MLA is also the single largest disciplinary organization in North America. It has been roiled by debates over resolutions supporting an academic boycott of Israeli universities since the 2006–2007 academic year. Those debates are concentrated in the business meeting of the MLA's annual meeting, long held in December but more recently moved to January. At the business meeting, called the Delegate Assembly (DA), about 250 elected representatives debate and vote on resolutions. Non-voting MLA members can sit in a special section and speak during debates as well. If a majority of the delegates vote to approve a resolution, it goes to the organization's much smaller Executive Council which reviews it and decides whether to send it to the general membership for a vote. That vote, by electronic ballot, then takes place in June. I have served on both the DA and the Executive Council.

One of the odd features of the MLA's procedures is that, when a resolution goes to the membership for a vote, the only supporting documents that accompany it are those provided by the faculty sponsors of the resolution. Thus, if a resolution calling for an academic boycott goes to the members, those in opposition have a substantial challenge finding a way to communicate with 25,000 members and be certain they have access to an opposing view. Those of us involved operated in an ad hoc manner until 2013, when a small group of us founded MLA Members for Scholars' Rights to oppose academic boycotts. Within a few months we had hundreds of members. On behalf of the group we copied 20,000 member emails from the MLA directory—which had for long been published in an annual issue of the organization's main journal and sent both to members and to all libraries with subscriptions—but by then were compiled online. In any case, we sent anti-boycott literature to 20,000 members in 2014 and helped to defeat the resolution.

The 2014 DA meeting was the most chaotic, indeed carnivalesque, of the previous half century or more. The debate lasted for hours and was punctuated by incompetent pro-BDS rulings from the incoming president, who serves as chair. Meanwhile, the resolution's sponsors, including Richard Ohmann and Bruce Robbins, absurdly claimed that Israel, not Egypt, was the country on Gaza's southern border. The BDS forces learned their lesson and assembled far more detailed documents two years later, to which I responded in an earlier version of this essay. Because of the MLA's size and centrality to the humanities, its annual DA meeting is attended by the press and widely reported. Its actions are taken to represent the humanities widely. Thus its symbolic cultural force is significant.

In December 2016, as part of the lead up to the following month's expected Modern Language Association's (MLA) Delegate Assembly vote yet again on a resolution to endorse the boycott of Israeli universities, six MLA members issued *A Report on MLA Members' Visit to Palestine, June 2016*, a document that merits a detailed response since its broad implications will be of concern to those both within and outside the academic community. Their report addresses numerous subjects of general interest, among them the status of academic freedom on the West Bank, a subject covered here in Chapter Ten, as well as the experience of Arab Israeli citizens who study in Israel itself. My chapter "Academic Freedom in Palestinian Universities," which should be consulted in tandem with the present one, demonstrates that the major threat to academic freedom in the West Bank is not Israel but rather actions by Palestinian political and paramilitary groups, including Fatah, Hamas, and Islamic Jihad, along with the Palestinian Authority (PA) itself. These two chapters correspond roughly

to the appropriate geographical and political divisions; Chapter Ten concentrates on the West Bank and Gaza, whereas this chapter concentrates on Israel proper. MLA's pro-BDS documents echo the arguments boycott supporters put forward in a number of other academic disciplines, so the effort to counter them has wide utility.

Two of the authors of *A Report on MLA Members' Visit to Palestine, June 2016* had earlier submitted a resolution to the MLA urging the organization to endorse an academic boycott of all Israeli universities, supplemented with 19 pages of commentary, analysis, and 114 links to supporting documents—a text unfortunately not made available to MLA members until December 15, 2015.²⁹⁴ Rather than fact check what they found online, they assumed (once again incorrectly, as they had in 2014) that every anti-Israel NGO is a reliable source of information. The narrative the authors present in the 19-page resolution document is remarkable. It opens by citing the American Association of University Professors' (AAUP) classic 1940 definition of academic freedom without mentioning the inconvenient fact that the AAUP has been opposed to all academic boycotts, including boycotts of Israeli universities, since it first addressed the issue a decade ago. Purporting to review conditions in the West Bank and Gaza,²⁹⁵ nowhere does it even mention Hamas or the PA's actions during the Second Intifada. Operation Cast Lead, and Operation Protective Edge are condemned, but no references to suicide bombings or Hamas rocket attacks occur.²⁹⁶ Indeed the resolution's authors feel no need to account for or debate Israel's motives, and thus they live in a mental universe where Israel has no reason for anything it does. Israel in their view is nothing more than a thoroughly militarized society whose aims and intentions are unreservedly hostile. As a colleague in California remarked, "You would think from this document that the state of Israel has embarked on a fifty year program of marauding around the Middle East for the sole purpose and sole motivation of causing needless suffering and destruction."

Since their authorship overlaps, the aims and arguments of the two pro-BDS documents are unsurprisingly in harmony, and there are passages in common. The travel report, however, is sometimes more revealing about its authors' attitudes, assumptions, motivations, and bases for conclusions. The expanded resolution is more impersonal. In responding to the travel report's more personal voice here, I sometimes speak in my own voice as well.

Part of the problem was that MLA had never before dealt with such a comprehensive indictment of a nation and its people. Having served a four-year term on the organization's Executive Council and regularly witnessed its reliance on staff advice, I can guess that the staff recommendation—often

robotically bureaucratic²⁹⁷—prevailed: a resolution’s proposers present the evidence they choose. End of story. The organization does no fact checking, a pattern earlier chapters have shown that university presses emulate as well. In the past that has been partly correctible: the 2014 BDS resolution addressed a narrow claim that Israel blocks foreign faculty from teaching on the West Bank. Supporters presented four examples. We stood up at the 2014 meeting and cited the evidence that three of the four faculty members *had* taught at Palestinian universities in the West Bank. But we could not counter 2016’s long, two-part poisonous dossier in that way. When we worked hard to share counter-evidence with the whole organization in 2014, MLA’s executive director used every means to prevent us from doing so, up to and including threats of legal action.

In 2017 we faced what amounted to a claim that Israel’s only *raison d’être* as a nation is the torture of the Palestinian people. Like the publications I reviewed in chapters three through six, the two BDS documents presented a Manichean narrative of a battle between good and evil, with six and a half million Israeli Jews on the wrong side of the conflict. Business as usual for the organization was not an adequate response. For the MLA even to have an official organization-wide debate about whether Israel is a morally abhorrent nation—a topic with no direct bearing on American higher education—already undercuts the mission defined by the organization’s charter and alienates many of its members. MLA’s rules tragically mean that approval by a mere ten percent of the members could be sufficient to make hostility to Israel the organization’s official policy.²⁹⁸ MLA’s BDS members continually complain that ten percent is too high a bar and agitate for a lower standard for approval.

The fact that the resolution merely endorsed and called for an academic boycott, rather than actually initiating one, would make no difference in how the resolution would be received worldwide. If the resolution had been approved by the Delegate Assembly, forwarded to the entire membership by the Executive Council, and then approved in a vote in Spring 2017, the MLA would have become an official arm of the BDS movement, a transformation enabled by two mendacious documents.

MLA’s leadership felt no responsibility to supplement these extraordinarily deceptive pieces of propaganda or to invite anyone else to do so. Did they suppose that a group of specialists in Shakespearian drama or the teaching of French language and literature is necessarily well-informed about the history of Zionism or the Hamas charter? Instead, documents aimed unashamedly at indoctrination were distributed to 25,000 or so MLA members, and their elected representatives in the Delegate Assembly were charged with voting on that basis. Does the MLA have no greater

sense of professional or historical responsibility? Does the leadership feel no need to revise its procedures when faced with this potential debacle? Does the leadership have no shame?²⁹⁹

As I will attempt to show, the “evidence” marshalled by MLA’s BDS advocates suggests the need for a far more comprehensive solution than the symbolic project of an academic boycott can offer. In seeking to tie the MLA’s members to a much wider and deeper critique, they engaged the organization in a far more aggressive agenda than they admitted. As the “Open Letter,” issued by MLA Members for Justice in Palestine calling for the boycott resolution and gathering personal endorsements declared, “We express our dismay at the humanitarian catastrophe unfolding on a daily basis in the territories controlled by Israel.”³⁰⁰ If you believe that about Israel, why would you settle merely for a boycott of its universities?

INCOMPETENT SCHOLARSHIP

The travel report’s main strategy was to win people over emotionally, then to advance conclusions that were often either unsupported by the narrative that preceded them or addressed to entirely unrelated domains. The authors open with their return to Ben Gurion airport, following, they advise, “the circuitous journey from Ramallah to Tel Aviv that Palestinian vehicles are obliged to follow” (1). Small point, perhaps, but none of the routes from Ramallah to Jerusalem are overly burdensome, though more so for some than others. The distinction is between routes predominantly used by Israeli citizens (Jewish or Arab) and those more likely to be used by West Bank Palestinians when crossing the border into Israel. Jewish and Palestinian drivers alike have a reasonably direct route from Jerusalem to Ben Gurion airport.

More telling is their account of being pulled over near the airport where the Arab driver supposedly had to pull down his pants as part of a security inspection. I have no evidence to dispute their story, but I know many Israelis who have never heard of anything comparable. I have more than once hired Arab drivers both for the day and for trips to the airport, the latter when leaving from both West and East Jerusalem, without experiencing any such difficulties. Like all vehicles, we pulled over and dropped the window for a brief inspection, and then proceeded on our way. The authors of the report, who inform us that “underwear would be a persistent theme during our time in Israel and the Occupied Territories” (1), want us to believe such humiliations are entirely routine. Perhaps unsurprisingly, they do not mention that Ben Gurion airport would be a routine site of

carnage were it not for Israel's security precautions.³⁰¹ That checkpoints can, however, be frustrating or humiliating is true; as Israelis themselves have argued, some practices require reform, though boycotting Haifa or Tel Aviv University will not accomplish that goal.

In this case at least, the authors claim eyewitness testimony. Elsewhere they rely almost exclusively on either anecdotal evidence or undocumented claims. Thus, they tell us absurdly, as though it is an undisputed fact, that Arab Israelis "must delay entering the universities until they are 21" (6).³⁰² It is certainly not difficult to meet Arab Israeli students at universities who are younger than that, or to meet Arab Israeli families planning to send their children to college after graduating high school. There is no such rule in Israel's higher education admission requirements. Perhaps the authors are confused by the fact that most Israeli Jews do their required military service before attending college and thus begin their studies at age 21.³⁰³ Several medical school and health professional programs in Israel do not admit students younger than 20 years of age, be it Jews or Arabs, because of professional considerations (emotional maturity etc.), but that limitation (itself debated in Israel) applies only to very specific programs and applies regardless of ethnicity.³⁰⁴

That error is supplemented by what is arguably an even more absurd claim that "Jewish students can enter kindergarten at three, Palestinians [Arab Israelis] only at five" (6). Perhaps the authors of the report misunderstood what they were told. Perhaps they were simply gullible and did not require further support to tell us what they were eager to believe. In any case it is misleading at best to disseminate inadequately researched and frankly false claims. The authors could easily have found out that, after the widely publicized 2011 social justice demonstrations in Israel, the Trachtenberg committee decided to expand *free* child care and education down to age three in Israel. This includes all sectors of Israeli citizens, Arab and Jewish, as well as primary day-care in East Jerusalem.³⁰⁵

The confusion about education in Israel is compounded by the authors' flawed account of rigidly separate elementary and secondary systems for Arab and Jewish students. In fact, no one forces an Israeli Arab to attend an Arab-speaking school. Local demographics determine which schools are nearby. In cities with large mixed populations there are public schools with both Arab and Jewish students. A number of schools are bilingual, among them the six run by Hand in Hand. If an Arab Israeli lives in a predominantly Hebrew-speaking neighborhood, he or she would go to a Hebrew-speaking school unless the parents choose otherwise. That said, there are underfunded Arab Israeli schools that require more resources. Indeed the Israeli Ministry of Justice has ruled against any such unequal

funding practices. Israeli universities have done their part by instituting Arab Israeli student recruitment and retention programs, not an obvious boycott-worthy offense. But it would be a mistake to assume every Arab school is inferior. The high school that won first place in a 2015 competition was an Arab high school from the Galilee area in the north. In terms of raw numbers, Ministry of Education data shows that the number of Arab students attending kindergarten increased 33 percent from 2004-5 to 2016, and the number attending high school increased by 59 percent in the same time period.

The continuing efforts by universities have already borne fruit. As Israel's Central Bureau of Statistics documents, overall enrollment by Arab students has doubled over a decade, from 5.2 percent of the student population in 2004-5 to 10.5 percent in 2014-15. When the Israeli Council for Higher Education compiled data three years later it found still more progress: the number of Arabs in Israeli higher education grew 79 percent in seven years. Arab students accounted for 16.1 percent of all students in bachelor degree programs in 2017, up from 10.2 percent in 2010 (Dattel). But these results are not the end of the story. Israeli colleges and universities are committed to increasing Arab enrollment still more; indeed, this is an area where current success creates an environment where greater success is possible, as increasingly larger Arab student bodies make the campus environment more welcoming. Some fields are particularly strong; in medicine, Arab students represent 22 per cent of those enrolled. And Arab students, including women, are generally well represented in MLA fields like literary studies. "Arabs made up 20% of all humanities and education students in the 2016-17 year, compared to 12% in 2009-10. The percentage in social sciences, business and management jumped to 15% from 8% and in law to 12% from 8%" (Dattel). Predictably, the BDS resolution document gives no recognition to the work Israeli universities are doing to maximize Arab enrollment and retention and simply decries the fact that "Arab students comprise only 10 percent of Bachelor's Degree graduates" (R9).

The problem with disparities in primary and secondary school funding in Israel partly mirrors the same long-standing problem in the US: reliance on local funding. Some education funding in Israel is national, but disparities in the local portion are dramatic. There is a comprehensive, up-to-date April 2016 report on Israel from the Organization for Economic Co-operation and Development (OECD) that makes the point: "Schools in the Arab education stream tend to be underfunded, as they are often located in less affluent areas. According to national data, more affluent local governments can provide up to 10-20 times higher funding per student for schools than less affluent local governments." There is also a general

report from the Ministry of Education from 2013 that makes it clear that the ministry sees closing the resulting performance gaps as part of its mission.³⁰⁶ Once again, inadequate research, some of which could have been corrected by Google searches, undermines the report's validity.

The travel report from BDS's MLA members is riddled with factual errors. Some represent confused misrepresentations of Israeli law, including the claim, addressed before in the chapter on Saree Makdisi, that Arab citizens of Israel "lack full 'democratic rights,'" that "they are citizens but not 'nationals' of a state where nationality rather than citizenship determines access to privileges and rights" (6). To reiterate what I pointed out in Chapter Five, Israel's citizenship law, *Hok Ha-Ezrachut*, is the law that defines citizenship in Israel. It is sometimes translated into English as "Nationality Law." In this sense "citizen" and "national" are used interchangeably. There was an ethnicity/nationality section on the Israeli ID card, removed years ago, which was there for census purposes. It affected no rights under the nationality law. No group is considered more "Israeli" than another under the law, except for the right of Jews to establish the Jewish state. The distinction the authors of the report attribute to Israeli law does not exist. There is discrimination against Arab citizens in housing and other areas, and it must be fought more aggressively, but it is not legally based.³⁰⁷ Even the recent—and highly controversial—Basic Law defining Israel as the nation-state of the Jews made no effort to assign Jews special privileges or rights.

Other errors amount to slander, such as the claim that financial aid is not available to Arab Israeli students (7). They complain that army veterans receive educational benefits (as they do in the US), but overall in Israel financial aid for higher education is tied more to family size than army service: a Muslim applicant with more than three siblings will get more aid than someone with one sibling who just dedicated three prime years of his/her life to army service. Veterans in the US also receive educational benefits, though military service is required, not optional, for most Jews in Israel. On the other hand, compensation during military service in Israel is well below a living wage. The authors might also have been able to discover that, in both the strategic 2011-2016 and 2017-2021 five-year budgets for the Israel higher education system by the Planning & Budget Committee of the Council for Higher Education, there is a generous allocation for the promotion of higher education among Israeli Arabs: scholarships, special preparatory programs, academic-social support to prevent attrition, and other provisions.

The authors also do not seem to be aware that the Israeli Defense Forces (IDF) are not composed exclusively of Jews. Many Druze and Bedouins

serve in the army and some Muslim Arab-Israelis do too. A friend reported that the medic in her unit was a Muslim from a village near Hadera. He felt that it was important to do his part in keeping Israel secure. One might have noted as well that the current IDF Surgeon General was Druze, a graduate of Ben-Gurion University's medical school.

They go on to complain that “university admission exams” are only given in Hebrew, but the Psychometric Entrance Tests (PET) can be taken in multiple languages—Arabic, French, Hebrew, Russian, Spanish, or combined Hebrew/English.³⁰⁸ Hebrew is the chief language of instruction in major universities, so students take a proficiency exam, but that is a different matter. Both Arabic and Hebrew remain in widespread use, and many Arab Israelis are comfortable, if not fluent, in Hebrew, a situation that helps bridge differences. One cannot suppose how the MLA group got the idea they should complain that “even Arabic language courses are taught in Hebrew” (6); except in full immersion programs, beginning level language courses may be taught in the common language of the students until they reach a certain level of proficiency; after that, all language courses are normally taught in the target language, as in any language program around the world. And then there are embarrassing mistakes that suggest a broad lack of relevant cultural knowledge, such as the authors' apparent belief that Druze are Christians. The unique Druze faith grows out of a tradition that incorporates and reinterprets elements of numerous philosophies and religious beliefs. As an essay in *Legal Insurrection* commenting on the MLA campaign observes, “There is some debate among scholars whether the Druze are Arab, much less Arab Palestinians. There is also some debate about what exactly the tenets of the Druze religion are (given that it is an esoteric faith), and whether it should be counted as part of Islam. But there is absolutely no question that the Druze are not Christian. This mistake, in a report by academics, is profoundly embarrassing.” Nor, for that matter, would the Druze themselves accept a designation as Palestinian.

After promising to detail “the concrete conditions under which Palestinian academics, students and university administrators function” (3), the authors say Israeli Arab “faculty at Israeli institutions report open discrimination in research funding and assistance” (7), but there are numerous examples of Israeli Arab academics carrying out funded research projects at Israeli universities. What they claim in the way of discrimination would require coordinated collusion by faculty and administrative committees reviewing research proposals. But Israeli universities, like their US counterparts, are set up to award funding based on the merit of the proposals submitted, not on the basis of the ethnicity of the applicant. Of course faculty members worldwide believe it is fundamentally unjust to

turn down any proposal they submit. The authors of the report predictably are unwilling to consider such possibilities.

The assertion that “the vast majority of Palestinian academics have called for this boycott” (3) is not supported with evidence. Some Arab academics in Israel have called for it, but most have remained silent on the matter. A number of West Bank Palestinian faculties have sent letters to academics in other countries calling for a boycott, but those have not been mass documents accompanied by the hundreds of signatures that would be required to support the “vast majority” claim.

In other cases, the authors cherry pick insignificant evidence and willfully exaggerate its importance. A good example is when they warn that “there is talk of removing funding from any university that has faculty who support BDS” (20). That suggestion came from one Knesset member. It had no consequences. There has been no known follow-up to his remarks. Even the Political Science department at Ben-Gurion University, a department that has majority BDS support, was protected by its president Rivka Carmi from right wing political assault. This is part of the report’s authors’ general pattern of giving a sinister cast to what they are told. In order to paint a picture of a campus under unremitting armed assault, they tell us that Palestine Technical University (PTU) at Tulkarem, “the campus most affected by Israeli military presence, endured 85 incursions by the Israeli military” in 2015 (9); but that statistic is achievable only by counting every time an IDF vehicle entered the city limits. Events at Tulkarem merit serious, contextualized, detailed documentation and analysis, not opportunistic reporting. In the eyes of this group, Palestinian universities overall are constantly imperiled and in danger of having their educational missions curtailed, but Palestinians have in fact created a very successful university system since 1967, one that has made a high level of educational attainment possible for their people. Although Jordan made no provisions for a West Bank Palestinian university system when it controlled the area from 1948-1967, the Israeli military authorities did so after Israel assumed control in 1967.

These and other errors and distortions are supplemented by ill-considered complaints that effectively dilute the case for academic boycotts by putting the authors’ bad judgment on display.³⁰⁹ Can one, for example, really consider the frequent presence of young Israeli students in uniform on campus a form of oppression, especially when these occasional students in army uniform (who may be on furlough to take a course) are seen calmly eating at the cafeteria together with Muslim students, or studying next to each other at the library and other public spaces of Israeli universities? By contrast, at Palestinian universities, Israelis are generally not tolerated. One

option, if the presence of students in army uniform seems alienating, is to strike up conversations with them, testing the possibility that they are fellow human beings.³¹⁰

Whose fault is it if Birzeit University faculty, victims of their own anti-normalization ideology, lose the opportunity to compete for European Union research funding because their institution prohibits collaborative research with Israelis, which is an EU funding requirement? Is the denial of funding for proposed conferences on genocide that focus on and give credence to the false claim that Israel has genocidal designs on Palestinians an abridgement of academic freedom, as the authors seem to think? Israeli universities do support the respectable academic field of genocide studies. An international conference organized by the International Society for the Study of Genocide that included Israeli participants was hosted at Hebrew University in the summer of 2016. No university is required to sponsor—and no faculty committee should endorse—pseudo academic events designed to falsify history and promote hatred. It's likely that Holocaust denial events wouldn't receive funding either, though one can attend them in Iran.

POLITICAL SPEECH ON AN ISRAELI CAMPUS

The authors of the two documents construct an image of students both in Israel and in the West Bank as victims of massive, relentless political repression. Although you wouldn't know it from their narratives, as I will demonstrate in Chapter Ten, the political entity responsible for protecting or interdicting campus political speech in the West Bank is the Palestinian Authority. The PA's proper concern is over occasions when political speech becomes incitement to violence. That is much the same criterion applicable in Israel, and the criterion applicable in the US as well, though the prevalence of successful incitement is far greater throughout the Middle East. As one Israeli dean put it to me: "If I do something wrong, people get hurt." The IDF ordinarily intervenes in Palestinian campuses when incitement escalates into recruitment, including recruitment of students to participate in Hamas terrorist cells.³¹¹ As I point out in "Academic Freedom in Palestinian Universities," the chapter that deals with the situation in the West Bank, one is not in Kansas anymore.

Israel's 2007 Student Rights Law governs Israeli institutions and covers not only privacy rights and other matters but also addresses political speech: "All students have the right to organize and demonstrate over any topic or issue, including issues related to students and their rights, in accordance

with the rules that each institution sets in its regulations.” It also guarantees classroom freedoms: “Without prejudice to the rights granted by law, all students have the right to express their opinions, positions and worldview regarding the content of the study material and the values conveyed in it. This clause does not limit an institution’s right to organize the process of expressing one’s opinions, positions or worldviews in order to guarantee the proper functioning of the educational process.”

Each campus also has some version of a public activities code that supplements the Israeli law with specifics tailored to the individual campus. The local code is subject to judicial review. Student groups, including political parties, submit applications to get events approved. The point, then, is that political speech on Israeli campuses is governed by law, regulation, and procedure, not arbitrary authority. Students who organize and stage events without approval are subject to disciplinary action. When student political parties object to decisions, they can (and do) appeal to the courts. They also have recourse to the media and to sympathetic NGOs, both of which are more than willing to contest administrative decisions.

Do administrators always make the right decision? Of course not. Are such decisions sometimes controversial? Certainly. It is very difficult in a volatile setting to be certain when political passions may erupt in physical conflict. It is more difficult still to judge individual cases from across the ocean. Given the purpose of the event and the prior history of the speaker or speakers proposed, one can sometimes anticipate language on the border of incitement; then it is complex and difficult to decide whether to permit or forbid an event to take place. If the dean of students is charged with making the decision, he or she will typically consult with others to obtain advice and seek a consensus. Student deans from across Israel meet every 4–6 weeks to compare notes and share experiences.

While I have spoken with faculty and administrators from most Israeli universities, there is good reason to focus on the University of Haifa, where I am an affiliated faculty member. Haifa has a high percentage of Arab Israeli students—30 percent—amounting to over 3,000 students, which means the variety of Israeli political opinion is well-represented there. Israeli Arab students at Haifa made up 41.1 percent of undergraduates by 2017. The overall Israeli Arab population is about 20 percent of the country. There are 8–10 student political parties on campus, including 3–4 Arab groups.

Haifa’s local code expressly permits the campus administration to cancel events or deny students the right to hold them only when the event presents an imminent danger to safety and security. The administration has 24 hours to approve or disallow a political display, like a literature table in

a public space, and 48 hours to approve or disallow a political event. The time constraints on a response are designed to maximize the opportunity for free expression in response to real time events, while also providing a mechanism to give the campus time to provide for public security.

Haifa has a large public square, where non-political events can be held. The independent, elected student union that stages events there is by definition apolitical. But there is a second, smaller public square where political displays can be set up and another space, overlooking the ocean, where political demonstrations can be held. The BDS travel report asserts that all Israeli universities routinely allow “for the disruption of their [Arab students’] observation of the Nakba” (13), but that is not accurate. In the case of Nakba Day at Haifa, a controversial occasion commemorated annually on campus in May, it was decided to hold the event in an auditorium to provide better security. Students opposed to Nakba Day are not allowed entry and cannot protest either in the auditorium or outside the designated hall, but they can have their say in the open space for political demonstrations. The Nakba Day event, typically drawing 50–60 Arab Israeli students, is thus protected as permitted political speech, and those students involved feel safe in exercising their rights. Some Arab Israelis place the Nakba, when some 700,000 Arabs fled Israel in 1948, at the core of their historical identities, whereas some Israelis see its commemoration as a rejection of Israel’s creation as a state and a homeland for the Jewish people. Hence the potential for conflict and physical confrontation. Haifa’s solution is to allow both groups an opportunity to voice their convictions without risking confrontation. Haifa also has an active Jewish-Arab Research Center to promote dialogue, so the campus takes the need to encourage mutual understanding seriously as well. And of course there is continual dialogue between Jewish and Arab students in classes.

Other institutions handle Nakba Day differently. Tel Aviv University has arranged for students to stage a commemoration event for several years. The 2018 event was organized by Balad and held on campus. Balad, the Hebrew acronym for the National Democratic Assembly, is a left-wing Israeli political party that works to preserve the cultural heritage of Israeli Arabs and advocates Israeli withdrawal from all contested territories, the separation of religion and state, and establishment of a binational state. The Nakba event—and an interview with one of the organizers, head of Balad at Tel Aviv—can be watched on Youtube.³¹² Free speech protected opposing students’ right to hold a counter-demonstration, but the Nakba commemoration proceeded. Similar commemorations took place in 2014, 2015, 2016 and earlier. Bar Ilan University, still sensitive to the memory that it was one of its students who assassinated Prime Minister Yitzhak

Rabin, prohibits all political demonstrations, whether from the right or the left, whether Jewish or Arab, though it accommodates all religious interests, having established a Muslim chapel for its Arab students. Israeli law does prohibit universities from spending government funds on Nakba Day, but those are hardly the only funds available.

A DISCREDITED FOUNDATION FOR ARGUMENT

Once again, MLA's boycott advocates brazenly offer the single most deceptive and discredited canard about academic boycotts in defense of their resolution—that “this academic boycott is a targeted measure directed at institutions and not at individuals” (R 16). Of course universities are not unpopulated shells; they are living institutions made up of the students, faculty, and staff who work there, building their professional identities around the institution, taking advantage of its opportunities, and making it their base for personal and group outreach across the world. Almost alone among academic boycott advocates, movement founder Omar Barghouti freely admits that academic boycotts do damage individual people; he just thinks they are worth the cost.

It was clear as early as 2002 in Britain that academic boycott proposals would encourage and empower faculty hostile to Israel to create their own custom-designed boycotts, damaging students and faculty as they see fit.³¹³ In a video released in 2016, boycott advocate Gayatri Spivak actually applauded this freedom to innovate by instituting your own personal boycott standards and rules. The MLA resolution assures us, as if the resulting chaos is a virtue, that “individual MLA members will continue to follow their own conscience when making their own decision whether to honor the boycott as individual scholars” (R 17). In “Response to MLA Member’s Queries Re The Academic Boycott,” the resolution’s organizers emphasize the point: “The institutional endorsement of the boycott will empower individuals to honor the boycott.”

The decisive development came in July 2014, when the Ramallah-based Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI) issued its revised *Guidelines for Academic Boycotts* that reiterated the familiar reassurance that only institutions are targeted, but allowed for “common sense” boycotts of individuals as an exception. The guidelines, quickly endorsed by BDS worldwide, then went on to list all the ways “common sense” boycotts could go after individuals. *Israel Denial’s* Chapter One gives a full account of the consequences of following the boycott protocols. Apparently students being turned down for recommendations to

study in Israel were not to take it personally. Nor were Israeli faculty to take it personally when US or Canadian journals refuse to publish their articles. I won't list all the ways academic boycotts undermine student and faculty academic rights, since those have been amply described elsewhere, except to quote some of the specific actions MLA's boycott advocates endorse in their "Queries":

Not to accept formal positions from or enroll in Israeli institutions; Not to attend or organize a conference in concert with an Israeli institution; Not to attend or organize an international conference held in Israel; Not to review dissertations or submit professional advancement documents to Israeli institutions on behalf of individual Israeli scholars; Discourage students from participating in Study Abroad programs at Israeli institutions.

The movement's continued reliance on the discredited and deplorable claim that none of this affects individuals needs to be noted again here.³¹⁴ BDS advocates remarkably continue to point to the *Guidelines* as evidence that academic boycotts target only institutions.

THE CHECKPOINTS

The authors of the travel report make much of the justified anger and frustration that Palestinian students and faculty experience at what can sometimes be very long delays at West Bank checkpoints.³¹⁵ It is worth distinguishing between the checkpoints established to monitor travel through the security barrier into Israel and those in the interior of the West Bank, the latter partly serving to assure security for those Israeli settlements that would presumably be removed as part of a final status agreement.³¹⁶ We need to remember what the authors of the report fail to mention: that a history of Palestinian violence preceded and accompanied the creation of the checkpoint system—from the *Fedayeen* who entered Israel within its 1948 borders to murder Israelis in their homes, continuing through the suicide bombings of the Second Intifada to the knife, car, and gun assaults of 2015–2018. Discounting Israel's security needs based on Western assumptions about the nature of violence in our own countries is irresponsible.

As part of the 1998 Wye River Memorandum negotiations, Palestinians requested the collection and scanning of biometric data to ease border crossings and reduce contact with Israeli soldiers for Palestinian workers.³¹⁷ A group of retired Israeli IDF officers and senior security officials have since recommended that biometric data be used in special fast lanes (like

those at US airports) to be established for Palestinians approved for travel so they can pass through checkpoints rapidly. The same system could be used at other West Bank checkpoints, and US citizens who support such a plan could work through political organizations—which MLA is not—to help establish it. Hewlett-Packard (HP) is the parent company that developed the biometric data collection and scanning software, a technology designed to make Palestinians’ lives easier, but for which HP is regularly excoriated by the BDS movement. Even now some checkpoints provide efficient transit, but the system can be improved and expanded. It has also been suggested that the biometric data eventually be shared with both Jordan and the PA to facilitate international travel.³¹⁸

That said, the authors of the BDS report treat the problems with movement through the checkpoints as violations of academic freedom, which they are not. They are a general security and human rights issue that affects students and faculty among others, but blunting student and faculty academic freedom is not the object of the checkpoints.

Movement on the West Bank would also improve were Israel to begin transferring to the Palestinians the narrow corridors of Israeli-controlled Area C that presently divide Areas A and B, the portions of the West Bank under Palestinian authority, into multiple fragments. The fragmented map was established as part of the Oslo Accords. Those Israeli-controlled corridors constitute only one percent of West Bank territory, so the amount of land at issue is limited. As I argue in the chapter on “Coordinated Unilateralism,” however, the potential to enhance the PA’s governing capacity is substantial.

BDS leaders have been unwilling to advocate for specific policy changes like these, instead preferring the wholly indirect and frankly irrelevant gesture of promoting university boycotts. The boycott movement, ironically, is typically endorsed only by disciplines that have no extensive collaborative research projects with Israeli faculty. Meanwhile, the science, technology, engineering, and mathematics (STEM) fields that do the most ambitious research with Israeli universities have shown little interest in boycotting anyone.

MILITARY RESEARCH AT UNIVERSITIES

The authors of the BDS report struggle to link Israeli universities with the military occupation of the West Bank, since their educational enterprise has no direct bearing on it. Indeed universities are broadly integrated with the economic, social, and political systems of their respective countries. Their

graduates go on to fill positions in government, industry, the military, and social services. They vote on legislation and enforce or adjudicate laws. In that broad sense colleges and universities can be counted as indirectly complicit in everything a country does, but that is no reason to single them out for a boycott campaign. Universities everywhere, including those in Israel, the US, and Europe possess only relative autonomy from the nation state. But it is that relative autonomy that facilitates academic freedom and the ability of faculty and students to advocate against government policy. There are some nation states in the Middle East, Iran and Turkey among them, where that relative autonomy is either so compromised or attenuated as to be effectively nonexistent, but Israel is not one of them. One may speak of the “absolute integration of . . . universities with the security administration” in Iran or Turkey and with their substantial integration in Egypt, but not, as their report does, in Israel.

The report’s main direct accusation is that universities are involved in “the development of weapons and technology used to displace and terrorize Palestinian populations” (12). They cite an “Alternative Information Center” report as evidence, but that report is not exclusively devoted to weapons R&D or even warfare-related research. It refers to such subjects as hydraulic studies, demographic studies, and tactical studies. Meanwhile, the international character of the arms industry means that universities in many countries, including in the US, contribute to R&D for the weapons Israel has used in wars that were often defensive. Unlike the US, where many top universities are involved in military research and play a major role in it, in Israel, most, but indeed not all, defense research is conducted by Israel’s defense industries like Rafael, Israel Aerospace Industry, and others.

There is, moreover, a huge difference between the impact of Israeli military research on Gaza and the West Bank. Since 2007 Gaza has been controlled by Hamas, based on a charter committed to military and terrorist action aimed at eliminating the Jewish state. Israel has responded militarily to Hamas’s rocket attacks, most recently in 2014’s Operation Protective Edge and in 2018’s defense of its border and the nearby fields that are vulnerable to fire. One may fairly discuss whether the responses have been ethical in the light of the rules of war or proportionate to Hamas’s actions, but not whether a country has a right to eliminate ongoing rocket attacks on its civilians or prevent efforts to breach its border fence.³¹⁹ Despite the BDS movement’s regular refusal to do so, these issues need to be responsibly conceptualized comparatively. Israel has used a number of defensive and offensive systems in Gaza itself and on its border, but the offensive systems generally have no relevance to the West Bank.

Surveillance, detection, and communication technology, on the other hand, is widely used in Israel and elsewhere, and both university and corporate research contribute to its development worldwide. The report makes the hyperbolic claim that “there are no areas where Palestinians are free from surveillance” (10), seeking to invoke an Orwellian world in which every kitchen and bathroom is overseen by Big Brother’s seeing eye. The claim tugs at our humanistic values to provoke a sympathetic and angry response. But the simple truth is that West Bank surveillance of both settlers and Palestinians is a non-violent way to interdict and prevent violence, a benefit to Israelis and Palestinians alike. That the settlers beyond the settlement blocs should not be there does not change the fact that the minority inclined to violence against Palestinians should be prevented from following through on their impulses. Both the IDF and the PA work hard to prevent violence and collaborate to do so. The authors cite contributions to surveillance technology as evidence of the contaminating interdependence of and collaboration between universities and the military, whereas it often saves lives and contributes toward peace.

Before addressing the character of university-based military research in Israel or elsewhere, moreover, faculty, students, and administrators need to understand the principles that govern it in democratic societies, principles that the BDS report does not cite or give any evidence of understanding. Of course we should not expect these principles to apply in institutions like the Islamic University of Gaza, in countries that are not true democracies like Russia, or in theocracies like Iran. But they are honored in Israel.

Military research can be done on behalf of either defense agencies or corporations. The main distinction is whether it is publishable, confidential, or classified. Some universities in the US permit classified research to be done on campus and some do not. Within that limit, democratic societies, including both Israel and the US, agree that academic freedom supports the faculty right to do such research if individuals or groups choose to do so. Faculty members who do military research both here and abroad tend to be outspoken in insisting that their right to choose research projects is protected by academic freedom. It can be misleading to say that the university itself does military research when the research in both Israel and the US is the product of and governed by a contract with either an individual faculty member or a group of faculty. In that case it is more accurate to say that “Professor Smith” does the research than to attribute it to the institution as a whole. It is thus not rational or justifiable to boycott a university because of the research one or more faculty members might choose to do.³²⁰

Given the substantial amount of funding available for military research in the US and elsewhere, it is likely that some faculty become involved in

it for financial, rather than ideological or political reasons. In a country like Israel, which has faced military aggression from its neighbors for years, however, faculty members may do military research because they want to help defend the country and its citizens.

In democracies, the rights to publish research results are generally governed by the contracts faculty sign, although universities may review contracts that entail the use of campus facilities to make certain applicable regulations are honored. Some universities in the US opt not to permit any unpublishable or classified research on campus. In the US, if a sufficient number of faculty members want to do classified research, the institution may seek funds to establish a separate research facility elsewhere, preferably with its own financial and governance arrangements. One of the most famous of these research institutes in the US is UC Berkeley's Lawrence Livermore Laboratory, which began doing nuclear weapons research in 1952.

All funded research, confidential or not, should be governed by ethical and professional principles that are embodied in contracts reviewed by a faculty committee. Recognizing that neither the commitment to, nor understanding of, those principles is universal, the AAUP authorized me to review practices nationwide, gather the results, and issue a series of recommendations. The resulting 368-page book, *Recommended Principles to Guide Academy-Industry Relationships* (2014) was co-authored by myself and Jennifer Washburn. Its 56 principles cover both military and non-military research.

The key claim in both BDS documents prepared for the MLA is that Israeli higher education is so thoroughly integrated with the country's military that the two are virtually inseparable. This claim rests not only on assumptions that are false but also on the application of sweeping standards that, so far as I know, have never been applied to any other country on earth. The only concern that the AAUP has historically raised about military research in American colleges and universities is whether it is classified. The BDS advocates imply falsely that such research in Israel is universal, but in fact faculty at most Israeli institutions of higher education do not engage in classified military research.

This is when the report's singularly anti-Israel standard becomes particularly unpersuasive. MLA's BDS allies would like to condemn any Israeli research affecting products used by the military, even if it is devoted to products sold to the public worldwide. If Technion University develops better camera lenses, shoe laces, or laundry detergent used both by the average soldier and by people worldwide, then these folks think both Technion and every other Israeli college and university should be boycotted. By that

standard every one of the 4,000 colleges and universities in the US, save those that do no product research of any kind, likely merits boycotting. The standard quoted approvingly in the MLA resolution document is university contributions to “generic technologies with military applications” (R 11), which embraces every university in the world that does medical research. Would battlefield medical innovations discovered in the Sinai and perfected by Israeli universities—innovations that go on to save lives in Philadelphia or San Francisco—implicate us all? They even fault university-based demographic studies because they can be used in ways the authors decry (R 10).

One may also question whether university-based research on defensive military systems merits condemnation, even if it is classified. Would one want to boycott a university if it helped develop or refine the Iron Dome system? Had it not been in place and successful, there would have been Israeli civilian casualties from Hamas rockets. Israel’s military response to the rocket attacks would have occurred sooner, been more fierce, and almost certainly have caused more casualties among Palestinians. Research on cyber security helps the military, but it also might be handy in protecting your credit card numbers. David Lloyd and the others would also have us be troubled that graduates of Technion and other universities go on to develop “contractual ties to the biggest Israeli weapons research companies” (R 11), once again an employment pattern that is worldwide.

This background information should inform our attitude toward military research in Israeli universities. Academic boycotts are never justified, but the conditions in a given country deserve analysis and understanding. Given Israel’s status in the region, it is a more complex and contextual matter than a simple emotional rejection of weapons systems or wartime deaths can adequately address. Painting all Israeli colleges and universities with the same brush, as academic boycott proposals do, moreover, is also fundamentally unprofessional and unfair.

That said, one needs to address the implicit analytic and conceptual system at work in the supporting rationale for what purports to document connections between Israeli higher education and the military. The claimed connections listed include: direct research on military weapons; research on civilian products or technologies also used by the military; all social science and humanities research that might contribute to military understanding and analysis; university education that gives students any knowledge or skills that might enhance their capabilities while in military service; the future employment choices by college graduates that link them to the defense industry or to the university itself; and so forth. We are well beyond the direct research and teaching relationships

that can make universities part of the military-industrial complex. This web of connections in the end brings us the arguably pointless claim that Israeli universities are identical with Israeli society, a society the resolution's advocates condemn tout court. But Israel's tentacles supposedly reach everywhere in Palestine, and the resultant injustice is intolerable. We have heard such claims before, and we know the cures employed in the past. BDS founder Omar Barghouti has offered his own modest saving solution: "Euthanasia for the Jewish state." Thus, the MLA effort is not just about boycotting universities.

"INSTITUTIONAL COMPLICITY AND SILENCE" AND ACADEMIC FREEDOM

Echoing an international BDS demand that Israeli universities take official, institutional positions against Israel's policies in the occupied territories as a condition for lifting an academic boycott, MLA's BDS advocates fault them for "institutional complicity and silence that contribute to the disruption of Palestinian's [sic] education" and complain that "no university or university department in Israel has ever formally opposed the occupation or called for its end" (12).

While one can understand PACBI demanding that universities take collective institutional positions on political issues, it is not excusable for US academics to do so. PACBI's "call for solidarity" is not sufficient warrant for Canadian and US academics to set aside the principles that govern their professional lives and impose a political litmus test on universities, one that could shape the public identities of an institution's community members. North American academic BDS proponents notably do not demand that their own institutions take political positions; apparently they think that principle does not apply to Israel.

US students and faculty are free both as individuals and as groups to take controversial political positions. They expect to do so without the coercive and pre-emptive effect of doing so under the shadow of official institutional or departmental political stands. Universities can, however, oppose policies that threaten institutional independence or student and faculty rights. But the academic freedom of students and faculty in the US and in Israel can only be protected by institutional neutrality over national political policy. Institutions can only protect and defend community members' academic freedom to make political statements if the institutions remain neutral. One needs to add that US institutions of higher education maintain their political neutrality not only out of principle but

also because taking political positions as institutions would threaten their non-profit tax status as educational institutions. US law would provide for still more severe penalties in times of declared war. Certainly US faculty understand these matters. Yet the BDS advocates among them have apparently decided that these principles do not apply to Israeli universities or to BDS's credulous followers. It is particularly cynical for the report's authors to complain about the lack of formal Israeli departmental opposition to the occupation when it is well known, as pointed out earlier, that some department faculties, among them the political science department at Ben-Gurion University, are pervasively opposed to it. Because Ben-Gurion University is institutionally neutral, it was able to defend its faculty against shameful political efforts to sanction them or close the department down.

CONCLUSION

The authors of the report eventually acknowledge that a fundamental purpose of the boycott campaign is to prevent Israeli universities from contributing to "the appearance of a liberal, democratic society"; they worry that the public image of Israeli higher education will aid "the normalization of what is, for Palestinians, an apartheid state" (21). The boycott is thus a disruptive project designed to distract attention from the high quality of Israeli universities and the research they produce, to withhold "the prestige their recognition confers" (21), and to brand universities as agents of the occupation even though that is not the case. In the same way that they treat the evidence of Israel's vibrant gay community as a deception, for BDS proponents evidence that Israeli higher education is a bastion of freedom is a distraction from the true dark, repressive character of Israeli society and state.

For BDS, it doesn't really matter that the authors do not prove their case against Israeli higher education. It does not matter that the claim of pervasive discrimination against Israel's Arab students is contradicted by the evidence. The statistics showing increasing percentages of Arab enrollment suggest otherwise. One can visit campuses to witness something else: on BA graduation day at the University of Haifa, the campus is filled with Arab families, from villages, towns, and cities like Haifa and Nazareth, proud of the achievements of their children who have graduated from a solid academic institution. The accounts of Palestinian victimhood the report offers are designed to play on readers' sympathies so as to win endorsement of claims the report fails to prove. Israeli higher education is guilty by association with the Jewish state.

The report quotes one Israeli student saying of universities that “only their complicity with and silence about the occupation gives the universities the right to be liberal” (19). In other words, acknowledging the occupation would empty universities of any of the liberal pretensions of a free society. Their fragile existence is sustained only by a comprehensive *omerta* (the Mafia’s vow of silence) about reality. In conversations with Israeli students and faculty, notably, it is difficult to find the principle of *omerta* being observed. I have yet to discover them being silent about anything. On the contrary, Israeli universities are hotbeds of vibrant political debate, including extensive criticism of some of the disputed policies of the State. Indeed many (arguably most) Israeli faculty have a similar political profile to that of US faculty, including voting for a more left-wing party.

This argument, in any case, is staged to set us up for the next claim about complicity—our own: “The de facto complicity of US academic organizations with the occupation” (21) by way of our assistance in granting Israeli universities “integration in the global academic community” (22). How do we do that? By sustaining joint degree or study abroad programs with Israeli universities; by evaluating the research proposals or tenure applications of Israeli faculty; by inviting Israeli faculty to speak at Western universities or at international conferences; and by building “normalizing” relationships with Jewish faculty in Israel. Of course the authors of the report themselves violated the BDS anti-normalization agenda when they talked with Israelis on their trip. Perhaps refusing to talk with Israelis before writing their report would have constituted *premature anti-normalization*.³²¹

They go on to say that “any policy that defends academic freedom as it currently exists in Israel and Palestine maintains a de facto denial of it to Palestinians” (22). We are in increasingly dangerous conceptual territory here. Applying this undefined and untheorized concept of “de facto” complicity creates endless opportunities for exaggerated, undemonstrated, and unwarranted accusations and claims of responsibility. And that leaves open the equally difficult challenge of how to relieve ourselves of any such de facto burden. BDS would like to persuade us all that the triumphant and impotent endorsement of an academic boycott of Israeli universities would magically transport us beyond guilt and responsibility.

The nature of any such complicity needs not only to be clarified and specified but also to be conceived comparatively, the latter being a requirement the BDS movement rejects tout court. We are not to compare Israeli government violence with Syrian government violence. We are not to compare Israeli academic freedom with Egyptian academic freedom. We are not to compare the number of Palestinian deaths in Operation

Protective Edge with the four thousand Palestinian deaths in the Syrian civil war. We are not to compare the post-secondary educational attainment of West Bank Palestinians with those available in any Arab country.

Although I referred above to the BDS travel document as a “report,” following its self-designation, it really has more the character of an indictment. Six MLA members took a trip in search of evidence to support their opposition to Israel, and they shared the fruits of that project with us. No doubt they are well aware of competing arguments and evidence, but they chose to exclude these. All the citations in their reports are to documents expressly critical of or hostile to Israel. They sought to prepare only the prosecution’s case. Most importantly, they do so in an organization that does not give an equal opportunity for anyone to make the case for the defense, there being no organized opportunity to circulate a paper like this one.

The authors of the report confess themselves to be “broadly sympathetic to the BDS movement,” (4) but Rebecca Comay, Margaret Ferguson, David Lloyd, Julie Rak, and David Simpson sell themselves short. Active leadership qualifies them for a higher status. David Lloyd has been a BDS spokesperson in several academic organizations. As I report in Chapter Seven he persuaded a student to teach a uniformly anti-Zionist course. Margaret Ferguson promoted BDS as MLA president. We can expect the same, though perhaps more covertly, from Judith Butler. And their individual writings display more intense rhetoric than the reports. When they summarize the perspective of their reports, they tell us “it is always a question about the degrees of discrimination Palestinian academics experience, not about whether or not they face discrimination” (5). The glass is never half full. So it is not surprising that a December 11, 2016, David Simpson post on the MLA website blithely blusters that “there is no significant freedom for Palestinians, either in Israel or in the West Bank.” To the degree their “report” is based on anonymous stories of individual humiliations, it cannot be refuted. On the other hand, the factual errors in the document cast doubt on everything else. And I believe that its key underlying assumption—that Israel is the primary violator of Palestinian academic freedom—is false. I have tried to present an objective account of that issue in the chapter on academic freedom on the West Bank.

Finally, I should emphasize the growing international consensus among some quarters in Israel and the US that Gaza needs urgent relief and that West Bank Palestinians need practical improvements in their lives that would give them economic and political hope. I summarize those recommendations in Chapter Two. One might wish that MLA members could be encouraged to promote those initiatives both as individuals and as

participants in groups devoted to promoting peace, rather than indulging the BDS movement in its relentless hostility toward and effort to isolate Israel and Israelis.

Of course, the country that would become the home of the Jews was pre-emptively isolated and *othered* by a thousand years of Western history before Israel even existed. The relevance of that history has only increased as we have seen no organized outrage from BDS activists about either ISIS's barbarism or the targeted slaughter of civilians in Syria by both Russia and Bashar al-Assad's government. More Palestinians have died in Syria in the last six years than died in any of the conflicts in Palestine in the hundred years since the Balfour declaration.³²² The regional comparisons consistently dismissed by BDS advocates do not negate concerns about Israeli government policies. But they should give us pause when we look in the mirror; at the very least they should complicate the moral fervor BDS advocates in several academic associations have brought to debates about academic boycotts of Israel.

10

CHAPTER TEN

ACADEMIC FREEDOM IN PALESTINIAN UNIVERSITIES

In Palestine limits on academic freedom are brutally enforced.

—Steven Salaita, *Inter/Nationalism*, 45

Most of the day I am at home preparing for my Monday morning lecture at nine o'clock. The theme was to be John Locke, liberalism, and tolerance. Typically three hundred students would show up for such a lecture.

On Monday morning I arrived in the lecture hall, took my place at the podium, and immediately launched into my thoughts on Locke The lecture finished and most of the students filed out of the hall, while a few stayed behind to ask me some questions. A couple of colleagues in the department also lagged behind, and as I slowly moved toward the door surrounded by a small huddle of pupils, one female colleague informed me in a rather shaky voice that a pack of masked men with clubs were outside in the hallway stalking a “traitor.” It was only when I reached the door that it occurred to me that I was the “traitor.”

Five kaffiah-wearing attackers came right at me. As they attacked me with fists, clubs, a broken bottle, and penknives, I tore myself away from them and ran into an open elevator. A female student rushed in with me,

taking some of the blows. Frantically pressing the buttons, she realized that the elevator wasn't working, and rushed out again. One of the attackers clubbed her as she ran away. Now, as I stood by myself with my back to the wall of the elevator, I felt at least protected from behind; they could only get at me from the front. I did my best to defend myself using arms and feet, but knew it was like swimming against a strong current. If I stayed I'd quickly succumb to exhaustion, and the five assailants would finish me off. For some reason, the American saying "sticks and stones may break my bones" shot through my mind.

With a rush of adrenaline, I threw my whole body at the hooded thugs, caused a breach as in a rugby match, and dashed pell-mell through the hallway and down the staircase, with the attackers in hot pursuit. It was only upon reaching the ground floor, which was crowded with students, that they fled. By now blood was oozing from my forehead and wrists, and my heart was pounding loud enough to pop my eardrums.

The colleagues who had been kept away with knives ran up to me. One was the husband of the woman who had warned me in the lecture hall. He offered to drive me straight to hospital. A friend from my Café Troubadour days put my good arm—the other was broken—around his shoulder, and helped me to the parking lot . . . In the hospital in Ramallah where I was first taken, the surgeon stitched up the gaping gash above my eyelid. My broken arm was set at the French Hospital in Jerusalem The public reaction was mute, to put it mildly The university administration came out with a halfhearted and very general statement denouncing political violence on campus. The union said nothing; only its Fatah faction, led by another stalwart, Sameer Shehadeh, came out against the attack. The Fatah student organization couldn't figure out what to do, so they put out two statements, one in my defense and the other hinting that I had a good beating coming to me.

—Sari Nusseibeh, *Once Upon A Country: A Palestinian Life*, 260–61

This was the scene at Birzeit University on the West Bank in 1987, where Sari Nusseibeh was a philosophy professor from 1978 to 1991 after receiving a doctorate from Harvard. He would later become president of Al-Quds University in East Jerusalem, serving there from 1995–2014. At Birzeit he would before long learn that, of those who attacked and were willing to kill him, “All were students at Birzeit, and a couple I knew quite well” (263). The crime for which he was punished that day was having held several meetings with Israelis to discuss possible peace proposals. PLO chair Yasser Arafat had been kept apprised of developments and his staff had confirmed that Nusseibeh should proceed. No matter. Fatah itself was divided between militant and political factions. Indeed, a Fatah leaflet attacking Nusseibeh had been distributed in Jerusalem (262).

If the students who attacked him were, in one sense, victims, denied citizenship rights in the occupied territory of the West Bank, in another sense they had obvious political agency. They were capable of a violent attack on a faculty member, of policing the campus and punishing him for the “crime” of collaboration, even though Nusseibeh sought an Israeli withdrawal to its pre-1967 borders. In one part of their lives the students were victims, in another perpetrators. Faculty members in the humanities are well aware that people can hold multiple, even contradictory identities, but many are unwilling to apply that knowledge to their anti-Zionist politics. Responding to an earlier version of this essay from *Telos* at the January 2016 annual meeting of the Modern Language Association, BDS faculty members castigated me for “blaming the victim.” Palestinians in their view were pure victims, incapable of any action beyond expressing their victimhood. In the Manichean psychology promoted by the BDS movement, there are victims on one side of the conflict, perpetrators on the other. Within each side, all the members are identical, interchangeable.

Predictably, some added that the essay, in its account of the way Palestinian factions police political opinion violently and undermine academic freedom in their own universities, was clearly racist. Graduate students who were part of the pro-BDS coalition echoed the two accusations. The accusation of racism was designed to cut off discussion of the substance of the essay and render it illegitimate.

Debates about the status of academic freedom in Israel, Gaza, and the West Bank have for years focused almost exclusively on claims about the negative impact particular Israeli government and Israeli Defense Forces (IDF) policies and practices have had on Palestinian students and faculty. While the Boycott, Divestment, and Sanctions (BDS) movement levels accusations against Israel and promotes boycott and divestment resolutions directed against it, the broader character of academic freedom on

Palestinian campuses is largely ignored. There is little evidence that students and faculty in the West know what the major threats to academic freedom in Gaza and the West Bank are, let alone who is responsible for carrying them out.

By ruling out of consideration all assaults on academic freedom carried out by Palestinians themselves, BDS advocates end up being unable to assess the character of academic freedom on the West Bank. Based largely on Israeli-imposed travel barriers and campus closures, Judith Butler in her 2006 piece “Israel/Palestine and the paradoxes of academic freedom” endorses the claim “that there is no effective academic freedom for Palestinian students in the occupied territories,” then adds that, among other criteria, academic freedom requires “the right to be free from violent threats.” Like Steven Salaita in the initial epigraph for this chapter, she is blindly confident that West Bank threats of violence come only from Israelis; indeed that seems so obvious to BDS advocates that they assume it is unnecessary to say so. But I open this chapter with accounts of violent threats directed and carried out against two more faculty members—both initiated as well by Palestinian factions. These are part of efforts by various political forces to constrain speech and punish those who oppose their beliefs. The deadly threats to freedom of speech come from Palestinians, not Israelis.

This chapter draws on a review of relevant news reports and scholarly essays, as well as on numerous interviews I conducted in the area from 2014 to 2018. Using key examples, I aim to promote a wider understanding of the realities on the ground in Palestine. In order to capture the character and range of news coverage of the issue, I cite stories from numerous different sources and countries and by reporters and groups with very different political perspectives. The analysis that follows covers individuals, issues, and institutions. It opens with portraits of two additional Palestinian faculty members, each of them unique but both facing responses and consequences that are instructive and often representative. Beyond these two faculty members, whose stories have been widely covered in the press, in a few cases I have withheld the names of people interviewed to protect their safety.

MOHAMMED DAJANI

In March 2014, Al-Quds University faculty member Mohammed Suleiman Dajani Daoudi (1946–) took twenty-seven of his Palestinian students from the campus to Poland to visit Auschwitz. Dajani had joined the Al-Quds faculty in East Jerusalem in 2001 and the following year established its American Studies Institute. Dajani was born in Jerusalem into a historic

Arab family long embedded in the city's history; the honorific "Daoudi" was added to the family name in 1529 when Suleiman the Magnificent appointed a Dajani ancestor keeper of the Tomb of David on Mount Zion. Two Dajanis served as Jerusalem mayor between 1863 and 1918; Hassan Sidiqui Dajani was assassinated in 1938 for heading the opposition to the Grand Mufti and advocating Arab-Jewish reconciliation.

As a student at the American University of Beirut, Mohammed Dajani was active in the PLO's Fatah but later abandoned politics and studied at Eastern Michigan University, the University of South Carolina, and the University of Texas at Austin. He found his first teaching job in Jordan. As I detail below, his experiences with Israeli medicine changed his attitude toward both Jews and the Jewish state. Dajani had been involved in reconciliation efforts for nearly twenty years before the Auschwitz experience, so the trip reflected a long-term commitment. He had first seen Auschwitz himself in 2011, afterwards coauthoring a 2011 *New York Times* op-ed titled "Why Palestinians Should Learn About the Holocaust."

The trip to the most well-known death camp was part of "Hearts of Flesh—Not Stone," a collaborative educational program designed to teach each side about the historical suffering that shaped the narrative of the other. Dajani was working in a joint program on Reconciliation and Conflict Resolution with the Friedrich Schiller University in Jena, Germany, and Ben-Gurion University of the Negev. Al-Quds University was not an institutional participant. The Israeli students in the program visited the Dheisheh refugee camp just south of Bethlehem in the West Bank. Established as a temporary refuge in 1949, the camp increasingly acquired the accouterments of permanence, though a portion of it had yet to be connected to a public sewage system.

In a Jerusalem café in spring 2016, I spent most of a day with Dajani, during which he made it clear that he knew he had to discuss the trip with others in advance. That included the Al-Quds University president, Sari Nusseibeh. Accounts of that conversation differ. Dajani understood himself to have Nusseibeh's approval for the trip, though the president had also instructed him to tell the students that Al-Quds had nothing to do with it. But in the trip's aftermath, when it became highly controversial, Nusseibeh denied having given his approval. Two members of the Al-Quds administration who discussed the events with me in August 2016 differed in their understandings as well; one supported Nusseibeh's account, the other Dajani's

In any case, plans for the trip became public knowledge beforehand, and Dajani was pressed to cancel it. Warnings about the consequences came from multiple political and paramilitary groups both overtly and covertly

active in East Jerusalem and the West Bank, including Fatah and Hamas. But Dajani was determined to honor his commitment. On his last day at Auschwitz, Dajani received an email from his secretary. As Dajani told Nadine Epstein, “Students marched to my office holding placards that said: ‘Depart you normalizer,’ and handed my secretary a letter warning me not to come back to the university.” Students had trashed her office when they delivered the letter. A Palestinian journalist called him “the king of normalizers.” On his return, hostility escalated. The Israeli newspaper *Haaretz* broke the story about the trip. The fact that it was part of a collaborative program did not help win approval among anti-Israel opponents of “normalization.” Dajani, moreover, has openly opposed the movement to boycott Israeli universities. As *Haaretz* reported, “He says the choice of Dheisheh for the Israeli students was not meant to suggest there was an equivalence or even a direct link between the Holocaust and the Nakba. They were chosen as the symbolic events that have deeply affected the psyche on both sides of the conflict.” The aim was to build mutual empathy and understanding through an appreciation of events central to the other side’s narratives and self-understanding.

None of this played well on the Palestinian street. Holocaust deniers asserted that Dajani was trying to brainwash his students by disseminating the fabrication that the Holocaust was real. He was denounced as a traitor and collaborator by students and others and warned not to enter Ramallah. The faculty union canceled his membership. Dajani had expected the university to expel the students who threatened his life. Instead, Al-Quds publicly distanced itself from the trip, claiming it was altogether a personal venture. Nonetheless, Dajani felt he should give the institution a chance to honor his academic freedom by defending his right to his pedagogical practices. He offered his resignation on May 18, 2014, anticipating it would be rejected. Instead, he immediately found himself out of a job as of June 1. Dajani summarized these events in a 2016 interview with Neta Alexander: “In March 2014, the Workers, Staff, and Faculty Syndicate at Al-Quds University fired me from their membership. Nine political student organizations on campus issued a public statement against me titled ‘Normalization = Treason.’ Students demonstrated against me on campus and delivered a letter to my secretary threatening to kill me if I returned to teach at the university.”

According to Dajani, news accounts of the most dramatic subsequent event misrepresented its character. In January 2015, it was reported that his car was set on fire and destroyed while it was parked in front of his house. Widely understood to be a threat and a warning that he must leave, Dajani now insists that it was far more serious. In the account he offered in

our 2016 conversation, highly experienced operatives—possibly working through a trained student group—poured a flammable glue into the spaces between the metal segments of the car. The glue was designed to burst into flame when the car was started and the engine began to warm. Luckily for Dajani, an unexpectedly warm day intervened, and the car burst into flame and burned up before he had occasion to drive it himself. Published photos of the car show that the fire was concentrated at the front around the engine. It was not a warning; it was an assassination attempt. His pedagogy had nearly proven fatal. He fled to West Jerusalem where he would be safe. Subsequently he took up residence in Washington, DC, as the inaugural Weston Fellow at the Washington Institute, though he is working on plans to return to Jerusalem to start a doctoral program in reconciliation studies. He has not given up hope nor his principles, though he now understands the risks that Palestinian faculty can face when they voice unpopular political opinions.

A soft-spoken and dignified advocate of both Palestinian rights and a negotiated peace, Dajani believes that contact and conversation between Israelis and Palestinians and the cultivation of mutual empathy is a necessary precondition for a resolution of the conflict. But achieving empathy requires breaking taboos; hence the Auschwitz trip. Dajani came to this view from a personal history that began with antagonism. As a young engineering student at the American University of Beirut in the 1960s, he was active in Fatah, heading the group, and saw that kind of political activism as the only route to liberation, but he was deported from Lebanon in 1975. Also exiled by Israel from his native Jerusalem and banned from Jordan because of his political activities, he pursued his education in the United States, earning a BA in economics from Eastern Michigan University. He then completed two doctorates, one in government from the University of South Carolina and one in political economy from the University of Texas at Austin.

He was only allowed to return to Israel in 1993 when his father was being treated for cancer. Like many Palestinians who have contact with Israeli medicine, he was surprised when it became clear that Jewish doctors saw his father not as an enemy but as a patient and a human being. The experience was repeated when his mother became ill. But most Palestinian students, lacking family members with serious illnesses, do not have contact with Israeli medicine. Instead they learn distrust and resentment when they spend hours waiting in lines at checkpoints on their way to campus. As a faculty member at Al-Quds, he sought to break the pattern with an educational experiment. But neither his views nor his pedagogy are acceptable for Palestinian faculty; they are not protected by academic freedom. This time it was his fellow Palestinians who forced him into exile. Along

with three others, including his brother Munther, he has since coedited *Teaching Empathy and Reconciliation in Midst of Conflict* (2016). The book is published by Wasatia Press, a project of Wasatia, an organization promoting Islamic traditions of nonviolence and compromise that the Dajani brothers cofounded in 2007.

ABDUL SATTAR QASSEM

In late January 2016, Professor Abdul Sattar Qassem (1948–), a political scientist who has taught at An-Najah National University in Nablus for three decades, was arrested by the Palestinian Authority at his home on charges of inciting violence against the group’s leaders. As Palestinian journalist Khaled Abu Toameh reported in the *Jerusalem Post*, “Fatah accused Qassem of calling for the killing of Abbas and members of the PA security forces for their alleged collaboration with Israel. In an interview with the Hamas-affiliated Al-Quds TV station, Qassem called for the implementation of the PLO’s ‘revolutionary law,’ which imposes a death sentence on those found guilty of ‘high treason.’” Of course, these would be actionable offenses in Western countries as well, but Qassem denies the charges. According to the Palestinian Centre for Human Rights, the charges included “slandering prominent figures and inciting sectarian feuds.” A number of groups, including Islamic Jihad, described the arrest as political, a claim that the Ma’an News Agency reports the PA denied, and called for his immediate release. That release took place a few days later.

Qassem was born in the Tulkarem-area village of Deir al-Ghusoun in the northern West Bank. He earned a bachelor’s degree in political science from American University of Cairo in 1972, during which time he sought to become involved with the Palestine liberation movement. As he remarked in a 2009 interview with Marcy Newman, “I wanted to be part of the revolution. I used to call it a revolution; I discovered later that it wasn’t. I went to Beirut three times: in 1970, 1971 and 1972 to join a Palestinian faction. Each time I was disappointed and left without joining. I noticed that they were not true revolutionaries.” He went on to earn a master’s degree in economics and a doctorate in political science from the University of Missouri.

A regular columnist for *Al Jazeera’s* Arabic-language website about Palestinian and Arab affairs, Qassem has a long history of incendiary views and a history as well of being arrested for them. In April 2009 he was arrested by Palestinian security forces. In August 2011 he was arrested after his university filed libel charges against him. He had accused the university

of corruption and had published a piece accusing the institution of failing to execute a court order blocking the expulsion of four students. A 2011 article by Khalid Amayreh on The Palestinian Information Center's website describes him as "one of the most courageous and outspoken intellectuals in occupied Palestine" and adds that "the PA justice system and leadership don't really see any difference between defamation and slander on the one hand and legitimate freedom of expression and speech on the other." According to Budour Youssef Hassan in *The Electronic Intifada*, which writes approvingly of him, "Qassem survived an assassination attempt by unknown gunmen shortly after being released from his latest stint in Israeli prison, where he spent a week in July 2014; he was shot in his car while driving to give a television interview condemning Israel's massive military assault on Gaza at the time." Hassan adds that "A coalition of civil society organizations and some political factions are protesting Qassem's arrest, putting out a statement calling for his immediate release as part of the [Palestinian] 'commitment to preserve civil liberties and defend freedom of expression.'"

In the 2009 interview, in which he reported being shot at and wounded in 1995, accusing Yasser Arafat of trying to silence him, Qassem argued, "I cannot just stay silent while the PA rapes my land, my country and my people. They are collaborating with the Israelis. They are coordinating with them on security matters. They have been arresting Palestinians in defense of Israeli security" (Marcy Newman). As Raed N. Tayeh reports, in 1999 Qassem and twenty others signed a petition laying out their grievances against the PA and implicating Arafat in its "corruption, abuse of power, misuse of resources, human rights violations, and a dysfunctional political process." The title of the article is "Jailed Professor Talks About Palestinian Authority's Intolerance of Criticism," a key issue in this chapter. While academic freedom would protect Qassem from university sanctions for any statements except for the accusations of incitement to violence, had they been proven, it is notable that the Palestinian Authority has not historically been inclined to grant any special consideration to its most severe academic critics for ordinary criticism of its policies and leadership. That constitutes yet one more contribution to the chilling effect on free expression at Palestinian universities.

BIRZEIT UNIVERSITY

In September 2014, the Israeli journalist Amira Hass reported in *Haaretz* that she had been asked to leave a conference on "Alternatives

to Neo-Liberal Development in the Occupied Palestinian Territories—Critical Perspectives” being held at Birzeit University near Ramallah. The oldest Palestinian university, now enrolling over 12,000 students, Birzeit evolved from a 1924 elementary school to become a college in 1942 and a university in 1975. The conference had been organized by the German Rosa Luxemburg Foundation and The Center for Development Studies (CDS) at Birzeit. The two lecturers who asked her to leave explained that, for the past two decades, there had been a regulation at Birzeit stipulating that Jewish Israelis are not to be allowed on the university grounds. Hass had signed into the conference as a *Haaretz* reporter, one consistently sympathetic to the Palestinian cause and critical of the Israeli government. As she reported in *Haaretz*,

One of the lecturers explained that it is important for students to have a safe space where (Jewish) Israelis are not entitled to enter; that while the law is problematic, this was not the time or place to discuss amending it; and that, just as she could ask to treat me differently as an exception to the rule, another lecturer might ask for the same preferential treatment for Yossi Beilin, Israel’s former justice minister who is known as one of the architects of both the Oslo Accords and Geneva Initiative and the initiator of the Taglit Zionist project. She also told me that Professor Ilan Pappé, author of the book *The Ethnic Cleansing of Palestine*, among others, had been invited to deliver a lecture at Birzeit, but owing to the law, gave the talk off campus. The other lecturer told me that if I didn’t write “*Haaretz*” in the registration form, I would have been able to stay. Still another faculty member who I have known for 40 years walked past and said: “This is for your own protection [from the students].”

The director of the Luxemburg Foundation later informed Hass that had she known of the prohibition against Jewish attendance, she would not have held the event on campus. It is notable that one of the lecturers was arguing that an exception for a left-wing journalist like Hass could well lead to a similar request for an Israeli whose politics were unacceptable. One might well assume that this Palestinian teacher was either confused or poorly informed about the nature of academic freedom, but, as Matthew Kalman reported, the university itself issued a statement assuring everyone that “the administration has nothing against the presence of the journalist Hass. The university as a national institution differentiates between friends and enemies of the Palestinian people . . . and works with every person or institution that is against the occupation.” Three days later the university strengthened its stance, declaring that it welcomed “supporters of the

Palestinian struggle and opponents of the Israeli occupation of Palestine, regardless of nationality, religion, ethnicity, or creed.” Combining the standard opposing discrimination with a political litmus test makes a concise statement about academic freedom in Palestinian universities.

What Birzeit administrators actually know about academic freedom as it is understood in Europe, Israel, and North America is impossible to say. What is clear, however, is that they are not willing to risk promoting, let alone enforcing, standards that would provide an appropriate learning environment for students or the necessary minimum safeguards for faculty members. Can one blame them, especially from our vantage point of physical safety in Europe and North America?

Matthew Kalman, a foreign correspondent based in Jerusalem, comments in *Haaretz* on the paradoxical character of life at Birzeit:

I’ve reported from Birzeit dozens of times for *The Chronicle of Higher Education* and other media. I’ve reported the random arrests and administrative detention of their students and lecturers, often in the middle of the night, by the IDF. I’ve reported how many of those students and lecturers have been held for months, even years, without a fair trial, sometimes without even being told the crimes of which they are suspected.

In 2009, for example, there were 83 Birzeit students incarcerated in Israeli jails, of whom 39 were convicted of various terror-related charges, 32 were awaiting trial, nine were in “administrative detention” and three were undergoing interrogation following their arrest. Birzeit accounts for more than half of all the 1,000 Palestinian students arrested by Israel since the start of the Second Intifada in 2000, including at least three of its student council heads who were arrested and held for months on end.

Clearly, some of these students were also engaged in dangerous terrorist activity, but the majority appears to have been innocent of any real crime.

Nor is Birzeit alone in feeling the crushing weight of Israel’s occupation interfering daily with its studies and students. Just about every Palestinian university in the West Bank has stories of nighttime IDF raids, campus teargas attacks and random arrests and intimidation.

So I am well aware of the pressures that distinguish university life at Birzeit from Berkeley or Brooklyn College.

But much of the trouble there has little to do with Israel or the occupation. I have also reported the political intimidation and violence doled out by some Birzeit students to their political opponents. I met the Islamist student who led the stone-throwing rioters who injured

the visiting French Prime Minister Lionel Jospin and chased him off campus in February 2000. The British Consul-General Sir Vincent Feane had to beat a similar retreat in 2013.

In 2007, university classes were suspended and students evacuated from the campus after Ahmad Jarrar, a student supporter of the ruling Fatah party, was assaulted in his dormitory room, apparently by four men from the Marxist PFLP. Jarrar was treated at a hospital for severe injuries suffered as he was apparently being tortured. The assailants used charcoal to burn Jarrar's face and hammered nails into his feet. Fatah gunmen arrived soon after, threatening to kill PFLP supporters.

A senior Palestinian faculty member from Al Quds University put matters bluntly in an August 2016 interview with me: "There is no academic freedom. Faculty members are afraid to speak their minds because they will be branded as traitors. Fatah, Hamas, and Islamic Jihad all have students available to harass and intimidate faculty who are so named. And sometimes their lives are put in danger." This generalization does not, of course, apply to all subject matter; it refers primarily to political speech, but what counts as political and what positions and marks you politically encompasses wider territory than it does in the West. As Bassem Eid, another Palestinian, remarked to me in a 2016 conversation, what mosque you belong to identifies your political allegiances and shapes how your statements will be received.

Most American academics generally do not understand nor care about the dual stresses that Palestinian students in both East Jerusalem and the West Bank experience. Both the IDF and Palestinian groups compromise academic freedom in various ways, but not with equal severity. Yet the BDS movement criticizes only Israeli transgressions, ignoring what are the far more serious and dangerous assaults against a secure learning environment carried out by Palestinians themselves. At the very least it is a matter of scale. Ignoring or misrepresenting the severity of the threats at stake means that US debates about academic freedom for Palestinian students and faculty are conducted in fundamental and corrupting ignorance.

STUDENTS AT WAR

In November 2015, London-based *Al-Fanar Media*, which describes itself as "an editorially independent publication dedicated to covering higher education in the Arab region" reported in a story by Asma'Jawabreh that "The conflict between the two major Palestinian political groups—Fatah

and Hamas—has turned students against each other at Birzeit University.” Furthermore, “Students who belong to the Hamas-affiliated Islamic Wafaa’ Bloc student group suffer harassment and worse at the hands of Fatah agents in Birzeit, according to interviews with numerous students at the school, near Ramallah.” The Palestinian Authority, in sometimes violent conflict with Hamas for a decade, had recently interrogated twenty-five Birzeit University students and detained several over their Hamas affiliation or their criticism of the PA. One student claimed to have been beaten and tortured while in custody. A PA intelligence service officer countered: “We only arrest people who try to create chaos or threaten the stability of the West Bank, whether he belongs to the Islamic bloc or not,” he continued, making claims that require more nuanced, less absolute, distinctions, “the intelligence service watches every Palestinian. That’s part of its job. But they have never arrested any students because of their work with the Islamic Bloc. We believe in democracy and pluralism.” Some students supportive of Fatah, the PA’s political party, reportedly inform the PA about student activities supportive of Hamas.

As Jihad Abiza reported in Egypt’s *Daily News* in May 2015, interrogations and detentions increased after Hamas student groups at Birzeit won a majority of the student council seats in an April election. The ambiguities inherent in such police actions are apparent in the comments a spokesperson for the PA Security Services offered: “We never arrest people for their speech or for their political affiliations,” Al-Dimiri said, “these people have been arrested for the criminal charge of incitement of sectarian violence and other criminal charges.” Yet students had been interrogated or arrested in both 2014 and 2015 after they wrote Facebook posts critical of the PA. One resulting charge: “insulting public authorities.” The widely respected groups Human Rights Watch and Scholars at Risk, both based in New York, denounced the PA’s practices. Scholars at Risk reported in *Academic Freedom Monitor* on several student detentions and beatings, among them this one: “On April 25, architecture student and current student representative Jihad Salim was allegedly forced into an unmarked vehicle in front of the Birzeit campus and taken to a preventative security office where he was beaten and held for 24 hours, during which he was interrogated about the elections, denied food and water, and forced to remain in physically strenuous positions.” The group’s conclusions are uncompromising:

Scholars at Risk is concerned about the arrest, detention, and reported custodial abuse of university students and graduates, apparently as a result of student elections and nonviolent expression and association—conduct which is expressly protected under international human rights instruments including the Universal Declaration of Human Rights.

State officials have a responsibility not to interfere with freedom of expression and association, so long as such rights are exercised peacefully and responsibly. Arrest, detention and abuse aimed at limiting student expression and association undermine academic freedom and related values such as university autonomy.

Human Rights Watch argues that Hamas “has a large political wing, involvement in which does not amount to incitement to violence,” but the distinction is not always so decisive. I believe it is important for groups like Human Rights Watch to apply a universal human rights standard to treatment of all people, including students, who are detained and interrogated, but whether that standard makes it unacceptable for the PA to monitor Hamas political activity and question those involved in it is quite another matter.

Affronts to academic freedom are not limited to PA treatment of students or faculty loyal to Hamas. Islamist students themselves are quite willing to threaten faculty who do not share their religious and cultural views. In July 2012, Scott Jaschik reported in *Inside Higher Education* about the case of Birzeit University cultural studies professor Musa Budeiri, who ran afoul of student ideology when he posted what they considered to be offensive cartoons on his office door: “The cartoons in question are a couple of pages from Superman comics,” he explained. “A blogger from the Emirates had taken a few pages from the comics, added a beard to Superman and declared him Islamic Superman, and posted on the Internet. He also erased the English blurb and inserted words of his own in Arabic. In the first, Superman is lying in bed with a woman and she asks him if he is going to marry her, he responds by saying that on the planet Krypton, they are ‘not allowed to take a fifth wife.’”

Students distributed a leaflet declaring the cartoons an affront to Islam. The university removed the cartoons and asked the professor to apologize, which he refused to do. He issued a statement pointing out that people should not assume they understood his intentions in posting the images. That did not deter the students from issuing threats of physical violence against him, and the university then announced that the nineteen-year veteran would not be returning to teach, an action that seemed designed to appease the radical Islamists in the student body. Birzeit meanwhile seemed reluctant to punish the students involved. The Middle East Studies Association of North America issued a letter declaring that “the actions of the university administration to date risk establishing a dangerous precedent that privileges those who resort to intimidation and violence to contest the freedom of expression.”

The protests and threats against Budeiri recall the attacks against Danish cartoonist Kurt Westergaard after he published a series of twelve cartoons featuring the prophet Mohammed. The cartoon that Muslims worldwide objected to most violently was one depicting Mohammed wearing a bomb in his turban. In 2008 the Danish security services arrested three Muslims for plotting to murder Westergaard, and in 2011 he escaped an attempted murder at his home. To read about Budeiri now is of course to recall the horrific murders of members of the *Charlie Hebdo* staff in Paris on January 7, 2015. There too the offense was the publication of a satirical cartoon featuring Mohammed. Both the threats against Budeiri and the chilling effect of Birzeit's failure to defend his academic freedom are serious matters.

In May 2017, Hamas won the student elections at Birzeit for the third straight time, with Hamas's al-Wafaa Islamic Bloc winning 25 seats with a total of 3,778 votes, followed by Fatah's Martyr Yasser Arafat Bloc, which won 22 seats with 3,340 votes. The turnout was 74 percent (Ghorbiah). In May 2018 Hamas was victorious once again with a one-seat margin (*The Palestine Chronicle*).

THE ASSAULTS ON COLLABORATORS AND NORMALIZERS

As the reference to the murder of Hassan Sidiqui Dajani in 1938 suggests, the history of Arabs and Palestinians killing their own people for real or imaginary "collaboration" with Israel goes back a good part of a hundred years, often facilitated by authorities failing to pursue such cases. Because I am concerned here with the impact on academic freedom, I am segregating examples of assaults on academics, but that is partly artificial and misleading. It is relevant because it shows there is no special Palestinian exception for academic freedom that would hold faculty harmless for their political views. But assaults on academics are not alone in creating a climate of intimidation and genuine risk for Palestinian faculty both in Gaza and on the West Bank. Beatings as reprisals for the expression of unacceptable political views or participation in joint Israeli-Palestinian projects are far too common to make it into the news. One is mostly left to track assassination attempts or actual murders.

West Bank faculty remember very clearly the murders of Palestinians suspected of collaboration by their fellow Palestinians during the intifadas. According to Peter Beaumont, reporting in the consistently left *Guardian*, "more than 800 suspected collaborators were killed by fellow Palestinians" from 1987-93. Even B'Tselem, the Israeli human rights organization that

concentrates on Israeli violations, reported the murder of nine suspected Palestinian collaborators in 2000–2001. B'Tselem's January 2011 report "Harm to Palestinians suspected of collaborating with Israel," opens with this passage: "Since the beginning of the al-Aqsa intifada, Palestinians have killed dozens of Palestinian civilians on suspicion of collaboration with Israel. Some of the victims were killed in assassinations conducted by organizations; others died at the hands of Palestinian Authority security forces as a result of being tortured or when attempting to escape, while others were lynched by crowds of people. Also, the Palestinian Authority killed several Palestinians whom the State Security Court, in a patently unfair judicial process, had convicted of collaborating with Israel." A subsequent passage reads "In many cases, the attacks against suspected collaborators were particularly brutal. Some suspects were abducted, tortured, killed and then had their bodies mutilated and placed on public display." Amos Harel and Amira Hass reported on the murder of twelve suspected collaborators in West Bank towns in 2002. During 2014's Operation Protective Edge, Hamas was particularly ruthless in killing suspected collaborators. Elhana Miller reports thirty killed in Gaza in July of that year. The title of a 2015 article by Larisa Brown and Flora Drury is "Hamas executed Palestinian 'collaborators' with AK-47s in front of hundreds of spectators including children for 'assisting Israel' during last Gaza conflict, reveals Amnesty International."

Among the hundreds of news stories about the killings of suspected collaborators by Palestinians, stories that continue to the present day, therefore, are both accounts of individual incidents and more comprehensive reports. To speak of a "chilling effect," the term routinely used in the West, is inadequate. There is a sense of clear and present danger. Because academics speak before classes and groups of colleagues, their speech is more exposed than that of many other residents. Mohammed Dajani notably was accused of being a normalizer, not a collaborator, though the two categories are essentially interchangeable in some Palestinian quarters. You can put your life in danger by being subject to either accusation. In the West, BDS limits itself to supposedly non-violent anti-normalization campaigns. On the West Bank anti-normalization and collaboration are basically two sides of the same coin.

To return to an anecdote from Chapter One, because it is relevant here as well, in 2016 I was part of a group that met with the director of an Israeli NGO that trains young Israeli and Palestinian professionals in negotiation techniques. The aim is to prepare some nongovernmental professionals to be skilled negotiators who could play a role if the peace process is revived. Fifteen young people from each side are accepted into a year-long program

whose final session takes place in a house on a frigid island off the Swedish coast in mid-winter. It is the only building there, which guarantees isolation and complete concentration on the task. The task is to negotiate a peace treaty, with Palestinians representing the Israeli position and Israelis representing Palestinians. There was one condition for our meeting: we could not name the NGO afterwards. The organization remains confidential to protect the Palestinians from violent reprisals. They would be accused of being collaborators trying to normalize relations with Israel.

THE INCITEMENT ENVIRONMENT

In December 2015, as Gili Cohen, Judah Ari Gross, and Avi Issacharoff each report separately, Israeli Defense Forces reported uncovering and arresting members of a Hamas terror cell in Abu Dis near Jerusalem. Many of the operatives were students at Al-Quds University, a Palestinian institution of about 14,000 students with campuses in Jerusalem, Abu Dis, and al-Bireh, the latter near Ramallah. The authorities involved reported that the group planned suicide attacks in Israel. Some had been trained by Hamas to manufacture explosive devices and suicide belts. There was particular interest in recruiting students who held Israeli citizenship, as they could move around the country more freely. One Ahmed Jamal Musa Azzam, citing Gili Cohen again, aged 24, from Qalqilya, “was instructed to recruit fellow students at Al-Quds University in order to buy materials for explosives, rent spaces for the terror ring, and recruit people to carry out attacks,” and he succeeded in doing so. Those students are named in news stories. The Israeli Defense Forces reported that an explosives lab was found in Azzam’s apartment in Abu Dis. As Issacharoff, a well-regarded Israeli journalist whom I’ve met, observed, “Had this Abu Dis cell succeeded, it could have changed the entire nature of the current conflict.” One or two suicide bombings would have intensified pressure on the IDF to take more aggressive preventive action, and the authority of the PA would have been seriously undermined. Another terror cell including Al-Quds students was uncovered in Bethlehem. Funding and instructions came from Hamas in Gaza. Shortly thereafter, in January 2016, the IDF raided Birzeit University and seized Hamas propaganda and computer equipment from the campus. Simultaneous area raids located weapons caches.

As Adnan Abu Amer reports, in an April 2015 student council election at Birzeit, Hamas bested rival Fatah, the Palestinian Authority’s political wing, realigning student political allegiances and arguably enhancing campus recruitment opportunities for terrorist activities. Birzeit had long

been considered a Fatah stronghold, so the political reversal was significant. In the absence of general elections, some saw the campus vote as a more general indicator of West Bank political sentiment. This cultural and political environment presents serious challenges to both Israel and the Palestinian Authority. Campus politics and political reality in East Jerusalem and the West Bank bear little relationship to what Americans routinely experience in their own country. Impressionable students in Palestinian universities have the opportunity to escalate from more conventional political advocacy to activities that threaten both the campus and the general public.

On March 7, 2018, the student chairman of the Student Council at Birzeit, Omar al-Kiswani, was arrested on campus and brought in for questioning by the Shin Bet, the IDF, and the police in connection with his receipt of 150,000 Euros to be used in Hamas organizing efforts. “In 2017 a Hamas cell led by members located in the Gaza Strip, recruited students at Birzeit University to carry out suicide attacks” (Ahronheim). A Shin Bet statement pointed out that ““This is another expression of the efforts of the Hamas headquarters in Turkey and the Gaza Strip to accelerate activity in the West Bank. They launder funds and hide them in many locations throughout the West Bank,’ adding that the exposure and arrest of the two men who studied at Birzeit University ‘once again points to the great importance that the Hamas headquarters attaches to student activity’” (Ahronheim). The University protested that the arrest was a violation of international humanitarian law, claiming that the campus was protected from such an intrusion, and MESA (The Middle East Studies Association) sent a letter protesting his arrest and detention, insisting as well that Israel is required to “protect universities as spaces of education,” but many countries would allow the arrest of a student collaborating with a terrorist group to occur anywhere. Judith Butler would like us to believe that such arrests and detentions in the West Bank amount to examples of how “incarcerated students are denied their freedom to hold political views that may not be acceptable to the occupying state,” but advocating for and organizing on behalf of a terrorist group is not simply an expression of political opinion, even though American students can easily be deceived into thinking that the only issue at stake.³²³

To avoid the mass conflict that ensues when uniformed Israeli forces arrive on a campus in large numbers, the March 2018 arrest was carried out by a small group in plain clothes. When the IDF in response arrives on a Palestinian campus in force, paving stones and limestone blocks are hurled from one side of the battlefield and rubber bullets fly from the other. Photographs and newsreel footage of rubble-strewn buildings flood social media. The question remains: what can such tactics accomplish? While

those North Americans and Europeans who castigate Israel and the IDF for their policies and actions are typically unwilling to admit it, Al-Quds, An-Najah, Birzeit, and other Palestinian campuses, despite the quality of many of their academic offerings, are not quite the same kind of institutions as, say, the University of Kansas. Allying with a Hamas cell is not the same as joining the Campus Republicans in Lawrence, Kansas. As I said above, in the West Bank, we are not in Kansas anymore.

Given that the threat posed by incitement to violence on Palestinian university campuses and involvement in terrorism by Palestinian students is real, then the issue entails not only transcendent principles like academic freedom but also the practical question of the tactics best suited to the unique circumstances on the West Bank. In the spring 2016 conversation, Mohammed Dajani was forthright in detailing the political challenges that both the IDF and the Palestinian Authority face on Palestinian campuses. Despite rumors to the contrary, however, the IDF is not likely to find major weapons caches on campus, though it may have been justified in conducting such searches during the Second Intifada. And terror cells will recruit on campus but are less likely to meet there. Dajani argued that the IDF should challenge student members of these groups in their apartments and off-campus meeting sites rather than on campus itself. Indeed the majority of such raids are conducted off-campus.

Unsurprisingly, some university employees have off-campus terror connections. After a March 2015 arrest of a terror cell, as reported in a US State Department report (OSAC), it was revealed that “one of the cell’s members was employed at Abu Dis University as a cafeteria attendant,” hardly a major revelation, but notable as a mundane reminder that these institutions face different challenges than our own. Perhaps the IDF hopes its campus incursions will have a chilling effect on illegal political activity, but the opposite result may well be more probable. Palestinian campuses are not simply innocent academic enclaves assaulted by invading Israeli armies, despite efforts by the BDS movement to characterize them that way. There is no lack of serious academic work ongoing on Palestinian campuses, but a reign of intermittent political terror by Palestinians themselves also shapes the psychological environment and eliminates academic freedom for political expression. Yet an IDF incursion is by its nature a blunt instrument, disrupting the activities of all who study or work on a campus, not just the smaller number who have crossed a line into illegal activities. An IDF incursion inevitably blurs the distinction between political activity that should be protected by academic freedom and activity that is against the law, though the latter does occur on Palestinian campuses, and it is a challenge to distinguish between legal and illegal political activities when

terrorist groups are at issue. The likelihood that campus incursions by the IDF will create broad antagonism is high. Dajani is effectively urging targeted anti-terrorist actions that are more likely to be of practical success.

Understanding the reality on Palestinian campuses requires recognizing the role these forces, principles, responsibilities, and allegiances play. In the end, intimidating or threatening the lives of those students and faculty who express unpopular political opinions remains by far the most serious and fundamental threat to academic freedom on Palestinian campuses. It is Palestinians themselves, not Israelis, who bear responsibility for those actions.

ISLAMIC UNIVERSITY OF GAZA

It is fair to say that a decades-long and sometimes violent struggle between Hamas and Fatah carries over into Palestinian universities. An institution where that claim does not apply is Islamic University of Gaza, a university that has been entirely and exclusively identified with Hamas since its founding in 1978. Established by Sheikh Amed Yassin (1937–2004), the founder of Hamas itself, the university enrolls over 20,000 students. It is recognized as Gaza’s best institution of higher education, offering bachelor’s and master’s degrees in such fields as economics, education, engineering, history, literature, and physics. It has cooperative relationships with major institutions elsewhere, including the London School of Economics.

In another critical sense, however, it falls into the category of a “dual-purpose institution.” From the outset, it has also served as a Hamas recruitment center. Many of Hamas’s leaders either graduated from Islamic University or have been members of its faculty. As noted journalist Thanassis Cambanis wrote in the *Boston Globe* in 2010, Islamic University is

the brain trust and engine room of Hamas, the Islamist movement that governs Gaza and has been a standard-bearer in the renaissance of radical Islamist militant politics across the Middle East. Thinkers here generate the big ideas that have driven Hamas to power; they have written treatises on Islamic governance, warfare, and justice that serve as the blueprints for the movement’s political and militant platforms. And the university’s goal is even more radical and ambitious than that of Hamas itself, an organization devoted primarily to war against Israel and the pursuit of political power. Its mission is to Islamicize society at every level, with a focus on Gaza but aspirations to influence the entire Islamic world. . . .

Hamas doesn't run the Islamic University, but the overlap of the party and the school is nearly seamless. Scientists and academics at the university double as Hamas technocrats: doctors, engineers, economists, teachers, and media specialists. The Islamic University serves as an employment program and intellectual retreat for Hamas leaders, giving a perch to the prime minister, the foreign minister, and bureaucrats in charge of ministries. . . .

The scholarship and instruction at the Islamic University offer a map of the world Hamas's leaders would build if they had no political constraints. More than any single idea, the Islamic University promotes a view of a society inescapably suffused with religious doctrine.

Twice—in 2008 and again in 2014—a rocket development and testing facility on campus was bombed by the IDF during military campaigns. Such a facility is a valid target according to the laws of war. Moreover, in 2014 Israel reported that rockets had actually been fired at Israel from the campus area, making the testing facility a target of some urgency. Hamas's military wing, the Izz ad-Din al-Qassam Brigades, was using the institution's chemistry labs and other facilities not only to develop but also to manufacture weapons. Islamic University faculty may have been involved. Despite all this, the IDF chose to strike the facility at night on August 2, 2014, during Operation Protective Edge, to minimize or eliminate the possibilities of casualties. Apparently no one was injured. Nevertheless, proponents of a boycott of Israeli universities in the American Historical Association (AHA) the following year made much of a claim that an oral history archive across the street had also been damaged or destroyed. "What good are we as historians," they argued, "if we do not protest the destruction of an archive?" They presented no further information about the nature or extent of the archive, but their claim that this collateral damage was the salient element of the story is absurd in any case.

Given its fundamental role in promoting the work of a terrorist organization, Islamic University belongs at the extreme end of politically compromised Palestinian institutions. There is such overwhelming political conformity at Islamic University that it is unreasonable to claim any meaningful academic freedom exists there. But the case of Islamic University raises numerous difficult questions about the problems that arise when other Palestinian universities serve as incitement and recruitment centers. A 2013 essay by Aviv (Cohen) Dekel, then affiliated with Georgetown University Law Center, asks whether an educational grant to Islamic University would amount to financial support for terrorism under

US or Israeli law. The answer may be “yes,” without even raising the fact that Hamas routinely diverts humanitarian aid for military purposes.

The more vexing question for other Palestinian universities, the Palestinian Authority, and Israel itself remains how to distinguish between valid political expression protected by academic freedom and political expression or political activity that facilitates terrorist recruitment or incitement to violence. Moreover, as we are all learning, a vast amount of terrorist incitement on the Internet and in social media is outside the control of Israel, the PA, or anyone else. That does not, however, eliminate the need to investigate instances of face-to-face recruitment and incitement, either on campus or elsewhere.

One notorious cultural event at a Palestinian University, an event that doubles as indirect recruitment activity, was the 2001 Second Intifada commemorative exhibition at An-Najah National University. The exhibit celebrated the August 2001 suicide bombing that killed 15 people and wounded 130 others at Jerusalem’s Sbarro Pizza. Sponsored by students supporting Hamas, the exhibit’s main attraction was a room-sized installation including shattered furniture spattered with fake blood and human body parts. The exhibit also included a large rock in front of a mannequin wearing the black hat, jacket, and trousers often worn by ultra-Orthodox Jews. Drawing on a widely quoted Hadith, a recording from inside the rock announces: “O believer, there is a Jewish man behind me. Come and kill him.” Yasser Arafat eventually shut the exhibition down. Some US universities would likely regard it as protected, if deplorable, political expression, though it is unlikely it would, at least initially, survive a policy prohibiting explicit anti-Semitism on campus like the one the University of California Regents adopted in 2016.

If such an exhibition were to be removed by a public university US campus administration, one could well imagine Palestine Legal or the ACLU contesting the action on constitutional grounds and prevailing. Indeed, unlikely but possible would be a pro-Israel campus group incorporating some of the same material into an exhibition highlighting evidence of anti-Semitism on the West Bank. The bottom line is that the exhibit should be allowed in the US but condemned and used as a teachable moment. In the Middle East generally, and certainly in Palestine, however, one confronts a different reality. As I argued earlier, deciding what constitutes incitement to violence has to be a contextual, culturally specific process. On the West Bank this exhibition plausibly constituted incitement to lethal violence.

In 2010 six members of the An-Najah University faculty were arrested by Palestinian Authority security forces for being closely linked to a charity

that is suspected of being a front for Hamas. The unfortunate bottom line in the West Bank context is that there is no fixed line between valid political expression and terrorist recruitment. Should students there or in Israel be permitted to celebrate Nakba Day? Yes. Should the An-Najah exhibit have been closed? Possibly not, even though the Palestinian Authority has been engaged in a lethal struggle with Hamas. Should the An-Najah faculty have been arrested? If the evidence of their involvement with Hamas fundraising was convincing, yes. While it is often difficult enough for a country not at war to protect political expression that is deeply objectionable, it is still more difficult to decide these questions in Israel and Palestine. We must consider the conflicting values and interests carefully before making judgments.

STUDENTS TRAVELING FROM GAZA

Although Islamic University, for example, offers a range of different academic programs, there are also areas of study and advanced degrees not represented in its curriculum. As the Israeli NGO Gisha reports, across the 26 academic institutions in Gaza, some programs—including advanced degrees in clinical psychology, human rights, public health, gender studies, and international development—are not offered at all. For that and other reasons, including the right student academic freedom supports to study at the institution of your choice, Palestinian students commonly apply to study at institutions in Arab countries, Europe, and the West. Some earn fellowships supporting study abroad. Some groups, among them the important Tel Aviv–based Israeli advocacy and research organization Gisha, believe the right to study at any institution where you gain admission and meet financial requirements, including universities in the West Bank, rises to the level of a fundamental human right. Unsurprisingly, denunciations of Israeli restrictions on student travel from Gaza have been a regular feature of academic boycott resolutions, though BDS resolutions typically ignore the impediments other countries impose on travel from Gaza. I have been in conversation with Gisha for some years and have high respect for their work, but I have a different take on the role that human rights play in the matter.

During the years when Israel occupied Gaza, travel in and out of the area for students and others was relatively routine. Many Israelis still remember when they made it a practice to shop in Palestinian markets there every week. All that began to change when Israel withdrew from Gaza in 2005. After Hamas won local elections the following year and

took full control of Gaza in a 2007 civil war with Fatah, travel became both a political and a security issue. From the perspective of both Israel and the Palestinian Authority, Palestinians traveling from Gaza present security concerns. From the PA's perspective, Hamas is a violent and hostile political rival. For the Israelis, Hamas is a terrorist organization dedicated to killing Israelis and bringing an end to the Jewish state. While both recognize that students have a genuine need to exercise the freedom of study that their academic freedom entails, they also realize that young people exposed to Hamas propaganda can be motivated to engage in promoting and recruiting for Hamas's violent goals. West Bank Palestinian security forces already face a huge task trying to curtail violence; they are anxious about the risks involved in admitting Hamas-indoctrinated students for study in the West Bank. As with the issue of political expression in West Bank universities, academic freedom and security concerns intersect. BDS advocates tend to ignore or reject such complications, but Israel and the PA have a responsibility to confront them, and that ends up limiting students' rights to study where they choose.

Other major players are involved in adjudicating and administering student travel from Gaza. Since 2005, the standard travel route for Gaza students to study abroad has been to cross into Egypt at Rafa on Gaza's southern border and then fly elsewhere from Cairo airport. But Egypt has kept the Rafah crossing largely closed since 2007. Egypt too has had problems with Hamas, especially since 2013 when the Egyptian military overthrew the Muslim Brotherhood. Hamas grew out of the Brotherhood, and the two groups remained allies. Egypt is justifiably opposed to Hamas collaboration with the Islamist insurgency in the Sinai and has ample reason to be vigilant about security at Cairo airport. At a notorious 2014 Modern Language Association debate, the faculty members proposing a boycott of Israeli universities were not only oblivious to the role that Egypt and others play in restricting Palestinian student travel; they were also reluctant to concede that Egypt, not Israel, occupies Gaza's southern border. Egypt itself could largely solve the problem of student travel from Gaza, but it chooses not to do so.

That is but one example of the fraught complexity of travel in the area. Hamas itself also obstructs student travel from Gaza. In order for students to travel through Israel and the West Bank and cross the Allenby Bridge to fly abroad from Amman, Jordan, Hamas must produce lists of students approved for admission to foreign universities. As a 2013 US State Department Bureau of Democracy, Human Rights, and Labor report detailed, Hamas has been very slow in doing so. Israel has somewhat increased the number of students it allows to exit Gaza from the north

through the Erez crossing it controls, but these students also need Jordanian transit permits to complete their travel, and Jordan is also slow to grant them. Jordan's history of lethal conflict with Palestinians plays a role here. Meanwhile, the PA's Palestinian Civil Affairs Committee itself provides Israel with lists of students who have received fellowship support for study abroad, and they too are frequently late in doing so. The combined result of bureaucratic delays from Hamas, the PA, and Jordan frequently means that the school year is well under way or that fellowships expire before students from Gaza can reach their destinations. BDS chooses to blame Israel alone for these difficulties.

As David Robinson details in a 2010 report from the Sixth Education International and the Canadian Association of University Teachers, the continuing conflict between Hamas and Fatah has undermined university governance, produced the arrests of Palestinian faculty and students, and infringed on academic freedom in Gaza and the West Bank. As Kari Huss reports, Hamas has a history of blocking students from accepting fellowships or traveling to participate in reconciliation programs, thereby instituting a politically based restriction on student travel, a specific violation of academic freedom. The State Department's 2013 report also notes that Hamas "prevented high school students from the Gaza Strip from participating in certain cultural and educational exchange programs, including programs sponsored by foreign governments and international organizations. Students on foreign exchange programs continued to face difficulty when traveling out of Gaza to obtain permission for onward travel abroad. In some instances families of the students petitioned Hamas's Ministry of Education so that their children could travel."

While Israel limits travel from Gaza through its territory for valid security reasons, it should be possible both to increase the number of student permits and to institute at least a pilot program for renewed study on the West Bank. Gisha's position is that prohibitions on study in the West Bank should be applied individually, rather than comprehensively. Before 2000, when the Second Intifada broke out, after which students from Gaza were prohibited from studying on the West Bank, one thousand Gazan students a year studied there. Israel justifiably sets criteria for study, but its security services are accomplished in doing background checks and interviewing people before clearing them for transit. As Gisha explained to me during a 2016 visit to their offices, such interviews often inquire not only into personal histories but also into the character of the neighborhoods in which people live. Monitoring of Palestinian students from Gaza, especially as part of a trial expanded program for study in the West Bank, would be expected. On the other hand, one sometimes encounters academics naïve

enough to urge that Israel open Ben Gurion airport to travel from Gaza. When political naïveté meets an uninformed passion for justice, the results in terms of faculty political activism are neither inspiring nor helpful. The end goal should not be contempt for the security needs of Egypt, Israel, Jordan, and the PA—let alone a pretense that Israel alone is responsible for the difficulties that Palestinian students face—but rather a practical effort to balance academic freedom and security in such a way that both interests are served to the degree that is possible.

CONCLUSION

The place where academic freedom is ultimately tested is over free expression about politics and religion. It is a test that even democratic countries struggle to pass, especially when wartime political expression is at issue. During and after World War I, during World War II, and during the McCarthy period of the 1950s, the United States was willing to compromise or set aside its constitutional guarantees for self-expression. Like other Americans, faculty members sometimes lost their jobs as a result. Some Americans faced prison. During wartime, faculty members who express controversial opinions can expect to face severe criticism from colleagues, politicians, and members of the public. The most important question is whether they face sanctions as a result. As recently as Operation Protective Edge in 2014, faculty members in Israel who criticized the war were excoriated by conservative politicians and members of the public. But they did not lose their jobs, and they did not go to jail. Israel has an exceptionally good record of honoring academic freedom within its pre-1967 boundaries. There have been some challenges to political expression by Arab student citizens in Israel proper, but, once again, sanctions have generally been avoided.

Israel confronted extraordinary challenges during the wave of suicide bombings that accompanied the Second Intifada from 2000 to 2005. We should remember that Hebrew University of Jerusalem's Mount Scopus campus endured a suicide bombing on July 31, 2002. The attack, which took place in the Student Center cafeteria during lunchtime, killed nine people, among them five American students, and injured about 100 others. Seven died immediately, while two others succumbed to their wounds in the following weeks. Hamas took credit for the attack. From 2000 to 2005, there were 138 suicide bombings in Israel, along with numerous other terror attacks. Decisions about how to handle violence and incitement to violence became urgent as a result. Both Israel and the Palestinian

Authority have felt similar pressures during the wave of knife and automotive attacks that began in the fall of 2015.

Israel has also faced the challenge of deciding whether foreign faculty members who support Hamas should be allowed to speak at Palestinian campuses if there is reason to believe they may engage in incitement to violence. In September 2016, Israeli officials barred University of London School of Oriental and African Studies faculty member Adam Hanieh, a strong supporter of Hamas, from speaking at Birzeit University and expelled him from the country. In the US, preventing Hanieh from speaking would constitute an improper exercise of prior restraint; in Palestine, the realistic risk of incitement once again creates a different dynamic. While people are free to criticize such state actions, it is clearly Israel's responsibility to negotiate such conflicts between national security and academic freedom.

Whether the Israeli government is capable of doing so reasonably remains to be seen. The misguided law empowering immigration officials to bar BDS supporters from entering the country presents a serious challenge to that capacity. While some in government have issued assurances that the law would only be applied to major BDS leaders, not simply any garden variety BDS petition signer, we will have to await ongoing events to see how the law is actually put into practice. Certainly there are Israeli politicians who would like to see it more broadly enforced.

The most serious threats to academic freedom in Gaza and the West Bank, however, come from Palestinian society itself. The BDS movement in the United States has focused its moral outrage on such matters as foreign faculty members being denied entry to teach in the West Bank, though most often they simply face delayed entry by Israeli authorities. Actual denials can easily be appealed to Israeli courts. Are not Palestinian attempts to kill Mohammed Dajani and Abdul Sattar Qassem for their politically incorrect speech more serious? Do not the gangs of student enforcers trained by Hamas to intimidate, harass, and assault dissident faculty members represent a greater threat to academic freedom than any IDF practices? There is little hope for dialogue with those unwilling to answer these questions in the affirmative.

CODA

Palestinian universities often declare their support for academic freedom. In September 2016, I wrote to a distinguished Palestinian faculty member to ask whether his or any other Palestinian university had adopted formal regulations about academic freedom. His answer: "I do not think any

Palestinian university has such code. Maybe foreign universities should pressure them to have one.”

CHAPTER ELEVEN

THE CASE FOR COORDINATED UNILATERAL WITHDRAWAL FROM PARTS OF THE WEST BANK: A PROPOSAL TO RESCUE THE TWO-STATE SOLUTION

So if it is so difficult to arrive at a solution of end of conflict, why not have one state? Because the one-state cure is the proverbial cure that kills the patient. I cannot think of any place on earth where two nations locked in conflict for over 100 years are offered a solution to be thrust together in a boiling pot of coexistence that would end no doubt in mutual destruction Mostly I would say the reason why this is a bad idea is because most Jews in Israel and most Palestinians in the West Bank and Gaza don't want it. There are people in the Diaspora who may wish for such a solution, but they won't face the music and probably couldn't care less about it We, the Israelis, have to come to terms with the fact that we may have to withdraw for less than peace, that land for peace may be desirable, but not necessarily fully attainable. Why should we withdraw in the absence of full peace? If we don't, we are allowing those who resist the idea of peace with Israel, like Hamas and company, to dictate to Israel what kind of country we will live in in 10, 20, or 30 years' time.

—Asher Susser, “The Two-State Solution: Getting From Here to There”

INTRODUCTION

Confidence that Israelis and Palestinians can negotiate a final status agreement, settle the outstanding issues that have plagued them since 1948, and establish two secure states that enable their peoples to live in peace may well be at its lowest point in decades. As a consequence of the failure of previous negotiations and the lack of faith in either party's willingness to continue in good faith, the international conversation about the Israeli-Palestinian conflict says more about anger and frustration than it does about how to move forward productively. I have been writing about parts of that conversation—especially the parts taking place on campuses and among nongovernmental organizations (NGOs) focused on the conflict—for several years.³²⁴ I have also been an active opponent of the Boycott, Divestment, and Sanctions (BDS) movement since 2006.³²⁵ Here I will flesh out some of the positive recommendations I have made during these debates, especially my endorsement of Israeli proposals for a multi-staged withdrawal from major portions of the West Bank that is carefully planned, coordinated with the Palestinian Authority, and dependent on progress in achieving specified benchmarks.

While a comprehensive final agreement is obviously preferable—and Israelis and Palestinians will never resolve all their disputes without one—I believe we need to identify what steps might be possible in the interim. The actions listed in Chapter Two would be a necessary part of any successful plan. My main aim in this chapter is to continue moving the international conversation in a different direction, from struggles over delegitimization to practical solutions. The conversation in many quarters is caught in a cycle of accusation and counter-accusation, recrimination and resentment, offense and defense. We need a way to break out of that cycle; hence Chapter Two, Chapter Eight, and this chapter. As Amos Yadlin and Gilead Sher argue, we need “an integrated process that does not require a high level of trust” between Israelis and Palestinians. Along the way, I also suggest some possibilities for US and European activism. Meanwhile, even an Israeli government opposed for now to a fully realized Palestinian state may be forced by West Bank events and international action to consider interim options that provide opportunities for increased Palestinian self-governance. We all need to understand such options if we are to promote them. Yet we also need to recognize that the combative rhetorical cycle so

preoccupies people, so coopts their imaginations and sense of possibility, that getting them to focus on anything else is very difficult.

In what follows I give no credence to any version of a one-state solution. I support the presence of a democratic Jewish state within modified pre-1967 borders. I do so not only because Jews are a people with an ancient history in the land but also because—beginning with the Balfour Declaration, followed by the San Remo acceptance by the Entente powers of the Balfour Declaration, and continuing through to the post-World War II 1947 United Nations vote—the state of Israel has had an exceptionally strong basis for its existence under international law.

I also believe, more controversially, that the Allied Powers owed the Jews a homeland after they failed to respond to the Holocaust. They failed to accept Jewish refugees; they failed to publicize Germany's programmatic system of mass murder as soon as it began to be revealed; they failed to intervene militarily in the Holocaust as it unfolded with air strikes against death camp transportation routes. When the full extent of Nazi barbarism—and the collaboration and eager participation in the murder of Jews that swept across many European countries is added to the picture—the creation of Israel seems only a modest practical and symbolic response.³²⁶ Only a homeland explicitly destined for the Jewish people could begin to answer to the combined assault on them and on the standards we believed undergirded human civilization. The alternative of a one-state or binational “solution”—with two peoples sharing the same land and the same polity—is both an inadequate response and a recipe for war, not resolution. Indeed it has never found broad support among Israeli Jews, though it has a far-left constituency and is gaining support among frustrated West Bank Palestinians.³²⁷ The resulting civil war would be one in which Jews and Arabs could die in significant numbers. Jews will fight before permitting their homeland to be dominated by an Arab majority.

Yet preserving that Jewish homeland simply by unilaterally abandoning the bulk of the West Bank, while retaining only the settlement blocs near the Green Line, in a rapid disengagement like the one that took place in Gaza, would likely be catastrophic. The possibility that Hamas would win an election under current political, economic, and cultural conditions is unacceptably high. The suggestions in Chapter Two, “Five Components of a Peace Plan,” are meant to help change those conditions. It is also likely that only Israel has the power to do something significant enough to break the present logjam. This chapter will offer that significant action in the form of a proposal for the north central part of the West Bank.

I am convinced that Israel's military occupation of the West Bank is unsustainable, not because it cannot be enforced but because its

consequences are morally and politically unacceptable. Of course some in Israel—among others, Jewish Home party head, education minister, and previous Minister of the Economy Naftali Bennett—believe moderate improvement in Palestinian employment opportunities and living conditions, combined with settlement expansion, could not only sustain the present arrangements but also make them immutable.³²⁸ Others in Israel and throughout the world, see the West Bank status quo as leading to increased European political and economic pressure to recognize a Palestinian state in the future, along with both horrific local violence and a potential third intifada more serious than the knifing and auto ramming of recent years. Sanctions, the dormant third component of the BDS movement, are not now likely, partly because of corporate investments in Israel, but they could become a reality if violence turns worse. Continued small-scale military conflicts with Hamas and Hezbollah seem inevitable, and no one can rule out additional wars producing thousands of dead, especially given the rockets stockpiled by Hezbollah in Lebanon and the evidence of mounting Iranian ambitions that include deployment of Hezbollah as a military proxy. Meanwhile, Israel's democratic character will continue to be seriously eroded as the occupation corrupts the country within its pre-1967 boundaries. A military occupation can, of course, even one this long, lead to a positive result, as did the admittedly very different US occupations that followed World War II. The US had no history of coveting German or Japanese territory, so the contexts are not comparable, but the comparison can help energize organizing for change. It is time to re-envision Israel's West Bank role as a route to peace.

I thus remain a strong believer that only a two-state solution—two states for two peoples—offers a route to achievable justice for both Israelis and Palestinians and a means for the two peoples to control their own political destinies. The first thing I ask of any political proposal is whether it supports that goal and what steps it offers to take us there. As it stands now, much of the debate surrounding the Israeli-Palestinian conflict, including the entire BDS campaign, offers no practical route forward.

This chapter summarizes, draws together, and elaborates upon some concepts and options developed by Israelis and others and offers them for consideration. While a comprehensive agreement is the ultimate goal, after nearly a century in which the parties have failed to achieve one, we need a different action agenda. I am not foolish enough to suppose I can lay out a comprehensive Israeli-Palestinian peace plan here. Nor will the options described here be sufficient in themselves to resolve the Israeli-Palestinian conflict. But any who care about the needs and aspirations of both peoples need to begin discussing other ways to improve the lives of and provide

economic and political hope to the Palestinians, and to initiate preliminary Israeli disengagement from portions of the West Bank.

I also need to emphasize that there are no risk-free solutions to the Arab/Israeli conflict. History is fundamentally unpredictable, certainly no more so than in the Middle East. Regimes that appear to be stable become undone; social, political, and religious movements sweep countries to change the course of national and regional history; violent actors representing constituencies small or large intervene with overwhelming impact. I am unaware of anyone who predicted the rise of ISIS before it occurred. Did many guess that the Muslim Brotherhood would so quickly be swept aside in Egypt? Did we anticipate at the outset of the Syrian civil war that the opposition to the Assad regime would be almost entirely defeated? Is anyone still pinning utopian hopes on the Arab Spring? I didn't, by the way, but many of my friends did. The unprecedented cruelty we've seen in Syria and Iraq has intensified the longstanding Israeli sense of insecurity and deepened the reluctance to take political chances, though it has also opened opportunities for limited cooperation with several Arab states.

It is clear that neither the Israelis nor the Palestinians have a governmental partner for peace at present. For many years, Benjamin Netanyahu and Mahmoud Abbas both played to their rejectionist constituents. They expected their political challenges to come, respectively, from the right or the left and thus concentrated on defending that flank. Not all Israeli prime ministers have done so, but this one certainly did. We have a shorter list of Palestinian leaders, but both Yasser Arafat and Abbas regularly supplied their public spheres with radical rejectionist rhetoric. Neither Netanyahu nor Arafat nor Abbas prepared their peoples for the necessity of concessions, for compromise.

A 2012 poll of Israelis showed continuing support for a two-state solution, but the level of support declined when the question addressed territorial concessions.³²⁹ A June 15-17 2014 survey of West Bank and Gazan Palestinians asked what percentage of Jerusalem the Palestinian Authority (PA) might control through an eventual negotiated agreement. The majority, whether pugnacious or naïve, unrealistically answered 100%.³³⁰ A January 2018 survey "Palestinian-Israeli Pulse" conducted jointly by the Palestinian Center for Policy and Survey Research and Tel Aviv University's Tami Steinmetz Center for Peace Research showed support for the two-state solution having fallen to 46 percent of both populations. But those numbers reflect despair about the likelihood of the solution being realized. Even small changes in the polling restore support:

For example, 44% of Jews who are opposed would change their minds if the Palestinian government commits itself to ongoing security

cooperation like today, including sharing intelligence with Israeli security forces, preventing attacks and arresting terror suspects—bringing total support to a 59% majority. Among Palestinians who are opposed to the package, 39% would change their minds to support the agreement if Israel recognized the Nakba and the suffering of refugees and provides compensation to the refugees. When the Palestinians who change their minds for this item are added to original supporters, 62% support the agreement. (2)

Contrary both to the BDS movement's official policy—and to the position held by the BDS faculty members discussed in *Israel Denial*—a majority of Palestinians do not demand a comprehensive right for Palestinians to return to Israel. Moreover, the conditions above are widely expected to be part of any eventual agreement.

In contrast, nothing about the settlement policy Netanyahu advanced by his actions over a decade suggests that he ever intends to give up an inch of the West Bank. Hours before the March 2015 vote, he put any doubts to the rest, pledging there would be no Palestinian state if he were reelected. Though he later walked back the promise, the damage had been done. Nonetheless, you can meet Arabs and Jews who give you hope, as well as Arabs and Jews who only see violence in the future and, indeed, some who advocate it. But I remain convinced that, over time, most within each people will opt for peace if they are given good employment opportunities, good housing, the opportunity to raise families, and the right to political self-determination within limits that respect the needs of the other people. Otherwise, there is little reason to believe ideology, religion, and identity will be moderated sufficiently to allow peace to unfold.

Despite the bleak prospects facing us now, we should think about how both groups might be motivated to negotiate in good faith—or at least not to undermine the potential for future negotiations. Because Israel has a powerful military, some see pressure on Israel alone as the only appropriate strategy, and it is a priority, especially since comments from Likud coalition Ministers and some Knesset members invoke the specter of actual West Bank annexation, which would end the two-state option, but it is not the only priority. In any case, the defining BDS question—“How best to punish Israel?”—is not a peace strategy. Regardless, the two parties are not equal, so strategies for dealing with them will have to differ. What's more, whatever options are adopted, they will at some point have to be addressed to the Palestinian and Israeli people, not just to their respective leaders; public reception in the respective societies is a matter of concern. But a model that casts one people as aggressors and the other as victims, which is

BDS's basic strategy and the one embodied in the scholarship and teaching reviewed in *Israel Denial*, is not a rational basis for a conversation, let alone a negotiating strategy.

WHAT IS REQUIRED OF THE PALESTINIANS?

Let us begin with the Palestinians, because my suggestions there are fewer, and then move on to Israel. One possible form of pressure would be to reach an international consensus that the PA must be subject to an ongoing independent audit that gives a full and transparent account of how all the foreign aid it receives is spent. The PA can never have the full trust of its own people if many continue to believe it is financially corrupt. Thus the PA might well benefit from pressure to reform itself. And that pressure could make it a better negotiating partner. Such pressure is unlikely to come from the United Nations, but it could be initiated in Europe and the United States.

If Palestinians want to establish a popular basis for negotiation, they will also need to reform their educational system so it does not instill opposition to Israel's existence in the hearts and minds of their young. Such a change will not transform young peoples' attitudes overnight, but Israelis are not likely to trust their Palestinian partners until they see this commitment at work. Both sides need to eliminate curricula that identify the other side as the enemy, but as a 2013 study of Israeli and Palestinian textbooks reports, "Israeli state textbooks provided more information and less negative characterizations of the other side and more self-criticism regarding certain historical episodes than the ultra-Orthodox or Palestinian books. Addressing the 1948 massacre in the Arab village of Deir Yassin, for example, a book used in the state secular and religious schools noted that the battle 'developed into the killing of dozens of helpless Arabs.'"³³¹

There also needs to be widespread recognition that neither negotiations nor withdrawal can readily take place amidst incitements to violence. The PA should be persuaded of the necessity to restrain religious and political figures from indulging in public calls for violence. Incitements to violence that present an imminent threat need to be made clearly illegal and punished accordingly. Threading that needle in Palestinian society—where there is little tradition of free expression—will not be easy, especially since I am effectively advocating limits on practices that need also to be reformed to the opposite effect. Private and NGO criticism of Israeli policy need to be protected, as do statements rejecting the Jewish state's legitimacy, but actual incitement needs to be policed. As I pointed out in Chapter Ten

on academic freedom in Palestinian universities, incitement in Israel and Palestine is not mere noise.

Even without the promise of negotiations, the time may have come for the PA to make more precise calibrations of the relationship between violence and the potential to achieve its peoples' national ambitions. Violence may persuade Israelis that the West Bank is ungovernable, but that could simply mean no one, neither the Israelis nor the Palestinians themselves, can govern it. One consequence of 2014's Operation Protective Edge, reaffirmed in 2018's conflict on the Gaza border, that all the players in the area understand is the recognition that Palestinian casualties have considerable international political value.³³² But that also means the Israelis now realize collateral damage needs to be accumulated quickly, before international opposition and Israeli moral anguish can fully coalesce. And Palestinian deaths are only maximized by acts of war that threaten Israelis. The cycle has escalation built into it. One question is whether international attention and concern has become heightened enough for Palestinians to shift their strategy to mass nonviolent protest and civil disobedience. The 2018 Gaza border demonstrations appear to have begun nonviolently—before they were coopted by militants trying to breach the border fence and enter Israel en masse. Changing strategies would of course necessitate the PA controlling violent elements in the West Bank and Hamas doing the same in Gaza, just as it would require the Israeli Defense Forces (IDF) to master better policing practices. It was predictable after the 2014 war in Gaza that international pressure would escalate in 2015 and 2016; yet that in turn gives additional cultural and political leverage to civil disobedience.³³³ Meanwhile, the stalled peace process makes it easier to condemn Israel for any military action in defense of its security. Whether Americans or Europeans could safely participate in West Bank nonviolent civil disobedience more broadly than they have so far remains to be seen, but it is an option worth careful review.³³⁴ The IDF's willingness to tolerate civil disobedience would need to be strengthened, and better mechanisms for coordinating such protests with authorities established.

Some of the BDS colleagues I have talked with are inclined to set aside their avowals of pacifism and declare that only violence will work to influence Israel, thereby implying in anti-Semitic fashion that Israel is an unreachable country without a conscience (in line with Steven Salaita's now infamous formulation, "Israel's soul died at the moment of its inception.")³³⁵ But many Israelis are themselves psychologically tortured by the routine violence that shapes the military occupation, and nonviolent activism has increased potential to influence both them and the international community. Unlike the British in India, however, Israelis cannot simply

sail away; they have a proximity problem, and Yasser Arafat would have made a poor Gandhi. But it may well now be time for Palestinians to give nonviolence a try. The world *is* watching.

Yet coming up with means adequate to turn Hamas into a true nonviolent partner for a permanent truce, let alone peace, is outside my imaginative capacity.³³⁶ A prolonged truce, however, may be in Hamas's self-interest, and it could reduce the number of its committed members if it is accompanied by progress on Gaza Strip relief and West Bank disengagement, but if Hamas actually made peace with Israel it would no longer be Hamas. As Amr et al write, "Hamas sees full disarmament as suicide" (35–6). And if Hamas were willing to take intermediate steps—like declaring and honoring the Mediterranean coast and the border with Israel as weapons-free zones for economic development—it would no longer be Hamas either. Some intransigent Hamas and Islamic Jihad members would certainly face police and judicial restraint if moves toward peace became a reality. Others, along with some Palestinians not affiliated with terrorist groups, would no doubt simply live out their lives in bitter rejection of an unfolding peace. Among those would be Palestinians whose rejection of a Jewish state is grounded in a historic cultural and political rejection of any non-Muslim state in the region. More serious still are those whose hatred of Israel is based on religious belief. Many on the left tend to embrace the anti-Semitic conviction that the only religious impediment to peace in the region is Judaism. There is a dual denial involved—both of Arab anti-Semitism and of the Islamic history of classifying Jews and Christians as "protected infidels."³³⁷ As we have seen historically, protected infidels can become targeted infidels. Discussion of the anti-Semitic component in Islam in many quarters is still frequently blocked by the dominant politically correct stance that critique of any Islamic traditions or any Islamic sect amounts to Islamophobia. One might have thought that the rise of ISIS would open wider campus discussions of these issues, but it did not.³³⁸ The January 2015 *Charlie Hebdo* and Hypercacher kosher supermarket massacres in Paris failed to do so as well. Meanwhile, the presence of Hamas remains a source of risk and uncertainty for any Israeli-Palestinian future.

In that regard, I was interested to find in conversations in Israel over several years that, in addition to those on the Israeli left who opposed military action in Gaza entirely, there existed a number of Israelis opposed to current government policy and committed to the left who nonetheless expressed regret that the IDF had not acted more quickly and decisively to crush Hamas in July 2014. Some of those I spoke with reasoned that only Hamas's complete military defeat would have made it possible for the PA to become a true partner for peace. Unfortunately, this realpolitik style of

reasoning draws its conclusion not only from 20th century history and the defeat of Germany and Japan but also from a cold take on Arab history.

WHAT IS REQUIRED OF ISRAEL?

Conversely, the world has been exposed to numerous scenarios for pressuring Israel, but most show no sign of being anything other than either counter-productive or empty symbolism. Todd Gitlin has aptly called the latter the politics of radical gestures.³³⁹ I see no prospect that this politics of radical gestures—expressed through boycotting Israeli universities, demonstrating against SodaStream, or divesting from Hewlett Packard—will bring the Israeli government to its knees or have any significant impact on the course of history. Yet in a political context in which broad agreement is rare, there is considerable international consensus on one point—that West Bank settlement expansion jeopardizes both present and future potential for a two-state solution to the Israeli-Palestinian conflict, any prospect for a negotiated agreement, and long-term peace in the area. Of course there are powerful Israeli constituencies that disagree, and a series of Israeli governments have either turned a blind eye to new or expanded settlements or actively promoted them. This is the main way in which present Israeli actions limit the policies future Israeli governments can adopt. The US government, Israel's single major international donor, has been entirely ineffective in extracting truly binding commitments to halt settlement creep. Yet the US government, despite the combined force of political resistance and inertia, does have potential, if limited, leverage. And government policy in general is the place where US and European citizens, including faculty and students, have the greatest chance for influence. It is a tactic the BDS movement largely ignores.

Some people believe foreign military aid should be tied to Israel's adoption of a no-settlement-expansion policy. That proposal fails every test of how either the Israeli government or the Israeli people would respond; both would consider it a fundamental threat. Nor would withdrawal of US military aid clearly benefit the Palestinians. Consider, paradoxically, how many Palestinian lives Iron Dome may have saved. Had the rockets fired from Gaza in 2014 or 2018 killed civilians in Tel Aviv or destroyed a single passenger plane at Ben Gurion airport, Israel's military response would have been far more severe, and many more Palestinians would have died.

But that does not mean the US is powerless. The Obama administration might for example, have tied diplomatic support in the UN or elsewhere to serious progress on the settlement front. Hints of that possibility surfaced

immediately after the 2015 Israeli elections. Doing so by way of high stakes US government public theater will not work, at least not as an initial strategy, although it may come to that, especially if the right remains in power in Israel and takes steps toward annexation. It is far better if negotiated policy changes precede an international political crisis. Meanwhile, concerned people worldwide should be organizing to do at least four things: (1) criticize and discredit any effort either by individuals or NGOs to make financial contributions to the settlement movement, perhaps with special attention to the Hebron Fund; (2) put more pressure on their own governments to extract settlement policy concessions from the Israelis; (3) condemn all instances of Palestinian incitement and pressure the PA to eliminate it; (4) advocate relentlessly for a two-state solution. No government lasts forever, and the Likud government will eventually be replaced, but even short-term settlement policy and expansion can hamper future negotiations.

That said, not all settlements are equal. Too many academics are too occupied with political posturing to look closely at the settlements and distinguish their types and locations. That leads to useless and unrealistic protests against any and all additions to existing settlements. The fundamental distinction (setting aside Jerusalem) is between settlements to the east and west of the security barrier. No realistic observers expect settlements west of the security barrier to be part of a Palestinian state; one expects them to be incorporated into Israel through land swaps.³⁴⁰ Large settlement blocs close to the Green Line like Modi'in Illit, northwest of Ramallah, or Beitar Illit, west of Bethlehem, with 2017 populations of 69,697 and 56,010 respectively, are not destined to be abandoned.³⁴¹ The largest segment of Israeli land to be exchanged is likely to be to the southeast of Gaza, as Gaza is the Palestinian area with the most need for additional space, and the land there will be less controversial for Israel to vacate, though it will not be much of a bargaining chip with the PA so long as Hamas is in power. An additional land swap could include a segment immediately south of the West Bank, though some of that land is not considered of comparable quality, as it is too rocky for agricultural use.

As this argument suggests, the security barrier constitutes a potential border with a Palestinian state. It offers a prospective point of withdrawal even if that withdrawal is at first unilateral. The barrier has helped eliminate suicide bombings, but it also offers Palestinians a potential boundary for their own independent state, despite the Israeli government's official policy that it is not a state boundary. Indeed, can any rational observer imagine a two-state solution without such a barrier?³⁴² Without effective security barriers there can be no viable two-state solution. Many on

the international left regard the wall as an unqualified obscenity, but as a potential international boundary it holds out the possibility of Palestinian statehood. Certainly settlers to the east of the wall recognize that, which is why many opposed the wall's construction and still see it as a threat. Therefore, with the exception of Jerusalem, where drawing permanent borders presents special challenges and where an eventual solution will require continuing close cooperation, the construction of new housing units west of the wall or the fence should not be the focus of controversy or political posturing. In Jerusalem, at the very least, Jewish settlement construction and land purchases should be prohibited in Arab neighborhoods in the east. It is possible that after a peace agreement is carried out and proves viable for at least a generation, perhaps two, the portion of the security barrier that is actually a wall could be exchanged for a fence. Meanwhile, however, implementation of an agreement might well require "a comprehensive border security system far superior to today's border fence; the new system would include redundant physical barriers, motion sensors, long-range aerostat-borne sensors, tunneling detection systems, and border control centers."³⁴³ This more ambitious security system would be constructed both where the existing security barrier is and on the border with Jordan, though it will be politically impossible to do the Jordan border portion until a peace agreement is signed.

That is not to say that the route the barrier takes cannot be adjusted. Under Aharon Barak, who served as President of the Israeli Supreme Court between 1995 and 2006, Palestinian efforts to reroute the security fence, block house demolitions, or win habeas corpus suits were more likely to receive sympathetic hearings. Barak, a thoughtful jurist of international stature, struggled continually with ways to grant justice to Palestinians within the legal system, but he is now routinely demonized by the Israeli far right. The Likud government—and particularly its Justice Minister—are working hard to create a less progressive and activist court. Unlike the federal courts in the United States, the Israeli Supreme Court is set up to hear individual complaints at a reasonable cost. Legal support provided by NGOs is also sometimes available to those who need it. Progressive observers worldwide could collaborate with sympathetic Israelis and local NGOs like ACRI (The Association for Civil Rights in Israel) to select individual cases to publicize and promote so that the court's decision making becomes more visible worldwide. People can also help fund groups that bring appropriate cases before the court. Of course this advice will only be relevant if current efforts to move the court rightward fail. To guard against that, specific cases need international visibility before they are decided, and good and bad decisions need to be evaluated and publicized. The Israeli Supreme

Court in other words should have the same international visibility that the US Supreme Court has. The goals should include encouraging the court to revive its willingness to reroute the security barrier where appropriate and, alternatively, to mandate compensation to Palestinians who have suffered losses due to its location.

THE ARIEL AND HEBRON SETTLEMENTS

Activists everywhere should focus on specific demands for curtailed settlement expansion and on principled positions that draw politically useful distinctions. Some settlements present a serious impediment to establishing a viable Palestinian state; others do not.³⁴⁴ While some noncontiguous areas can be part of a nation state—I know of no plans to build a land bridge to Hawaii—the broken pieces of the PA’s Area A, the intrusion of Area C into Areas A and B, and the barriers to contiguity some Jewish settlements represent constitute too much dislocation for coherent economic, political, and social development. Letting off steam about all the settlements relieves frustration, but it is not a useful form of protest. There are both major and minor settlements in the way that need to be taken into consideration according to their own particularities. Creating a Palestinian state will, for example, require Israel at the very least to negotiate the status of the city of Ariel, along with its university, and the city may end up having to be abandoned, given that it is substantially east of the Green Line. In any case, its population has not been growing, and it is an example of a place where expansion should be prohibited.

Several Israelis have pressed me to consider giving up my firm opposition to boycotting Ariel University, given its location in occupied territory, its reluctance to admit West Bank Palestinian students, and its administrative separation from the rest of Israeli academia. Ariel also has the lowest level of Israeli Arab enrollment of any Israeli university. My reply was twofold: first, either we hold to a universal principle rejecting all academic boycotts, or we will end up debating scores of such proposals worldwide, and the principle will have no value. A successful movement to boycott Ariel would soon be followed by intensified efforts to boycott Tel Aviv University or Technion. Boycotts of universities in other countries would likely follow, Turkey being an obvious example, given that its President Recep Tayyip Erdogan has fired thousands of faculty members and functionally eliminated academic freedom for political speech. But it is difficult to see how international isolation would help Turkey’s beleaguered universities. Second, I am interested not in boycotting Ariel University but

in discussing the possibility of turning the whole city over to Palestinians, although the “Clinton parameters” of December 2000 would have had Israel retain Ariel. On the other hand, there are settlements close to the Green Line that have become so large that abandoning them is politically unrealistic. Ma'ale Adumim east of Jerusalem, with a 2017 population of 40,992, is one such example. But there are a number of smaller settlements in the Jerusalem area whose expansion should be prohibited so that they could be abandoned in a comprehensive agreement.

The settlements in the Palestinian city of Hebron, nineteen miles south of Jerusalem, are perhaps the settlements in the West Bank that most cry out for abandonment. I would prefer to see them abandoned now, as a real and symbolic concession. The settlements in Hebron represent four tiny, fragmented groups of Israelis, numbering altogether perhaps 800 people; they are surrounded by a large Palestinian city of about a quarter million people. IDF soldiers there protect settlers living atop the remains of a Biblical home where they are no longer welcome.³⁴⁵ The motivation for the Hebron settlements is largely religious, testimony to an ancient heritage whose material revival is unremittingly bleak. The Jewish homes are often Spartan, and the restraints on Palestinian movement necessary to ensure the settlers' safety are oppressive. Palestinian children have to learn where invisible barriers are that they must not cross. Some Palestinian residences no longer have street-level entrances; people climb up to the roof to enter their homes. Abandoned Arab markets are now scrawled with threats and obscenities and spread beneath homes protected with heavy wire mesh. Settler anger boils over everywhere. It is not unusual to encounter at least one Hebron settler yelling obscenities at visitors. Yet there would likely be no more controversial settlement to abandon because of its religious status. The left cannot hope to settle its differences with conservative religious Jews unless it finds a way to honor what is at stake culturally in Hebron. As Amos Goldberg, a Hebrew University faculty member who strenuously opposes the military occupation of the West Bank, wrote in 2007:

The basic argument presented by the settlers in Hebron is entirely justified. More so than Tel Aviv, Raanana, Sderot or Kiryat Shemona, in fact any other city in Israel aside from Jerusalem, the Jewish ties to the city of Hebron are greater and less questionable. The continuous Jewish presence over the ages, the Tomb of the Patriarchs, the 1929 Arab assault on the city's Jews and the city's sanctity—all of these render the thought that Jews may no longer live, visit, or pray in Hebron unbearable. In the midst of a discourse centered on historical, religious, ethnic, and national rights—there is no settlement more legitimate than the Jewish settlement in Hebron.³⁴⁶

The problem is precisely that the Jewish settlements in Hebron are saturated with a narrative based in religious and ethnic national rights. The consequences, Goldberg continues, are that “In the current situation the Jewish presence in Hebron is made possible only by means of violent occupation and harsh discrimination The situation in Hebron today is such that basic values of equity, civil and human rights, and the recognition of another nation’s historical and national rights are all being denied—an unacceptable and irrational position for anyone with basic moral sensitivities.”

The Jews who returned to Hebron illegally in 1979 established the first Jewish presence there since sixty-seven of their predecessors were massacred there in 1929. Ecstatic to be living where Abraham walked, they were oblivious to what had become Palestinian facts on the ground in the intervening decades.³⁴⁷ Thus they cling to what seems a living miracle. Abandoning the Hebron settlement without honoring the loss would be either politically costly or impossible. Some reasonably feel that abandoning Hebron now in effect validates the consequences of the 1929 massacre. I can only answer that both sides have benefitted from violence. Both sides will have to tolerate those consequences if they wish to live in peace.

In *Letters to My Palestinian Neighbor*, Yossi Klein Halevi offers pointed testimony to the power of the Hebron story. “Nowhere in this land did I feel more like a returning son than when I went on pilgrimage to Hebron I felt embraced by all who came before me, all who prayed in the multiple accents of exile to the God of Abraham and Sarah How could Jews not live in Hebron? Emotionally I agreed with the settlers: If we didn’t belong here, we didn’t belong anywhere” (104-5). But then he adds that “Ironically, it was in Hebron that my romance with the settlement movement ended” (105). As he witnesses the effects of the strict curfew, he recognizes “the sin of not seeing, of becoming so enraptured with one’s own story, the justice and poetry of one’s national epic, that you cannot acknowledge the consequences to another people of fulfilling the whole of your own people’s dreams.” So he states without equivocation, “I believe deeply in our historical and religious claim to Hebron” (106), but then declares his willingness to give up this second holiest city for Jews if it is part of a two-state solution.

I am persuaded there is no other course; activists may well want to make a focused cause of the need to abandon the Hebron settlements. They could sign petitions, offer public presentations, and participate in the annual “Open Shuhada Street” demonstrations as a step toward dealing with the reality of Hebron.³⁴⁸ Al-Shuhada Street is a main Hebron road that was closed to Palestinians in 1994, then reopened to vehicle

and pedestrian traffic for a year in 1997. The market, however, remained closed and has never reopened. Palestinian vehicles are prohibited there and Palestinian pedestrians are still banned from some areas. Unlike “Israel Apartheid Week,” which is mounted as a comprehensive condemnation of Israeli society, the pro-Israel left could focus “Open Shuhada Street” events on a targeted critique of Israeli policy and on discussion of routes to peace. One can imagine what a “tough love” approach to Israeli policy might produce in the way of a demonstration urging the street be opened without mounting comprehensive condemnations of Israel. Perhaps such events could be as “fun” and sexy as building an anti-apartheid wall on campus. A demonstration staged on a mock-Shuhada street could include placards that read “Trade Land for Peace,” “We Cede Palestinians This Sacred Ground,” “Peace Requires Compromise,” “We Give of Ourselves to Make You Whole,” and “Most Israelis Believe There Should Be a Palestinian State.” People could come up with many alternative slogans. Surely, Jewish access to the nearby Tomb of the Patriarchs could be sustained by a combination of an agreement with the PA and a long-term IDF presence.³⁴⁹ That way we could honor observant Jews worldwide who invoke the founding fathers in their daily prayers. Hebron does not require a Jewish settlement to justify an IDF role in preserving a corridor enabling access to the religious site. Indeed the PA might help to secure that access as part of an agreement to abandon the Hebron settlements. Access to Hebron area archeological sites might be more difficult, but their loss may be part of what must be sacrificed. What is clear is that there is no way forward unless both the left and the right in Israel find a way of respecting each other’s values and passions. A deeply divided electorate cannot decide the future simply by one side winning an election. There are important political lessons to be learned from discussing Hebron and other individual settlements and by analyzing settlements by type. But the distinctive character of Hebron makes it a fitting focus of fundamental issues.

In advocating a form of withdrawal from Hebron that honors the loss some observant Jews throughout Israel would experience, I am not writing out of sympathy for the Hebron settlers themselves, some of whom can be belligerent in a way that does not win allies. I am seeking to address the wider cultural reality. Some on the left—frustrated by the reality of the tiny settlements of Tel Rumeida, Beit Hadassah, Beit Romano, and Avraham Avinu that are isolated within downtown Hebron³⁵⁰—are willing to have the IDF announce a date of departure and leave those settlers determined to stay to their own devices. I doubt they would survive. That is not an outcome Israelis or Jews worldwide could accept.

CREATING A TWO-STATE DYNAMIC: THE CASE FOR PHASED WITHDRAWAL COORDINATED WITH THE PALESTINIANS

In grounding a phased partial withdrawal scenario, one that elaborates on Israeli proposals and effectively suggests a hybrid strategy combining unilateralism with eventual resumption of final status negotiations, one might point to two very different target areas for Israeli withdrawal from portions of the West Bank. Neither area would border directly on pre-1967 Israel territory if West Bank buffer zones were maintained. The security implications of dealing with the western portion of the West Bank would be deferred. This is not to suggest precise boundaries for a targeted withdrawal, since that is Israel's responsibility and would require precise mastery of terrain that is often complex and hilly, but rather to propose two general areas worth wide discussion and debate. In both cases illegal outposts (small settlements established illegally even according to Israeli law) would be vacated; that action is overdue in any case and necessary for these scenarios to succeed. Progress beyond one preliminary withdrawal would be conditional upon the performance of the Palestinians, with the possibility of additional withdrawals held out as an encouragement toward cooperation, nonviolence, and negotiation over a comprehensive agreement. Performance evaluation would include monitoring the evolution of political institutions in the West Bank, the status of economic development, and the security implications and consequences of each move. A second withdrawal should also be conditional on Palestinian textbook reform and incitement abatement.

Since first advocating this strategy in 2015 I have had many conversations with people both here and in Israel about the proposal. Those conversations have confirmed what many others have said. As Gilead Sher has written, "Given the experience of the Gaza withdrawal, the notion of withdrawal from additional Palestinian territory, perhaps predictably, conjures up visions of self-destruction, chaos, and war in the minds of many Israelis today" (230-31). Getting a hearing for these ideas among Israel's supporters in the US or Israel is a considerable challenge. Meanwhile, most BDS advocates, even in the university, have no patience with complex and nuanced political options. They have their slogans. To Israel's supporters, therefore, I open with this reassurance: I am not suggesting packing up and leaving the West Bank tomorrow. I am suggesting measured steps to make progress. Nor do I believe a full withdrawal from a majority of the West Bank could be done safely either unilaterally or with coordination

absent negotiation and a series of achieved benchmarks. As Amos Yadlin and Gilead Sher concede regarding the West Bank as a whole, “it appears that unilateral disengagement as a stand-alone event will not repeat itself,” but some version of it as part of an overall plan may be the only way past the impasse. Even with the first withdrawal I am suggesting implemented, one should not expect an immediate, dramatic breakthrough in the present stalemate. But, as Gilead Sher has argued, “Independent Israeli action has the power to create visible progress toward a two-state solution and generate momentum toward reviving negotiations”; “That could begin motivating each side to unify its constituents behind a peaceful future, as opposed to waiting for spoilers to prove that periodic war is inevitable” (229).

As Asher Susser has written, “as the Palestinians proceed to build the institutions of their state—we should withdraw from considerable territories in the West Bank, gradually—withdraw settlements, particularly—leave the military in many places where we still need them. Thereby we will create the possibility of what I call a ‘two-state dynamic’—instead of what we are presently creating ourselves, which is a one-state dynamic.”³⁵¹ In the meantime, Israel would not waive control of any West Bank air space, but a managed right of return might operate in the area identified, not first as a prototype Palestinian state, but rather as an enhanced Area A. Settlement of the most contentious issues—the borders of a divided Jerusalem, the status of the Old City and Haram al-Sharif/Temple Mount, and the final status of the Palestinian right of return—is almost certainly impossible without a negotiated agreement. Some, including some Israelis on the Left, feel that unilateral withdrawal amounts to yet one more Israeli political and military imposition on the Palestinians, as opposed to a product of negotiation and mutual consent, but the reality of new facts on the ground and the economic and political opportunities they offer to Palestinians should undercut resentment growing from that perception. A coordinated, staged series of withdrawals should be characterized and managed as steps toward an agreement, as Amos Yadlin—former air force general, former head of the IDF Military Intelligence Directorate, and current director of Israel’s premier strategic think tank, the Institute for National Security Studies (INSS)—has argued, though the current Likud government is unlikely adopt this formula. Meanwhile, even a hypothetical future progressive Israeli government may well need options other than a comprehensive peace agreement, especially in the short and medium term. There need to be means of progress that do not require placing all hope in a political consensus behind a complete resolution of the conflict. Israeli governments of both the right and the left need options to be exercised in stages. International observers and neighboring countries need them if they are to

have productive conversations about the conflict. And Palestinians need to know that a comprehensive agreement is not the only way forward.

Since neither side now much believes what the other side says, we need deeds rather than words to trigger the peace process. Writing in 2012, Alan Johnson gave a concise definition of coordinated unilateralism: “In other words, each party would make moves that the other accepts to be part of any final-status agreement (‘coordinated’). However, given the paralysis in the negotiating process, they would do so with only the tacit approval of the other party (‘unilateral’).” Johnson quotes Ami Ayalon, former head of Israel’s Shin Bet intelligence service, who has also endorsed the concept as part of the scenario envisioned by the NGO Blue White Future: “It is OK if the Palestinians are demanding unilaterally a Palestinian state—Israel should not be against it; it’s OK if Israel will act unilaterally in order to achieve a reality of two states, as long as it is coordinated with shared vision.” He also cites Gidi Grinstein, a veteran of earlier peace negotiations and founder and president of Tel Aviv’s Reut Institute on coordinated unilateralism:

First, it would be a kind of Fayyadism-plus, green-lighting the PA to continue nation-building. Second, it would be low-risk, so less likely to experience the periodic screeching halts that plague the peace process. Third, unilateral measures can mostly be implemented by governments, so shielding the process from legislators. Fourth, it puts off a resolution of the Gaza-West Bank split (and so avoids having to pretend that a “demilitarized Palestine” is compatible with a militarized Gaza). Fifth, it evades unrealistic implementation arrangements and timetables. And finally, the creation of a Palestinian state may give many refugees the feeling that they have a home that realizes their collective desire for self-determination, draining away some of the venom from that issue.

One potential first target area for withdrawal is in the north central area of the West Bank anchored in the north and the south by the existing Palestinian cities of Jenin (population of about 48,000) and Nablus (population of about 153,000), with substantially larger populations in the surrounding Jenin (319,000) and Nablus (390,000) Governorates, using Palestinian Central Bureau of Statistics figures for 2016.³⁵² Much of it is classified as Area A or B under the Oslo Accords and is under at least Palestinian civil control, but Area B segments are crisscrossed by Israeli roads and thus do not form a fully contiguous Palestinian area. The region has a substantial population and business base on which to build, and there is also considerable area available for development. This amounts to the northern portion of the larger area of the West Bank that Amos Yadlin

identified as a target for unilateral withdrawal should negotiations fail, but it is substantially less than the eventual target of 85 per cent of the West Bank he set.³⁵³ Asher Susser in 2012 proposed a 60-70 percent withdrawal from the West Bank. Starting in the north, the issue is how far to the east and the south one chooses to go in stage one. The eastern boundary in the north could extend as far as the Palestinian town of Bal'a.

A year after I first recommended this step in *Fathom*, Ilan Goldenberg, Director of the Middle East Security Program at the Center for a New American Security, along with his coauthors, in "Advancing the Dialogue: A Security System for the Two-State Solution," recognized that, early on in the transition process after an agreement, "in the northern quarter of the West Bank where there are relatively few settlements, movement and access can be expanded quickly and handover of security in some parts of Area C in the northern West Bank can occur almost immediately" (52). While this confirms my view of the territorial opportunity, I recommended (and am still recommending) a more radical step—turning that portion of the West Bank over to PA control before an agreement is either negotiated or achieved.³⁵⁴ In June 2017 Amnon Reshef and others, writing on behalf of Commanders for Israel's Security, issued "Enhancing West Bank Stability and Security," which emphasizes the need to "transfer to the PA governing responsibility and authority for certain areas" and to enhance "territorial contiguity for Palestinian vehicular traffic, especially of the Palestinian Police" (3). They too suggest beginning in the north, though in a multi-staged process.

The potential for withdrawal from the Jenin area is one unexpected benefit of the evacuation of four nearby settlements as part of the decision to remove Israelis from Gaza in 2005. As Shany Mor points out, "once Israeli settlers were withdrawn, Jenin and its environs were entirely free of any Israeli settler presence . . . The absence of settlers does not only affect the interactions of the Palestinian population with the army. It eliminates what is felt as an existential threat. The feeling of encroachment, of a recapitulation of the memory of the *nakba*, is absent in this one corner of the West Bank, lifting a major psychological weight" (238-39). A simple internet search on "Jenin + terrorism" will reveal that the area has not become an outpost of a nonviolent utopia, but there is still a lesson to be learned about the ways in which an aggressive settler presence can exacerbate hostility.

Immediately south, between Nablus and Ramallah a series of settlements cut through the center of existing Palestinian areas A and B. A realistic Palestinian state would require their elimination. Those settlements, with their 2016 or 2017 populations, include Bracha (2,343), Yitzhar (1,468), Kfar Tapuach (1,100), Itamar (1,140), Eli (4,233), Ma'ale Levona

(705), Shilo (3,727), Ofra (3,605), Beit El (6,115), and others. There are also approximately 30 outposts with a total 2011 estimated population of about 4,000 to be dealt with in the area.³⁵⁵ Evacuating 29,000 or more people in both well-established settlements and illegal outposts will not be easy. Thus the first phase of a unilateral withdrawal would likely have to make Nablus its southern border. The Jenin to Nablus withdrawal could be carried out without evacuating any settlements, thereby leaving the government with a more limited political problem to confront.³⁵⁶ If that first withdrawal worked well and helped build trust, the more challenging withdrawal from the area between Nablus and Ramallah might follow. It might be possible to work further south in stages; general negotiations could be reopened at any point. Even a Likud coalition, as I suggested, may need options to reduce West Bank unrest and international opposition.

Yadlin prefers to call this a “coordinated” withdrawal, echoing Susser’s “coordinated unilateralism” terminology in his 2012 BICOM interview and Foreign Policy Research Institute essay, both to distinguish it from the pure unilateralism of Ariel Sharon’s 2005 withdrawal from Gaza and to foreground the key components he recommended, which would include beginning both with a public Israeli proposal for a comprehensive solution and with coordination with other countries to secure increased legitimacy and build trust. The Israeli NGO Blue White Future described it as “constructive unilateralism combined with political negotiations and active support from the international community . . . The underlying principle of the new paradigm calls for gradually creating a reality of two states by performing a series of gradual constructive unilateral steps.”³⁵⁷ The final status offer to be made public, an event that likely awaits a future Israeli government, would embody the key concessions Yadlin has identified that each side would have to make. Israel would (1) explicitly abandon all ambitions to establish a Greater Israel encompassing the West Bank; (2) commit itself to accepting a modified version of the pre-1967 borders; and (3) agree to the division of Jerusalem with East Jerusalem as the capital of a Palestinian state. The Palestinians would (1) specify that a final status agreement would settle all issues and end the conflict; (2) recognize Israel as a homeland for the Jewish people, and agree that the right of return for Palestinian refugees would be limited to returning to a Palestinian state except for those who have family members who are Israeli citizens; and (3) accept a form of restricted sovereignty consistent with guaranteeing Israel’s security.

This last consideration, limited sovereignty, will require an international educational effort if it is to win broad understanding and acceptance. I have encountered considerable hostility to the principle among BDS supporters in the US and among ordinary Palestinians. In conversation,

some Palestinians have objected, based on national pride, to the idea that they could not have a standing army. The 2018 “Palestinian-Israeli Pulse” survey confirms my anecdotal experience: only 20 percent of Palestinians support a Gaza Strip and West Bank state being demilitarized (12). But Israel would not accept anything other than a demilitarized/nonmilitarized state. A rational evaluation of the benefits of statehood should persuade Palestinians to accept that condition when they recognize they have no other choice. Palestinian officials have informally agreed to the principle of non-militarization, but ordinary Palestinians have not been prepared for it.

Acknowledging Israel as the Jewish homeland is not the same as declaring Israel to be a theocracy possessing a state religion. It simply recognizes a historical fact. That is the positive take on Israel’s 2018 new Basic Law. Combined with recognition of Israel’s borders and the country’s democratic status, it effectively concedes that the Jewish majority has the definitive role in shaping the country’s status, but not all its laws. As pointed out earlier, it is also important that Israel acknowledge the catastrophic character of the Nakba and support the principle of financial compensation for those who lost property. Israel could also accept the return of a limited number of refugees with a family member who resided there in 1948 and is now an Israeli citizen. As of 2018 there are only about 25,000 refugees still living, most of whom were small children in 1948. If a partial withdrawal were executed in the light of these commitments, it would make it clear that Palestinians could gain more land and establish their East Jerusalem capital through a final status agreement. Meanwhile, as Susser has argued, the result of a partial withdrawal would be better than what we have now, and a powerful signal would have been sent. The door would continue to be open to renewed negotiations, and the partial withdrawal would leave most settlements in place as significant bargaining chips.³⁵⁸ There would, however, be no commitment to the return of the Golan Heights. Priority might be given to providing those West Bank Jews who want to preserve their communities intact options to recreate them in the Negev and the Galilee; options for families and individuals would be offered throughout Israel.

CREATING A TWO-STATE DYNAMIC: PALESTINIAN NATION-BUILDING

The inability of one side or the other to agree to the controversial but essential six principles above has played a major role in the failure of previous negotiations. Focusing instead on an interim partial West Bank withdrawal

allows us to make progress and bring explicit benefits to the Palestinians. The viability of a Palestinian area created by selectively combining Areas A, B, and C would be enhanced by creating significant possibilities for development. Small-sized West Bank cities of 20,000 to 40,000 people are often started on a hilltop, spreading down its sides. There are many such potential locations in the West Bank. The model Palestinian city of Rawabi, located 5.6 miles north of Ramallah and designed for 25,000 or more residents, has already been completed, largely with funds from Qatar. Some BDS proponents, notably including Jاسبير Puar, are hostile to Rawabi, which typifies the movement's counterproductive politics. For two years, Rawabi awaited its water rights from Israel or from the Israeli-Palestinian Joint Water Committee for its first apartments to be filled, rights that should have been granted immediately.³⁵⁹ Installation of the last small segment of water pipe was finally approved in March 2015. It might have been helpful to have seen resolutions from around the world demanding that Rawabi get its water.

In the model sketched here, Israel would retain its buffer zone to the north as a security guarantee but would cede control of the roads crossing the area to the PA, so as to create a substantial contiguous territory. The fate of the few settlements in the area would partly determine the exact boundaries. Ideally, a narrow agreement specifying that the area would not be militarized would be negotiated, but that could be achieved by Israeli declaration if necessary. In any case, there would be no access for shipping tanks, artillery, or anti-aircraft guns to Nablus, so development of a fully armed offensive military force would be impossible. In his extensive list of the dangers Israel would face from a comprehensive unilateral West Bank withdrawal, Hirsh Goodman lists a number that would not apply: "Without an Israeli security presence, the illicit Palestinian arms industry in the West Bank will flourish, and terrorism will become legitimized and encouraged." In this scenario, Israel would retain a security presence. Moreover, the PA security forces could do more thorough policing if they obtained further territorial integrity.

THE JORDAN VALLEY

The other territorial suggestion here is far more speculative and controversial; it would require a major international commitment to housing, infrastructure, and economic development: the Jordan valley, an area presently classified as Area C under Israeli control in the terms of the Oslo Agreement. Discussing this option—with a proviso that a 2-kilometer

wide security buffer would remain on the border with Jordan—should help lead people to confront Israel’s security needs more carefully, a subject BDS critics of Israel often dismiss out of hand. Depending on how far south the targeted area goes—one could anchor this segment in Jericho—one is basically looking at about 20 relatively small existing Jewish settlements with a total population of about 8,000 to be dismantled. Those in the far north tend to be more religious and nationalistic in character; the rest are secular, but with an ideological cast. The Jewish settlements, running north to south, with their approximate populations as of 2017 in parenthesis afterwards, include: Mechola (555), Shadmot Mechola (690), Hemdat (210), Maskyot (222), Rotem (196), Chemdat (178), Roi (170), Bqaot (162), Argaman (158), Masua (209), Yafit (139), Petzael (311), Tomer (337), Netiv Hagedud (211), Niran (102), Yitav (399), Naama (156), Mitzpeh Yericho (2,115), Vered Yericho (323), Beit Haarava (183), Almog (293), and Kalia (386).³⁶⁰ The residents perennially complain of being neglected and a significant percentage suggest they would be willing to leave if decently compensated.

Indeed, an August 2013 survey conducted by Blue White Future—“The feasibility of voluntary evacuation of settlers living east of the security barrier prior to an agreement”—sampled 2,200 settlers living east of the security barrier and found that 43.1 percent of those living in the Jordan Valley were willing to leave even without an agreement with the Palestinians.³⁶¹ Predictably, the percentage of those prepared to leave voluntarily was highest among secular Jews and lower among religious Jews. But a full 67 percent of Jordan Valley settlers were ready to evacuate if an agreement were to be signed. Receipt of suitable compensation was the highest ranked motivating factor. Overall, 30 percent of West Bank settlers would evacuate voluntarily without an agreement; 50 percent would do so with an agreement. An effort to remove settlers would most easily begin by making good financial offers to all and reducing the number of settlers accordingly. It seems likely that at least some others initially reluctant to leave would then choose to vacate depleted settlements. In any case, as Blue White Future puts it, announcement of the government’s intentions means the “settlers will understand that Israel does not intend to claim sovereignty in the areas east of the security barrier. They would thus start thinking about their own future.”

Blue White Future specifies that “Israel should prepare a national plan for the absorption of the settlers who would relocate to Israel proper, whether before or after an agreement is signed. Such a plan should have urban, vocational, social, psychological, and other appropriate components.” Their “New Paradigm” thus recommends that the time to prepare

psychologically, legally, and administratively for resettlement is now: “Israel should enact a law that allows for voluntary evacuation, compensation, and eventual absorption of settlers presently residing on the eastern side of the security barrier, to encourage settlers who wish to relocate within the Green Line or within settlement blocs, regardless of whether an agreement with the Palestinians is concluded.” For that to work, there would need to be ways to prevent new settlers from moving into vacated homes. It is not only that a clear plan would be reassuring; it would also help focus Israelis on practical steps and help make the option seem realistic, rather than hypothetical. Of course this recommendation applies to all of the West Bank, not just to the Jordan Valley.

Though there are scattered Palestinian villages in the area, the Jordan Valley is much less developed and amounts to something like a blank slate for developing a segment of a potential Palestinian state. It would be an opportunity to construct ideal communities somewhat like Rawabi—though Rawabi is also a project in social engineering, since it is designed for high-tech nuclear families and thus intended to break with the Arab pattern of extended families living together. The Jordan Valley thought experiment could not succeed without major foreign investment. It is notable that Qatar expects to make a profit from Rawabi, so not every West Bank home built needs to be a gift.

Israeli discussions of security considerations in the Jordan valley go two very different ways. Some argue that the long-running peace with Jordan means Israel no longer needs a military presence along that border. They point to regional threats to Jordan that add to the need for continued cooperation with Israel. Others, to the contrary, point out that Jordan’s large Palestinian population gives the country long-term potential for political transformation and instability. And the presence of a Palestinian state on that border throws additional uncertainty into the mix. As Dore Gold—President of the Jerusalem Center for Public Affairs and former Director-General of the Israel Ministry of Foreign Affairs—has pointed out, however, the risk of a large scale military incursion is far lower than the potential for weapons crossing the border, though he also emphasizes that the strategic situation can change.³⁶² A properly manned security corridor would eliminate weapons smuggling. As for the changing strategic situation, the threat from ISIS is largely gone, but the threat from Iran has increased.

One may recall that, in the period immediately following the 1967 war, Israel perceived its security needs very differently, thinking that the risk was of a full-scale military invasion from the east. At that point Deputy Prime Minister Yigal Alon drafted what is known as the Alon Plan, in

which Israel would retain a full third of the West Bank in the form of a 10–15 kilometer (6–9 mile) wide area running along the Jordan River and the Dead Sea.³⁶³ That would provide for an extensive swath of settlements and military installations to the east, rather than the heavy settlement development to the west that actually came to pass over time. The western two thirds of the West Bank would have been an autonomous Palestinian area. When that was rejected, Alon proposed returning that territory to Jordan, along with a corridor linking it to Jordan proper. Israel would get its east/west corridor as well. In contrast, the narrow Jordan River security corridor suggested above would have no Israeli settlements. The question for Israelis to decide is whether that would provide sufficient protection against both possible contemporary threats—weapons smuggling and a transformed Jordan.

Both arguments about potential risk have merit. None of us can guarantee anything about the future of the Middle East. Recall that Israel was at one point willing to return the Golan Heights to Syria in exchange for a peace treaty. If Israel had done so, who would be ensconced there now? If you were to cede the Golan Heights tomorrow, to whom would you safely cede it? Regarding the Jordan Valley, however, one can point out three things: first, that a unilateral withdrawal could leave the Israelis with the option of retaining control over a buffer zone sufficient to interdict weapons, since preventing smuggling across the Jordan River would require less territory than repelling a full-scale ground invasion; second, that were Israel faced with a full-scale invasion from east of the Jordan River, it would do what it needed to do to defend itself regardless of who had control of the West Bank; third, once again, that the present West Bank arrangement is unsustainable and alternatives need to be considered. In any case, the long-standing argument that Israel must hold onto the West Bank in order to provide enough strategic depth to protect itself from an invasion may simply no longer reflect Israel's contemporary strength and military options.

ISRAEL'S ARAB CITIZENS

Meanwhile, unless Israel fulfills its promised commitment to increased resources for its Arab communities and makes more rapid progress in meeting the quite reasonable demands among its Arab citizens for better educational and employment opportunities and better infrastructure, tensions with those communities will increase and support for coordinated unilateralism will be undermined. Does anyone really suppose that Arab citizens of Israel will support West Bank initiatives if their own needs are

ignored? None of the Arab citizens of Israel I met or listened to as part of a Brandeis University study tour in 2014 or on visits since—among them journalist Khaled Abu Toameh, activist and journalist Nazier Magally, activist and prospective Knesset member Nabila Espanioly, and groups of Arab and Druze students—want to live in a Palestinian state, let alone some nightmare caliphate, but they are quite justly impatient with the pace at which discrimination against them in Israel is being ameliorated, and they are alienated by anti-Arab sentiment from Israel’s far right.³⁶⁴ Yet they see the lack of freedom in the surrounding countries, and they do not wish it on themselves.

A useful 2015 INSS review of opinion polling among Israel’s Arab citizens reinforces these perspectives, but also gives clear warning signs.³⁶⁵ Overall, 77 percent of Israeli Arabs want to live under an Israeli government, not a Palestinian one, though the percentage is highest among Druze (97.4 percent) and Christians (92.6 percent) and somewhat lower among Muslims (72.7 percent), with Muslims accounting for about 80 percent of Israeli Arabs. The 2018 “Palestinian-Israeli Pulse” survey reports that “among Israeli Arabs, support for the two-state solution stands today at 83%” (1). Service in the IDF helps integrate the Druze population into Israeli society. Overall, roughly a third of Israeli Arabs identify as Palestinian and an equal number identify as Israeli, with about the same number choosing neither identity. Once again, the percentage of Muslims identifying as Palestinian is higher, at 44 percent, while the percentage of Druze who do so is negligible (3 percent). As the 2015 INSS report emphasizes, “the Arab community is highly heterogeneous and apparently becoming more so” (114). Arab Israeli is “a complex, multifaceted divided identity with many nuances and sub-identities” (106). But a December 2014 poll “showed that the large majority of respondents believe that Jewish society is racist, and significant numbers believe that Israeli institutions are discriminatory” (113). As the authors emphasize, “though Jews and Arabs meet in public spaces such as malls and hospitals, the groups are largely isolated and live mostly in homogenous communities. The public infrastructure, socioeconomic status, employment and other opportunities available to Arab communities are far below the standard of Jewish cities” (113). These inequities can be addressed within the political process. Notably, a strong majority of Israeli Arabs condemn terrorist attacks, but about a third believe Israel is fundamentally at blame for them. The rise of Islamization may well impact that sentiment.

There are professions, like medicine and higher education, in which Israeli Arabs have done quite well and have relative equality, but the overall economic conditions for their communities are inadequate and

unacceptable. That in turn makes them more politically restless and more identified with their West Bank brothers and sisters. The statistic Nabila Espanioly cited—that Israeli Arabs constitute 20% of the population but 50% of those living in poverty—needs to be addressed with a timetable to cut the Arab Israeli poverty level by half.

I have not met any West Bank Palestinians, meanwhile, who do not feel deep resentment and anger at Israel. Their desire for nationhood is intense and deeply rooted. Few who are not stateless themselves can understand the psychological consequences. Meanwhile, the psychological cost among young IDF soldiers who do West Bank service can be considerable. It seems that the experience is always psychologically and politically transformative. Some West Bank IDF veterans find their hearts hardened toward Palestinians, while many others migrate to the left, adopt the terminology of occupation, and urge either a rapid settlement of the issues or unilateral withdrawal.³⁶⁶ The idea that the West Bank can stabilize in its present configuration is fanciful.

DEEP MUTUAL RECOGNITION

If we want to think fairly and realistically about this most intractable political problem we have to realize that both the Israeli and the Palestinian narratives have a core of truth. Both Jews and Arabs have long histories with Palestine. It is both useless and damaging to seek reason, as BDS does, to give one people's history priority. The Nakba was a tragedy, whether or not some Arabs fled out of fear, some were forced out, or others left because they were encouraged to leave by neighboring Arab states. The failure of the surrounding Arab states to integrate the Arab exiles of 1948, their determination to use the refugees as a political weapon against Israel, has helped create a Palestinian people who might otherwise not have sought separate nationhood. But there is no going back, no undoing the consequences of seventy-five years of history.

Despite Israel's military strength, the vulnerability some of its citizens feel is real. Try living in Sderot within sight of Gaza, where thousands of rockets have landed over the last decade. You have fifteen seconds to get to a shelter when the warning siren sounds. The anti-Israel left often dismisses these rockets because they are relatively crude, basically iron or steel pipes packed with explosives. But if one lands on a car, the car and its occupants will be incinerated. And when the rockets detonate on a street they spread lethal shrapnel outward in a widening arc. That is why there are hardened

shelters on many streets and in school playgrounds and why homes and apartments have heavily shielded rooms.

More than 1,000 Israelis were killed in suicide bombings before the security barrier was built; their names are inscribed in the hearts of millions of others. Indifference to Palestinian suffering is callous and inhumane, but so too is dismissal of the tensions and threats Israelis face. Concern about rockets landing on Ben Gurion Airport is perfectly rational, even though Asher Susser, an Israeli scholar I admire, likes to quip that “Herzl did not urge us to establish an airport.” A modern state cannot function without air travel and commerce. As I suggested earlier, the military response to successful targeting of Ben Gurion would have to be overwhelming. The risk is already there in the form of long-range rockets from Hezbollah in Lebanon, but anyone who asks Israelis to take on that risk from a full-fledged state in the West Bank as well needs to be realistic about the potential consequences. I met a highly educated Palestinian in Ramallah, a one-state advocate, who pointed out that, when Arabs look comprehensively at the map of the Middle East, they see Arab regimes everywhere except in Palestine. Why, he asked, should we alone suffer the presence of a non-Arab Jewish state in our homeland? Such sentiments give reason to take Israeli concerns for security very seriously. Israeli concern that the West Bank does not become another Gaza is not unwarranted. This chapter has only begun to address the security question, though the areas from which Israel might withdraw could be constituted so as to lack the land, sea, and underground access for weapons smuggling that Gaza has possessed at various times. Israeli territory patrolled by the IDF would surround the two areas discussed above. Indeed, Israel could continue to provide an appropriate buffer zone if the area the PA controlled were extended somewhat to the west and the south. Amos Yadlin’s 85 percent eventual coordinated withdrawal zone also provides comparable Israeli territorial buffers secured by the IDF. Only a comprehensive agreement could enlarge the Palestinian state beyond that.

Nonetheless, every possible solution to the conflict is a wager. There are no guarantees. There is risk at every turn. We gain nothing by postures that deny or minimize those risks. The risk is partly embodied in those on each side who reject compromise. If you meet the right fanatical Israeli settler or the right Palestinian zealot, full of hate, you will justly wonder whether peace has any chance. If you read the Hamas charter, you can conclude it does not.³⁶⁷ The hope is that those who wish the death of those they see as their opponents can gradually be marginalized by events. Meanwhile, those who are prone to violence need to be monitored and controlled. The murders on both sides that led up to the summer 2014 war are telling

indication that single acts of violence embodying a hostile ideology can have catastrophic consequences in Palestine. It will be politically difficult for Israel to subject its violent right to more thoroughgoing surveillance, but the kidnapping and murder of a Palestinian child in July 2014 prove it is necessary. Neither side can expect the other to succeed in constraining its own radical elements unless both sides do so. If both peoples are convinced that their police reliably interdict violent plots and public incitements to violence have been suppressed, then a rogue plan that succeeds has some chance to be viewed as rogue, rather than as an expression of popular will. Absent sufficient policing, however, peace efforts will forever remain hostage to events outside any control negotiators can exercise.

There are many groups across the world who discuss the Israeli-Palestinian conflict in terms of such very specific options as those briefly sketched here. People should discuss other alternatives as well. The focus on coordinated withdrawal from limited portions of the West Bank is intended both as a way of improving the current situation by giving Palestinians a greater level of control over their lives and as a means of building enough trust for negotiations over a final stage agreement to commence. The end-notes here provide links to a variety of maps detailing proposals for such an agreement. Whether people find these exact proposals persuasive, however, is less important than that we begin talking about and promoting options like them.

CONCLUSION

Discussions of coordinated or uncoordinated unilateral withdrawal typically contrast them as polar opposites. And the uncoordinated withdrawals from southern Lebanon in 2000 and from Gaza in 2005 hang over all such discussions, creating doubt that even a coordinated withdrawal from the West Bank could conceivably escape the problems that flowed from the earlier uncoordinated ones. Both uncoordinated withdrawals created security vacuums and opportunities for a hostile force, Hezbollah and Hamas respectively, to gain influence. While it is useful to compare the two completely different scenarios, they are to a significant degree not likely real world options. Not only would a rapid uncoordinated withdrawal from even 70 percent of the West Bank be a practical impossibility because of the number of settlers to be moved, but also the PA would be overwhelmed by responsibilities for policing and security it is not presently equipped to handle. It has to build those and other governing capacities incrementally. Nor could required infrastructure to handle new

transitional borders be created rapidly. Improved economic conditions will have to be created gradually as well. At the same time, fully coordinated unilateral withdrawal—including endorsements from the US, Europe, and Arab countries, along with substantial buy-in from the PA and financial support from all parties—may be more aspirational than realistic. Thus it may be useful to characterize uncoordinated and coordinated withdrawal as end points along a spectrum of options, rather than mutually exclusive alternatives.

Cooperation from some nations might be secured while others remained noncommittal or opposed. Financial assistance from the US alone, however, might be sufficient to facilitate withdrawal from the uppermost north central segment of the West Bank. The PA might refuse full endorsement at first, given that the final status issues would remain unresolved. But the PA would also be gaining additional geographical control without providing reciprocal concessions, though if the “no incitement to violence” commitment did not precede an initial withdrawal it would have to follow it before further steps could be taken. Coordinated withdrawal would also be impossible without ending the pattern of assaulting Palestinians accused of collaborating with Israel. Over time, the number of West Bank checkpoints would be reduced. Foreign investment in the West Bank might well be more achievable incrementally, and the resulting economic opportunities could generate increasing Palestinian commitment to the process. Israel would lose some freedom of maneuver as it effectively relinquished roads and territory to the PA, but it would not, under the conditions outlined above, be taking on major security risks. Moreover, the nature and extent of buy-in from both peoples might evolve, depending on how a first or second stage withdrawal worked out. Working through withdrawal in managed stages may also help contain the effort by spoilers and rejectionists on both sides of the Green Line to sabotage the effort. Such hypothetical scenarios add necessary perspective to the “spectrum of options” model. In short, we do not yet know exactly what possibilities to place along the spectrum. Those options will emerge from the unpredictable play of events. But some mix of ideal coordination and mere unilateralism is most likely.

The most detailed comparison and contrast between the two extreme, abstract options—coordinated and uncoordinated withdrawal—occurs in the RAND Corporation’s 2015 study *The Costs of the Israeli-Palestinian Conflict*. Fundamentally a study of the ten-year economic consequences of five scenarios—a two-state solution; coordinated unilateral withdrawal; uncoordinated unilateral withdrawal; nonviolent Palestinian resistance; and a violent Palestinian uprising—it also weaves into its economic projections a good deal of sound and generally even-handed political analysis. As

an attempt at even-handed analysis, however, one might cite such passages as this, which sets aside a good deal of complication: “The cost of the status quo to both Israelis and Palestinians would be significantly higher were it not for the large amount of donor aid provided to both parties in various ways and at various times. These donations have, to some extent, insulated both Israelis and Palestinians from the total cost of the impasse” (159). Nonetheless, it is true that, at the same time as it promotes the two-state solution, paradoxically, the international community does in multiple ways help enable Israelis and Palestinians to avoid coming to terms with one another.

In order to contrast its ten-year outcomes, RAND treats the five possibilities as mutually exclusive alternatives; for that and other reasons, including the unpredictability of historical process, they are thus “counterfactual,” but they are useful nonetheless. The risks associated with a full third intifada are soberly detailed: the collapse of the PA and the assumption of further security, health, and educational costs by Israel; infrastructure destruction and the loss of employment opportunities for Palestinians; significant growth of the BDS movement worldwide and consequent greater economic and political pressure on Israel; severe loss of tourist income; penetration of the West Bank and Gaza by Islamist extremists; an immense increase in severe psychological stress and significant increased loss of life for both populations. On the other hand, RAND estimates that any sort of one-state solution could not be realized even in a decade (6); its risks are at thus least equaled by its impracticality. Even now, despite the growth of Israel’s high-tech sector, international investment in that and other sectors is limited by uneasiness about political instability. Wariness about investing in the Palestinian economy is, of course, much greater. And “the current destructive cycle of action, reaction, and inaction persists” (xlili).

The economic and psychological benefits flowing from a two-state solution are significant for both sides. Both coordinated and uncoordinated withdrawal should have a two-state solution as their goal. Initiated rapidly, however, either form of withdrawal could lead to West Bank chaos and the Hamas takeover feared by both sides. While the unpredictable flow of events makes a detailed timetable unrealistic, it is reasonable to assume that any form of general withdrawal would require ten years to execute. In its pure form, uncoordinated unilateral withdrawal is substantially less likely to lead to resolution of the outstanding 1948 issues, though it could make existing arrangements more palatable. But RAND estimates that new investment opportunities as uncoordinated unilateral withdrawal evolved would only be 50% of those possible with coordinated withdrawal, in part

because the international community would not be equally involved. Full uncoordinated withdrawal would also entail increased risk of violence.

In a May 2015 opinion piece in *The Jerusalem Post*, Ami Ayalon, Orni Petruschka, and Gilead Sher, the principals of the Israeli NGO Blue White Future, suggest that unilateral action by all parties can move us toward a two-state solution if those actions are in line with the parameters of the end game, parameters that should spelled out first by the US and then by the UN Security Council.³⁶⁸ Thus “a long-term truce between Fatah and Hamas, allowing for the rehabilitation and reconstruction in Gaza while preventing arming, is a positive step; a resurrection of Palestinian violence” is not. Similarly, “an Israeli cessation of settlement activity outside of the settlement blocs, as well as preparing for the relocation of the settlers who currently live there, are constructive steps, while expansion of settlements outside the large blocs is not.” For decades, they point out, “direct negotiation has been perceived as the only paradigm that can lead to an agreement.” In the process, it seems “that paradigm has made direct negotiation as the goal in itself instead of the means to reach an agreement.” Direct negotiation will be necessary, but it need not be the first step, and seventy years of experience suggests it shouldn’t be. Yet as Udi Dekel, Anat Kurz, and Gilead Sher remind us, “the government of Israel has no articulated and declared alternative to negotiated progress toward political and territorial separation as a basis for a two-state solution” (146). They warned that one would be needed if the John Kerry initiative, indeed the entire political process, failed. Well, it did fail and continues to do so. More outrageous still is the fact that there is no plan for the fate of the disenfranchised Palestinians themselves if the status quo stalemate persists. The predicable consequences are obvious—permanent second-class status or full political equality and the end of the Jewish state.

Some, including Dekel and his coauthors, say “an option should also be considered whereby Israeli settlements would remain within the borders of a Palestinian state, should one be established, as autonomous Israeli territorial enclaves” (150), but Jews in those settlements would not be safe without IDF protection, along with the separate road system and everything else that is unsustainable. More modestly, I agree with them that “Israel should grant priority to the PA regarding supply of agricultural produce and labor in Israel.”

Of course in this most vexed of all contemporary regions these options exist in contention with all others, including those I would identify as *pathologies of hope and despair*. After a century of conflict in Palestine and decades of stress for all concerned, some inevitably embrace the fantasy of a one-state utopia because the real world is intransigent and seems to give

them no alternatives. Despite many promising local programs in which Jews and Arabs of all ages work together, others see hostility winning the day until the end of time. Some Jews in the Diaspora end up demonizing Israel or adopting strategies to punish it not for rational reasons but because they are driven to make peace with themselves and can find no other way of doing so. Proposals to set a deadline to complete negotiations are also likely to be counterproductive. The deadline proposal is yet one more mechanism for venting frustration and exasperation, another pathology of despair.

What is needed instead are actual affirmative, productive steps toward a resolution of the crisis. Announcing the end of settlement expansion east of the barrier and declaring that Israel has no permanent ambitions for West Bank real estate beyond the settlement blocs are the essential first steps, and Israel must take them. One might hope that before then Israel could have planned for a modest withdrawal from a portion of the West Bank to follow and have fully planned for the evacuation of settlers and their resettlement.

What we also need—and are beginning to receive—are detailed, thoughtful, and innovative models of how a two-state solution would actually work. Frustrated with the failure of all the governments involved to produce the necessary analyses and recommendations, a series of think tanks and NGOs in Britain, Israel, and the United States have been doing the collaborative creative work required to advance a two-state solution with detailed plans dramatically different from anything we had seen before. Among the notable groups at work are Commanders for Israel's Security (CIS) and the Center for a New American Security (CNAS). Founded in 2014, CIS is composed of more than 280 retired IDF generals and their Mossad, Shin Bet, and police equivalents. The resulting reports by CIS, CNAS, and other groups, mostly published since 2015, are cited in *Israel Denial* and are readily available online. More than any other recent development, these practical ideas give reason for hope. The challenge now is to build a constituency to promote them. With the uneasy 50th anniversary of the 1967 war now past, there is urgent need to stop exacerbating mutual hostilities and focus instead on options that might make a difference. Simply punishing Israel, as BDS seeks to do, will not help. But words alone will not suffice to break the present stalemate. A bold material change will be necessary.

AFTERWORD

AFTERWORD

WHERE BDS IS HEADING IN THE ACADEMY

The large room at the Marriott Wardman Park Hotel was filled to overflowing on Sunday afternoon for a special session billed as “Thinking Palestine Intersectionally.” The seats were all occupied and scores of people stood along the walls, sat on the floor in front of the stage, and spilled out into the hallway. For many it was clearly the highlight of The Middle East Studies Association’s November 2017 annual meeting of faculty and graduate students, held in Washington, DC. Perhaps 500 MESA members were present to hear Noura Erakat, Judith Butler, Samera Esmeir, and Angela Davis be hailed as symbolic conquerors of the Jewish state. “The peace process is over,” Erakat announced, and then affirmed “the entwinement of our liberation,” offering her own take on the BDS version of intersectionality, which claims that freedom in the US and Palestine are linked and interdependent. The real reason the US blocked the “Zionism is racism” framework, she declared, was “to prevent itself from having to pay reparations for slavery,” a claim that would have surprised both those who supported and those who opposed the 1975 United Nations resolution equating Zionism with racism, a resolution that was repealed in 1991. The days of progressive advocacy “except for Palestine are over,” she concluded. It is time “to bar supporters of Israel from feminist movements.” Even this last agenda item, a call to cast out the female devils in our midst, was loudly applauded.

Neither the presentations that day nor the academic work critiqued throughout *Israel Denial* are intended to promote any plausible peace

process. As this book has demonstrated, neither the BDS movement as a whole nor the publications faculty members contribute to it even encourage a debate over Israeli policy. The flip side of a refusal to debate with opponents is the eerie unanimity among BDS scholars. Zionist, pro-Israel, and two-state solution supportive faculty engage in relentless, non-stop debate and disagreement among themselves. BDS faculty quote one another and think of themselves as a community, but it is extremely rare to find any of them disagreeing with anything another faculty BDS proponent says. They appear to have adapted and internalized the Republican Party's infamous 11th commandment: "You should speak no ill of another anti-Zionist."

For those who have read the preceding chapters, it should be clear that BDS faculty also do not offer suggestions for policy reform: because they believe the Jewish state is fundamentally demonic and evil. Many faculty who write extensively in opposition to Israel are consumed with hatred. Like the white South African or the Nazi governments, Israel, they believe, cannot be reformed; it must be eliminated. That is an anti-Semitic goal. To take up a dialogue with such a state is to "normalize" its existence, to mislead the world by suggesting it merits a place among the community of nations. *Israel Denial* is framed by numerous suggestions about how a two-state solution could be advanced. Do not expect the BDS movement to embrace them now or in the future.

As I pointed out before, two months after the MESA meeting Steven Salaita extended the ban to all Zionists joining progressive organizations and participating in progressive causes. I have emphasized that call throughout the book because I am concerned it may prove a watershed moment in the evolution of campus anti-Semitism. Students and faculty alike will now feel further empowered to exclude Zionists from a whole range of causes progressive Jews have historically embraced. Zionists are no longer to be welcomed in the American civil rights movement, even if they or their parents had dedicated themselves to it and sometimes risked their lives for it in the 1960s. Should Zionists be permitted to commit time and energy to groups working to restore the minority voting rights that are under renewed state and federal government assault in the US? Can we tolerate them standing with residents of Flint, Michigan, struggling for access to clean water? Should they be allowed to continue joining others advocating for abortion rights? Are they welcome in an environmental movement increasingly thwarted by politicians who deny climate science? Should they have been welcomed at the Dakota Access pipeline protests? The list goes on, but the answer is now to be a comprehensive "No." This is the dark side of the BDS intersectionality agenda. Zionist Jews do not "intersect" with just causes. Zionists embody injustice no matter what

issues are at stake. They contaminate and undermine every campaign for human rights. Zionists themselves are to be excluded, banished, boycotted, no matter who they are or where they live. Of course, we will be told this has nothing to do with anti-Semitism. The members of Jewish Voice for Peace will assure us of that.

This call to cast out Zionists will likely encourage people to initiate the kind of “micro-boycotts” documented in Chapter One—boycott actions against individual students and faculty that are invented and carried out either by one BDS supporter or small groups of them. These micro-boycotts will target individuals and then be collectively promoted and enforced. “No Zionists Allowed!” banners on campus still manifest a bad optic, but BDS advocates will embrace them nonetheless. I believe the evidence suggests that is partly where BDS is headed. Meanwhile, despite mounting evidence to the contrary, some of it detailed in Chapter One, I expect BDS advocates to continue proclaiming that the movement targets only institutions, not individuals.

As I emphasized in Chapter Seven, many BDS advocates already feel empowered to teach fiercely and uniformly anti-Zionist courses. The radical politicization of pedagogy necessarily entails the politicization of student learning. One unrecognized effect has been the corruption of student evaluation of their teachers and courses; student evaluations in politically committed courses may tell us little more than whether students approve or disapprove of an instructor’s politics. And that in turn corrupts student input to the tenure and promotion process.

We can also expect BDS members to intensify their contradictory stances on academic freedom, with misleading defenses of their own academic freedom rights paired with contempt for traditional academic freedom as little more than elite white privilege. Cheney-Lippold supporters have in effect claimed that academic freedom gives faculty members the right to suppress the academic freedom of their students. So expect continuing boycott actions targeting normal academic functions to be accompanied by further critiques of academic freedom like those Steven Salaita has advanced.

The same reasoning was behind the November 2018 vote by faculty at Pitzer College in California to cancel their direct-enroll program for study abroad at Haifa University, the Israel university with a very high Arab Israeli undergraduate enrollment of forty percent. Showing exceptional eloquence and dedication to the principle of academic freedom, Pitzer’s president Melvin L. Oliver spoke to the College Council to condemn the action and issued his remarks as a public letter on November 29, writing in part, “To deny Pitzer students who want to study at Haifa University the

opportunity to study abroad and to enter into dialogue and promote intercultural understanding at the altar of political considerations is anathema to Pitzer's core values. If the suspension of the Haifa University program becomes a reality, this will be paltry support for the cause of Palestinian rights and a major blow to the reputation and reality of Pitzer College as a scholarly institution committed to its stated values of intercultural understanding and the ability of students to pursue their vision of educational engagement. This is inconsistent with Pitzer's core values and certainly not consistent with what a Pitzer education is all about." He continued, "The faculty's action has already caused Pitzer College substantial and unnecessary damage by creating the impression that Pitzer is an illiberal place where its supposed core value of intercultural understanding is sacrificed on the altar of narrow and selectively applied political interests. If the motion is enacted, the damage will be much worse still." Unfortunately, there are many faculty throughout the West who have no sympathy for the values Oliver articulated. Initial reactions suggest the Pitzer faculty will reject Oliver's views and castigate him for expressing them.

There are some signs the BDS movement in the academy is becoming more unified in its views and more coordinated in its agenda. Interaction between local chapters through social media has made organizing for coordinated action much easier. A 2017 book added to the University of California Press's growing anti-Zionist list, Sunaina Maira's *Boycott!: The Academy and Justice for Palestine* aims to consolidate BDS truths in an introductory book designed especially as a primer for both students and faculty new to the movement. Unlike the books analyzed so far in *Israel Denial*, especially those discussed in Chapters Three through Six, Maira's makes no claim to focus on original research. Instead it tries to narrativize the movement's slogans to give them argumentative credibility, thereby providing BDS advocates with a series of talking points and a weapon to win recruits to the cause. Having analyzed work by some of BDS's most well-known faculty proponents, I will now turn to a book intended to create the next generation of BDS loyalists.

As part of the case for BDS, Maira repeats the confused argument advanced by Omar Barghouti and others that treating academic freedom as a core university value privileges "academic freedom as above all other freedoms" (114).³⁶⁹ Once again, that is unwarranted hyperbole. Academic freedom cannot and does not trump the rights addressed in the US Constitution; it is a separate value articulated and sustained by and for the academic community. Maira piously tells us that "academic freedom cannot trump other rights to freedom" (115), but there is no possibility it will. No one suggests it should. There is no such hierarchy. Academic

freedom does not trump the rights to freedom of speech and religion or the right to trial by jury. A violation of academic freedom does not take precedence over assault, rape, murder, theft, fraud, perjury, tax evasion, or other crimes. Academic freedom will not protect you from trial and possible conviction. On campus the other rights the AAUP enumerates, like the right to due process, have the same status as academic freedom; they are not subservient rights. Maira is of course actually trying to reinforce the BDS campaign to set aside academic freedom so the BDS assault on the rights of Israel supporters can proceed unimpeded.

Having failed to displace academic freedom, BDS advocates have adopted a strategy of selectively discrediting it, of suggesting that academic freedom has actually corrupted the campus by trivializing the other moral and legal values that govern social life. By trying to convince students and faculty that academic freedom is a destructive force, this increasingly common political tactic undermines the principles that have guided higher education for over a century. That is a high cost for all of us to pay.

Maira deplors “the degradations of academic freedom experienced by Palestinian scholars and students” (60) here and in Palestine. But there is no such pattern in the Western democracies, where the purported “lockdown on open discussion of Palestine, Israel, and Zionism in the U.S. academy” (10) is belied not only by her California Press book but by the virtual hegemony of pro-Palestinian thought in many British, Canadian, and US humanities and social science departments. As I argue in the chapter on “Academic Freedom in Palestinian Universities,” the serious “lockdown” on free discussion is the one Palestinian paramilitary groups impose on West Bank academic institutions and the public sphere. In Gaza there is no freedom of political expression in universities because Hamas will not permit it.

Her more serious claim is that there “is a racialized differential in access to academic freedom” given that “scholars based in the global North are privileged” (76). The point is, however, that such a differential—which is partly racial but also economic, ethnic, national, and geographic—exists in education, employment, income, health care, housing, social services, and other domains and is a consequence of multiple political forces. No specific mechanism exists to differentiate academic freedom by race. Meanwhile, the increasing racial diversity of the US population and in US higher education has made the claim for a “racialized differential in access to academic freedom” less powerful. There is work to do, but advocacy for the Palestinian cause in North American higher education has no meaningful relation to the overall problem. Race is the fundamental site of America’s deepest and longest running social and historical trauma, but trying to

weaponize race in the service of the BDS campaign is misguided and arguably immoral. Nothing good will come of that.

The weakness of such arguments leads Maira to compensate by repeatedly claiming that the BDS movement “expands academic freedom—rather than diminishing it, as anti-BDS critics have claimed” (55). It does so, she says “for the oppressed population” (62), but she can present no evidence for such an effect either in the West or in Palestine. Indeed, the anti-normalization campaign that BDS promotes justifies and encourages shutting down all interaction with Israelis and their supporters. It is difficult to see how this “*supports and enlarges academic freedom*” (116). Her more revealing claim is the one asserting “the dangerous use of academic freedom as a smokescreen for larger struggles over other kinds of freedoms” (114).

Once again, this intersects with the discriminatory agenda that Erakat and Salaita endorsed. Maira aims to see “the racist logics of Zionism dismantled” and to do so by way of “solidarity via anticolonial, antiracist, anticapitalist, queer, feminist, and indigenous politics” (17). She tells us this effort faces a “vicious Zionist backlash, and the shrill claim that BDS aims to destroy Israel” (17). In response, Maira endorses a call to “‘de-Zionize’ the academy” (126) and to “take back” the university from “Zionist influence” (129), demands that recall the worst historical examples of anti-Semitism.

The accompanying rhetoric recalls some of the same terminological recycling and repetition used by Puar. Maira defines “the academic boycott as a social movement that is at the intersection of anti-war, human rights, and global justice organizing in the university and beyond, and increasingly embedded in antiracist, feminist, and queer movements as well” (2). It “addresses the implications of the boycott for antiracist, anticolonial, feminist, queer, and academic labor movements” and generates “important struggles over issues of censorship, campus governance, and neoliberal university structures” (7). It seeks “the racist logics of Zionism dismantled” and does so by way of “solidarity via anticolonial, antiracist, anticapitalist, queer, feminist, and indigenous politics” (17).

Sometimes the formulaic repetitions follow one after another. BDS is “a multiracial solidarity movement” that promotes “global cross-racial solidarity” by seeking out “antiracist allies” to build “transnational coalitions and cross-racial solidarity movements”; it thus forms “cross-racial coalitions and alliances with other social justice groups” (80–81). In doing so, it addresses “the racial, class, gender, sexual, and national-colonial politics at the nexus of Zionist settler colonialism and U.S. imperialism” (85–6), all of which “is imbricated with racist, elitist, and homophobic right-wing movements” (97). Zionism, she adds, “articulates with a host of other ills that must be opposed, including “the class-, gendered, and race-based

repression and violence that come with neoliberalism, corporatization of the academy, White supremacy, Islamophobia, the prison-industrial-complex, heteropatriarchy, the list goes on” (97). Untethered to anything concrete, these and other terms amount to empty, free-floating signifiers to be invoked at will. Israel is of course repeatedly condemned as “a colonialist, apartheid, militarized garrison state” (16) with “policies of annihilation and racial violence over decades” (116). One growing campus trend is the willingness of students to talk this way. This is central to the long-term BDS project of making the narrative of Israel’s founding and continuing existence exclusively a colonialist one.

We can also expect to see individual faculty, especially those wanting to win recognition based on original research, invent new and unpredictable ways of advancing BDS arguments and furthering the delegitimization of Israel. Graduate students will be increasingly able to earn doctorates with explicitly anti-Zionist dissertations. The anti-Zionist faculty publications analyzed in *Israel Denial* display a number of consistent patterns that are both ideological and methodological. The resulting prose is relentlessly polemical and accusatory, suffused with unqualified conviction. These projects are not conducted as traditional academic analyses that reach conclusions by comparing and contrasting different positions. There is no effort to weigh alternative views. The only one who pretends to do so is Butler, but she does so only to debunk the opposition and prove herself both reasonable and correct. These publications instruct the next generation of faculty members about how “research” can and should be conducted. That is good cause to be concerned about the BDS movement’s long-term influence.

At the moment, it is still possible to identify faculty whose publications about Israel are uniformly hostile and vindictive but who manage to keep a more rational foot in another academic discipline. It seems inevitable that this balance will not be maintained. Disregard for evidence will migrate into peoples’ other work.

Another message that BDS-allied faculty members send to their students is that faculty political activism is crucial to faculty authenticity. Having been an activist faculty member throughout my career, including agreeing to run a union campaign in my second year as an assistant professor, I obviously support faculty activism. But anti-Zionist faculty activism may be unique in combining a failure to adhere to ethical principles in both scholarly and activist pursuits, most pointedly when the two enterprises intersect.

Consider the following: In the wake of the December 2013 American Studies Association vote in favor of an academic boycott of Israeli universities, Sharon Musher detailed the manipulation and deception deployed by

BDS advocates to win victory. At the time, however, no one opposing the BDS resolution realized just how far leading boycott advocates had gone to deceive their colleagues. A suit filed by the Louis D. Brandeis Center on behalf of ASA member plaintiffs against ten ASA boycott leaders and the Association as a whole, however, initiated a discovery process that later produced a substantial amount of documentary evidence disclosing how the BDS campaign was conducted. Three of the defendants—Sunaina Maira, Jasbir Puar, and Steven Salaita—are also subjects of this book. The eighty-three-page “Plaintiff’s [Proposed] Second Amended Complaint” merits a full reading, but some highlights are pertinent here.³⁷⁰

The complaint details a series of disturbing tactics taking place before, during, and after the ASA annual meeting, beginning with an organized project to pack ASA’s National Council (NC) with BDS supporters. I have no objection to that effort. My problem is with the dishonorable decision to urge candidates not to disclose their BDS agenda and instead invent other reasons for running for office. A Sunaina Maira email quoted in the complaint reads in part “I feel it might be more strategic not to present ourselves as a pro-boycott slate. We need to get on the Council and I think our larger goal is support for the resolution, not to test support at this early stage from ‘outside’ the NC” (24). In other words, she does not want to “test” the ability of academic boycott supporters to win votes. Maira’s candidate statement declared duplicitously, “I would like to participate in national conversations about how to actively support the mission of the public university and the work of student and faculty activists challenging privatization and debt” (23).

In addition to assuring that candidates would not disclose their true motivations and goals in their campaign statements, it was crucial to control the nominating process itself. Jasbir Puar pursued that goal; she served on the ASA’s Nominating Committee and, as the Complaint explains, worked to limit

nominations to individuals affiliated with USACBI [US Campaign for the Academic and Cultural Boycott of Israel] and who would promote and support the American Studies Association’s adoption of the Boycott Resolution after concluding that, while a pledge of allegiance to the goals of USACBI was a prerequisite for her nomination to positions of American Studies Association leadership, this requirement should not be disclosed to the general American Studies Association membership who would be asked to vote on Puar’s chosen candidates. By her actions, Puar violated her fiduciary duties of loyalty and candor to the American Studies Association and its members. Those USACBI leaders whose nominations were secured by Puar as part of this scheme

also violated their duties of loyalty and candor to the American Studies Association membership by failing to disclose their illicit political intentions to the voting members of the association. (3)

One troubling question I cannot answer is this: is there a meaningful relationship between such scholarly practices as ignoring evidence and unethical professional conduct of this kind? Are both activities ruled by the same values? Do they reinforce one another?

We can expect such activism to increase. The biased, anti-Zionist pedagogical scene will also get worse before it gets better, if ever. Barring some dramatic destructive action like a formal Israeli annexation of much of the West Bank, the larger traditional academic disciplines with diverse memberships will likely continue to resist adopting academic boycotts, though maintaining that record will require vigilant monitoring, evaluation, and the hard work of responding. Campus divestment resolutions meanwhile show no sign of abating, and anti-Zionist initiatives within the Protestant denominations will surely continue. This is not a struggle with an end in sight.

If events in Israel and Palestine consistently generate predictable kinds of response from the BDS movement, the level of response cannot be reliably gauged in advance. Nonetheless, events can overtake both Zionist and anti-Zionist advocates. Very little time goes by without something unanticipated taking place that energizes the struggle here in distinctive ways.

Despite that variable, we can also expect to see waning support for academic freedom, both within and outside the academy. In addition to the explicit contempt for and misrepresentation of academic freedom shown by BDS advocates, there is some frustration in the Jewish community with the anti-Zionist pedagogy and anti-Semitic campus hate speech that academic freedom protects. Academic freedom oddly enough is at least somewhat imperiled from constituencies on opposite divides of debates over Israel. We need to do everything we can to make it clear that academic freedom is the bedrock of higher education. Its benefits vastly outweigh its costs. The defense of Israel's fundamental right of existence is now linked to a defense of the academy's guiding principles. That includes the academy's foundational search for the truth.

NOTES

1. *Fathom* editors invited Shany Mor, myself, John Strawson, Michael Walzer, Mitchell Cohen, and Einat Wilf to contribute to the spring 2016 symposium. Also see Corinne Blackmer, *Queering Anti-Zionism: Queer Intellectuals' Boycott, Divestment, and Sanctions Activism*, under university press review.
2. See my "The Last Indian Standing: Shared Governance in the Shadow of History."
3. See <https://bdsmovement.net/news/solidarity-palestinian-popular-resistance-boycott-israel-now>.
4. See <http://www.pacbi.org/etemplate.php?id=1108>.
5. See <https://legalinsurrection.com/2017/03/with-campus-shout-downs-first-they-came-for-the-jews-and-israel/>.
6. See "Student groups at California Polytechnic State call for increase in funding for all clubs but 'Zionist ones,'" JTA (May 6, 2018).
7. See http://www.studentelections.illinois.edu/CSEC_charter_2018.pdf.
8. See <http://www.pacbi.org/etemplate.php?id=1108>.
9. That is how he has asked to be identified.
10. Adapted in part from a series of recent reports: *Security First: Changing the Rules of the Game* and *Enhancing West Bank Stability and Security: Reducing Friction between Israelis and Palestinians* by Reshef et al, both issued by Commanders for Israel's Security; *New thinking on the Israeli-Palestinian peace process: towards a hybrid approach*, issued by BICOM; *Advancing the Dialogue: A Security System for the Two-State Solution* by Goldenberg et al from the Center for a New American Security; *Advancing Two-State Security* from Israel Policy Forum; from Anat Kurz, Udi Dekel, and Benedetta Berti, eds., *The Crisis of the Gaza Strip: A Way Out* (Tel Aviv: INSS, 2018); and "Ending Gaza's Perpetual Crisis: A New U.S. Approach" by Hady Amr et al. Some pro-boycott "anti-normalization" constituencies will oppose the dialogue and collaboration between Israelis and Palestinians necessary to achieve the goals above. Omitted from my recommendations are the alternative political scenarios that could implement (or inhibit) the recommendations I list.
11. In "Denial: Norman Finkelstein and the New Antisemitism," Alan Johnson's critique of Finkelstein's career concludes as follows: "a simplistic lumper who refuses to make the most elementary analytical distinctions, believing that the concept of new antisemitism hasn't anything to do with fighting bigotry—and everything to do with stifling criticism of Israel; a polemicist with an ugly and sectarian mode of argument and a prose style that is a parody of a once-flourishing antisemitic literature; a lover of the ad hominem attack which leaves the substance of the question unaddressed, preferring to parade before the readers his collection of 'stupid goys,' 'ancient divas,' 'dull-witted creeps,' 'impressarios,' 'hacks,' 'Israel-Firsters,' and

‘antisemitism mongers’ who should ‘crawl back into their sewers’; a tendentious joker trading in the indirect expressions of hostility or obscenity; a conspiracy theorist who reduces the history of Holocaust memory to the machinations of the Zionist propaganda machine, and contemporary forms of antisemitism to a public relations exercise; a crude reductionist who prefers a caricatural simplification of the historical process to a careful reconstruction of the dynamics of either collective memory or protean hatreds; a man who normalises antisemitism by telling his audiences that most Jews believe in their group’s superiority, talk too much about the Holocaust, are over-represented in the media and use that over-representation for Jewish ends, are tapped into the networks of power and privilege, and who should stop complaining about antisemitism, as they have not arrived at ‘Kristallnacht, let alone Auschwitz’ and, a man who believes it is too simple to say that accusations of Jewish responsibility for Israeli policy are antisemitic, too simple to say accusations of Jewish power are anti-Semitic, and who thinks that if you want to really touch a Jewish nerve, you should make the analogy with the Nazis, because that’s the only thing that resonates with them.”

12. Ilan Goldenberg et al, “Advancing the Dialogue,” p.4.
13. Ilan Goldenberg et al, “Advancing the Dialogue,” p.5.
14. Ilan Goldenberg et al, “Advancing the Dialogue,” p. 7. Also see p. 17 and p. 22.
15. See Ilan Goldenberg et al, “Advancing the Dialogue,” p. 32: “areas adjacent to Ben Gurion International Airport would need to be designated ‘exceptional security zones.’ In these areas, zoning restrictions would limit the height of structures that could otherwise be used by terrorists to fire on air traffic or the airport itself. There could also be restrictions on agriculture in these zones to ensure crops remain below a certain height that could otherwise be used by potential attackers as cover.”
16. See Ilan Goldenberg et al, “Advancing the Dialogue,” for a detailed discussion of what would be required: “a comprehensive border security system far superior to today’s border fence; the new system would include redundant physical barriers, motion sensors, long-range aerostat-borne sensors, tunneling detection systems, and border control towers” (17). See further details on p. 30.
17. For a detailed discussion of the airport option, see Ilan Goldenberg et al, “Advancing the Dialogue,” pp. 37–40.
18. For comparative figures see <https://www.cia.gov/library/publications/the-world-factbook/fields/2129.html>. Area comparisons include Jordan, with an official rate of 18.5% and an unofficial one of 30%, Egypt 11.9%, Iraq 16%, and Syria 50%.
19. See the World Bank’s “Economic Monitoring Report to the Ad Hoc Liaison Committee.”
20. See “Security First” by Commanders for Israel’s Security for a discussion of this issue.
21. See Ilan Goldenberg et al, “Advancing the Dialogue,” for a general discussion of maritime security issues, pp. 40–41.

22. "Some of My Best Friends Are Zionists" is available online at <http://www.bestfriendsfilm.com>.

23. There was an objectionable and misguided campaign to prevent her and Omar Barghouti from speaking at Brooklyn College, a campaign that if successful would have violated academic freedom, but happily it failed. Irene Tucker offers an interesting analysis of the Brooklyn College event in the opening pages of *A Brief Genealogy of Jewish Republicanism*.

24. Shaul Magid complains that "Accusations such as those made by Cary Nelson . . . that Butler advocates a naïve universalism simply misunderstands her work, in my view. She is no universalist in any naïve way" (243). But I do not claim naivety with regard to the theoretical apparatus she constructs. It is no better or worse than that put forward in thousands of books and essays by humanities faculty members, where it has the function of rhetoric uplift of the sort humanities disciplines require of their members. The naivety regards Butler's illusion that she is a political theorist, which itself matters because far too many people engaged in politics worldwide believe her.

25. Whether Butler can retain that status when she participates in BDS activism within the Modern Language Association remains to be seen. She was the most prominent faculty member defending NYU professor Avital Ronell after she was accused of sexual harassment, an accusation later supported by a very detailed legal filing by one former student and public statements by others. Butler initially took the extraordinary position that Ronell's scholarly prestige should lead people to dismiss accusations against her. Likewise, supposedly concerned about Palestinian victims, Butler offered contempt for the victim and support for Ronell, the alleged perpetrator. An August 15, 2018, 3:45 pm tweet (MLAM4JP) by an MLA BDS activist captures the problem: "Been quiet here as we continue to regroup & assess chances for moving forward academic boycott at the MLA, but it seems important to state given her high-profile links to both BDS & MLA that Butler's letter defending Ronell is reprehensible & beyond problematic for organizing." The tweet is an anonymous statement on the MLA Members for Justice in Palestine site.

26. See the list of university presidents denouncing academic boycotts at <http://legalinsurrection.com/2013/12/list-of-universities-rejecting-academic-boycott-of-israel/>.

27. Butler, "Exercising Rights," p. 296.

28. The scholarship critiquing Butler's adaptations of Arendt's work is now substantial. See, for example, Russell Berman's argument regarding Butler's take on *Eichmann in Jerusalem*: "Buried in Butler's prose is the scandalous equation of Nazi bureaucrat and Israeli judges, understood equally as functionaries of state sovereignty, which is the real crime."

29. Butler quotes Hayden White to the effect that Holocaust metaphors sometimes have "the effect of actually producing the referent rather than merely pointing to it" (193), a very risky application of poststructuralism in the wake of Holocaust denial and Holocaust inversion. The danger is in claiming that such representations are simply imaginary, that they do not invoke the reality of the Holocaust. Yet

White's argument can help us understand Holocaust poetry's potential for impact, since poetry can make the singularity of the Holocaust vivid and real with its compressed power to represent by way of defamiliarizing synecdoche. We will see some of the same effects in the chapter on teaching Israeli and Palestinian poetry together.

30. In a note to his alternative translation in Ann Goldstein, ed., *The Complete Works of Primo Levi*, volume III, Jonathan Galassi tells us "Originally titled 'Psalm,' this poem was written as the Nuremberg trials were getting underway. It eventually became the epigraph to *If This Is a Man*, and is the source of its title" (1887). The prayer is in Deuteronomy, chapter six, verse 4.

31. Ta'ayush is also the name of a grassroots organization founded in 2000 by Israelis and Palestinians to protest various aspects of the military occupation.

32. Salaita's October 22, 2012, letter of application includes the following statement: "My work is already in conversation with that of numerous faculty in American Indian Studies. Robert Warrior's scholarship has influenced mine tremendously, and his interest in Palestine as a site of understanding discourses of American colonization intersects with the majority of my research."

33. See my "An Appointment to Reject" and "What Happened to Steven Salaita?"

34. See the "Declaration of Support for the Boycott of Israeli Academic Institutions," available online at <http://www.naisa.org/declaration-of-support-for-the-boycott-of-israeli-academic-institutions.html>.

35. This kind of formal mission change can be contentious. It means getting input and approval from departments teaching in similar areas. One consequence can be curricular turf wars. That's exactly what took place years earlier when the English department sought to begin offering a variety of film courses.

36. The expectations for political conformity in a small program can be especially intense. The poet Joy Harjo, widely criticized by American Indian Studies faculty for giving a reading in Tel Aviv in 2012, successfully sought in 2015 to move her appointment from Illinois's American Indian Studies Program to the English Department. According to a friend in AIS, she was not supportive of the Salaita appointment.

37. See Rashid Khalidi, *Palestinian Identity: The Construction of Modern National Consciousness*. This view, he points out, emerges "from a relatively recent tradition which argues that Palestinian nationalism has deep historical roots. As with other national movements, extreme advocates of this view go further than this, and anachronistically read back into the history of Palestine over the past few centuries, and even millennia, a nationalist consciousness and identity that are in fact relatively modern" (149). As an example of the latter, he cites "a predilection for seeing in peoples such as the Canaanites, Jebusites, Amorites, and Philistines the lineal ancestors of the modern Palestinians" (253).

38. See Harry Ostrer, *Legacy: A Genetic History of the Jewish People*. The December 2013 issue of *Human Biology* offers a series of essays about Jews and genetics,

including John M. Efron's historical overview, "Jewish Genetic Origins in the Context of Past Historical and Anthropological Inquiries."

39. For a detailed account of Israelite and Judean tribal history see J. Maxwell Miller and John H. Hayes, *A History of Ancient Israel and Judah*.

40. On the dating of the geographic lists in Joshua, see Baruch Halpern, *David's Secret Demons: Messiah, Murderer, Traitor, King*.

41. For a brief introduction to the debate about Palestinian identity, see Zachary J. Foster, "What Is a Palestinian?," *Foreign Affairs*, March 12, 2015, available online at <http://www.foreignaffairs.com/articles/143249/zachary-j-foster/whats-a-palestinian>. The article includes this text: "The decades of debate all beg a central question: Is Palestinian identity an invention? The answer, however, is self-evident—of course it is. American, Chinese, German, and Israeli identities are inventions too. All national identities are invented. Nations do not exist in nature; they exist only in our minds."

42. Despite finding much in Churchill's work reprehensible, I defended his right to say what he did because he was a full-time, tenured faculty member at the University of Colorado and thus academic freedom protected his right to express his views. I also found the charge of major academic fraud unconvincing. I met with Churchill twice in Colorado and published a very long review by others of his case in *The Journal of Academic Freedom*. I have repeatedly supported pro-Palestinian faculty members up for tenure as well. But Salaita, in my view, was not yet an Illinois employee and was thus subject to the broader criteria appropriate to a job candidate.

43. For concise summaries of the Jewish presence in Arab countries over time see Abdelwahab Meddeb and Benjamin Stora, eds., *A History of Jewish-Muslim Relations: From the Origins to the Present Day*.

44. Born in 1923, Avnery fought in the Irgun as a young man. He is well known for crossing the lines during the Siege of Beirut to meet Yasser Arafat on July 3, 1982, the first time the Palestinian leader ever met with an Israeli.

45. Hillel Halkin, *Jabotinsky: A Life*.

46. See Vicente M. Diaz, "The Salaita Case and Cary Nelson's Use of 'Academic Freedom' to Silence Dissent," *The Electronic Intifada*, August 14, 2014, <http://electronicintifada.net/content/salaita-case-and-cary-nelsons-use-academic-freedom-silence-dissent/13756>. The article includes this text: "Sloppy and contorted to the point of nonsense, Nelson's thinking would also be comical were it not predicated on racist, calloused and morally reprehensible views toward Palestinians and toward other indigenous peoples and the political and analytic claims on which they stake their existence and survival." Diaz's views gained some local publicity as well. See Jim Dey, "UI Professor Takes on BDS Movement in New Book," *News Gazette*, October 26, 2014, <http://www.news-gazette.com/opinion/columns/2014-10-26/jim-dey-ui-professor-takes-bds-movement-new-book.html>. Dey's column includes this sentence: "UI Indian Studies faculty member Vincente Diaz characterized Nelson's stance as 'predicated on racist, calloused and

morally reprehensible views.” My *No University Is an Island: Saving Academic Freedom* summarizes my previous work defending pro-Palestinian faculty members. My essay “The Last Indian Standing: Shared Governance in the Shadow of History,” *Journal of Academic Freedom* 1 (2010), is an extensively researched effort to come to the aid of Native American faculty in Oklahoma. It is available online at <http://www.aaup.org/sites/default/files/files/JAF/2010%20JAF/Nelson.pdf>. My *Anthology of Modern American Poetry and Anthology of Contemporary American Poetry*, first published in one volume in 1999, then expanded into two volumes in 2014, includes far more Native American and African American poets and poems than any other comprehensive collections. Readers may decide for themselves whether the present essay is grounded in racism.

47. Standards, of course, have changed over time. At Illinois in the 1960s, five essays could earn you tenure in a humanities department. In some cases that could still happen in the early 1970s. At many teaching-intensive institutions, five essays would still count as an entirely satisfactory record.

48. Prior to Finkin’s presentation, I informed the Faculty Senate that Finkin had written a detailed letter about the CAFT report to Anita Levy in the AAUP national office. The letter, which was not marked as confidential, was shared with senior members of the AAUP staff and distributed to Committee A and to Chancellor Wise, who shared it with members of the upper administration. Finkin approved its distribution to the twenty-four members of the local AAUP leadership. It was also distributed to a number of present and past senate leaders, as well as the members of the CAFT committee. In that letter Finkin revealed that a portion of the CAFT report was deleted at a CAFT meeting he was unable to attend. The deleted section detailed the reasons for investigating whether Salaita’s contributions in social media revealed problems in his scholarship. Finkin reported that he would have objected to those deletions had he been present at the meeting.

49. Steven Salaita, Twitter Post, July 19, 2014, 5:15 pm, Steven Salaita @stevesalaita.

50. Steven Salaita, Twitter Post, July 18, 2014, 10:19 am, Steven Salaita @stevesalaita.

51. Steven Salaita, Twitter Post, April 25, 2014, 8:57 am, Steven Salaita @stevesalaita

52. Steven Salaita, Twitter Post, May 21, 2014, 5:46 pm, Steven Salaita @stevesalaita.

53. Steven Salaita, Twitter Post, May 20, 2014, 6:52 pm, Steven Salaita @stevesalaita.

54. Steven Salaita, Twitter Post, May 20, 2014, 6:12 am, Steven Salaita @stevesalaita.

55. Steven Salaita, Twitter Post, June 19, 2014, 6:59 pm, Steven Salaita @stevesalaita.

56. In *Uncivil Rites*, Salaita points out that, in addition to assuming incorrectly that he is Muslim, people often assume he is exclusively Palestinian, whereas he is actually “half Jordanian.” He also gives us more information than before about his family background and personal experience: “I’m not merely a Jordanian/Palestinian hybrid, though. My mother was born and raised in Nicaragua, to immigrants from Ein Karem (now an Israeli area of West Jerusalem) and Beit Jala (adjacent to Bethlehem on the West Bank). Her sense of Arab identity is strong, but so is her attachment to Nicaragua. The Nicaraguan connection is important to me. I spent much time there during my early years, until my grandfather, a successful businessman, was displaced by the Sandinista Revolution My ancestors are buried in Nicaragua” (72–3). We can annotate Salaita’s account from other sources. Salaita’s Jordanian father, Nasr Nicola Salaita, is from the large Christian Arab Salaita clan near Madaba. His maternal grandfather, Salvador Bandes, was born in Camaguey, Cuba, on November 21, 1924. Salvador’s father (Salaita’s great-grandfather), Salomon Bandes-Mazur, was born in Beit Jala, then part of the Ottoman Empire, on October 20, 1892, and emigrated to Central America, most likely shortly after World War I, to join the community of Christian Arabs, especially from Bethlehem and Beit Jala, who had been arriving there since the late 19th century. Shortly after World War II, Salvador came to Ein Karem and married the woman who would become Salaita’s maternal grandmother, Georgette Masso. They went back to Central America. Salaita’s mother, Miriam, was born to them in 1951.

This is worth knowing in part so one may understand the family connection with Nicaragua. In 1960, Salvador founded Salvador Bandes & Co. in Nicaragua, for the manufacture and sale of steel products. In 1964 it was reorganized as the Industria Nacional de Clavos y Alambres de Puas, Sociedad Anonima (“INCA”). It produced nails, barbed wire, and steel construction roads. At its height, it employed 350 workers and supplied more than half the country’s needs for steel products. Salaita does not come from poverty. He has not suggested otherwise, but again misguided assumptions are possible. On May 14, 1972, Salvador’s daughter Miriam married the Jordanian Nasr Nicola Salaita in Managua. In 1976, the company gave the brother of Nicaraguan dictator General Anastasio Somoza roughly 18 percent of the company’s stock, a common necessity when doing business in a dictatorship. The company gained a preferential position. In 1979, all this fell apart when the Nicaraguan civil war brought down the Somoza regime. Salvador’s factory was heavily damaged by mortar fire, and he fled to Honduras with his family, presumably fearing for their safety. That year the Sandinista regime confiscated the family shares in the company, and Salvador was, absurdly, characterized as a criminal for having “abandoned” the factory. The Sandinistas would later claim that Salvador and his family had taken \$2 million in company funds, actually more than the company was worth.

Now a refugee in Honduras, Salvador tried to reclaim \$420,000 that his company had paid to a Connecticut company (eventually more than doubled in value) for a shipment of materials that never went to Nicaragua. The Sandinista regime went to court to lay claim to the funds. Salvador died in Honduras in 1982, but his wife Georgette (Salaita’s grandmother) carried the case forward. In 1988, by which time the whole family was in the US, a US court awarded her the money. That verdict was reported by Arnold Lubasch in *The New York Times*. An Associated

Press version of the story was published in the *Los Angeles Times*. Additional details above are drawn from the legal filing on behalf of the Salaita family, “Salvador Bandes, Plaintiff-appellant, Cross-appellee, v. Harlow & Jones, Inc., Defendants. Harlow & Jones, Inc., Interpleader-plaintiff, v. Salvador Bandes & David Alvarez, Interpleader-defendants. salvador Bandes, Interpleader-appellant, Cross-appellee, David Alvarez, Interpleader-defendant-appellee, Cross-appellant, 852 F.2d 661 (2d Cir. 1988),” the legal filing in the case and the court decision are available online at <https://law.justia.com/cases/federal/appellate-courts/F2/852/661/451478/> and at <https://www.leagle.com/decision/19931526826fsupp70011393>.

57. Steven Salaita, Twitter Post, July 31, 5:45 am, Steven Salaita @stevesalaita.

58. Steven Salaita, Twitter Post, July 19, 2014. 7:40 pm, Steven Salaita @stevesalaita.

59. Steven Salaita, Twitter Post, July 16, 2014, 9:07 pm, Steven Salaita @stevesalaita.

60. In *The War on Error*, Martin Kramer gives a tactical explanation for the reason people resort to Holocaust inversion: “it makes lesser but still more preposterous analogies sound more reasonable. . . . Holocaust inversion is a rhetorical softening up. Those who use it don’t seek to make the Israeli-Nazi analogy credible—an impossible task—but to make other analogies seem like debatable propositions.” That would include the claim that Israelis are engaged in “slow genocide (299).”

61. Writing in 2015, Eron adds: “if UIUC were to reverse course and give Salaita the academic due process to which he is entitled, it will not surprise me if a faculty committee finds that Professor Salaita’s tweets exceeded the limits of academic freedom for intramural utterance and are an adequate cause for dismissal.” The AAUP’s position on extramural speech permits no nuance: “the fundamental meaning of extramural speech, as a shorthand for speech in the public sphere and not in one’s area of academic expertise, fully applies to the realm of electronic communications, including social media.” Eron’s suggestion is to treat tweets about matters relating to areas of the faculty member’s expertise as intramural.

62. “Statement on Extramural Utterances,” *Policy Documents and Reports*, 11th edition (Washington, D.C.: American Association of University Professors / Johns Hopkins University Press: 2015), p. 31.

63. Here is the relevant passage from a September 27, 2013, e-mail from Andrea Mae Fain to Phyllis A. Mischo—both members of the University of Illinois administrative staff—submitting a view of Salaita’s appointment on behalf of Associate Chancellor Reginald J. Alston. (Alston was one of several administrators who were asked to review Salaita’s appointment file, which had been posted to a secure website. His review was obviously intended for internal use only, but it was FOIAed and is now a public document.): “Dr. Salaita has been a prolific writer as an early-to-mid career academic, publishing six books and twelve journal articles. One of his books, *Anti-Arab Racism in the USA*, won the 2007 Myers Center Outstanding Book Award. Dr. Lila Abu-Lughod of Columbia University referred to Dr. Salaita as ‘an extraordinarily creative and productive scholar who shows no signs

of slowing down.’ Dr. Nikhil Pal Singh at New York University praised Dr. Salaita for his ‘substantive scholarly interventions’ and noted his ‘profile as an important public intellectual writing on some of the most urgent and challenging issues of our period.’” The public appeal of Dr. Salaita’s work was also mentioned by Dr. Chadwick Allen from The Ohio State University, who commented about Salaita’s numerous appearances on public radio and how “scholars aspire to cultivating a mixed readership that includes audiences both inside and outside the academy.”

64. Abu-Lughod and Singh have both signed the BDS petition at www.usacbi.org/endorsers/. Allen was president of the Native American and Indigenous Studies Association when it passed a BDS resolution in 2013. One can do a Google search of their names to find other examples of their BDS activism. In “A Reply to Cary Nelson,” Robert Warrior protests my use of these names, arguing they should have been redacted from the letter before it was released, but they weren’t redacted and are thus part of the public record. The Illinois attorney general has an FAQ web site (http://foia.ilattorneygeneral.net/pdf/FAQ_FOIA_Government.pdf) which asks the question “What information must a public body withhold or redact under the Freedom of Information Act?” and gives this answer: “Although there may be legitimate reasons to redact or withhold certain types of information, the only information that the Freedom of Information Act requires a public body to redact are the home addresses, home/private telephone numbers and social security numbers of employees noted on certified payroll records that are required to be submitted to a public body under the Prevailing Wage Act.” Thus, there was no FOIA obligation to redact the names. The other issue, I suppose, is whether the outside references had been promised confidentiality, and if so to what extent. In that case, the university could have redacted the names subject to a challenge by the requesters, which could then have been reviewed by the AG or adjudicated by a court. Sometimes of course universities include a disclaimer regarding legal proceedings when they offer confidentiality. In any case, once the names were publicly released I was entirely within my rights to cite them. It is true that neither faculty nor line administrators should expect Universities to defend them. Universities defend themselves.

65. Chadwick Allen is the author of *Blood Narrative: Indigenous Identity in American Indian and Maori Literary and Activist Texts* (Durham, NC: Duke University Press, 2002) and is thus specifically in the field of comparative indigeneity, the area in which Salaita was hired. Nikhil Pal Singh is an accomplished scholar who studies race in the twentieth-century United States and is thus well qualified to address Salaita’s work on anti-Arab racism in the United States. How well versed he is in the Israeli-Palestinian conflict is unclear. Lila Abu-Lughod is an anthropologist who has written widely about the Arab world.

66. Even if the English department had formally considered accepting a 25% appointment for Salaita (teaching one course per year), there is no guarantee that the arrangement would have included any detailed evaluation of his work. An endorsement from department faculty with joint appointments in AIS would likely have sufficed. Many joint appointments are zero time, in which case the head’s recommendation suffices. The department at the time had three joint appointments with AIS, all of which I supported.

67. In addition to Arab American fiction, Salaita could also have taught any of the other courses he had offered in Virginia or Wisconsin, among them Postcolonial Cultural Studies, Introduction to Critical Reading, Native American Literature, Ethnic American Literatures, and various American Literature surveys.
68. AAUP, *Policy Documents and Reports*, 10th edition (Baltimore: Johns Hopkins University Press, 2006), 37–38. See pages 361–62 in the eleventh edition (2015).
69. See David Bernstein, “Steven Salaita, More than Just an Obnoxious Tweeter (Update: Site Scrubbed?).” Bernstein reports that Salaita had placed a thousand book reviews on the Goodreads website, ranging in length from a sentence to a paragraph. Many were written in the same style as the tweets. Are online book reviews not part of a faculty member’s professional history? Salaita removed his reviews after Bernstein’s piece was posted. Among the reviews Bernstein quotes is Salaita’s sarcastic review of Abe Foxman’s *The Deadliest Lies: The Israel Lobby and the Myth of Jewish Control*: “This is sheer accidental brilliance. It has to be one of the few books ever published in which the author’s body of work so adeptly undermines his thesis.” As Bernstein remarks, “It’s hard to understand this as something other than Salaita endorsing the ‘myth’ that Jews do control things. (Here’s how *Publisher’s Weekly* sums up the book’s thesis: “a rebuttal of a pernicious theory about a mythically powerful Jewish lobby.” Foxman is of course attacked in Salaita’s ADL chapter in *Israel’s Dead Soul*. This represents another clear commonality between a Salaita book and his social media presence.
70. The 2012 advertisement for the position states: “The successful candidate will have a record of research excellence and publication in American Indian or Indigenous studies.”
71. When the Native American scholar Bruce Duthu came under assault for his earlier BDS support after accepting a position as dean of the College of Arts and Sciences at Dartmouth, I drafted an op-ed in his defense on behalf of the Alliance for Academic Freedom (AAF), which I chair. Salaita in “Zionism and Native American Studies” remarks that “Venerable saboteur Cary Nelson played moderate Zionist to [Economics Professor Alan] Gustman’s extremist, appearing to back Duthu’s appointment.” He adds: “Now Nelson is again everywhere, organizing against human rights in the MLA, interjecting himself in Native American Studies, providing quotes on topical matters for industry publications. That institutions and individuals in academe continue to entertain him as an expert on anything other than dishonesty, snitching, and duplicity illustrates how uninviting academe is for those positioned against state power” and “While Gustman and Heschel intervene in ways that should cause any discerning observer to object, Nelson, despite his hopeless attempt to sound open-minded, offers the most objectionable intervention. Allow me to speak more plainly: it’s not Cary Nelson’s business what happens at Dartmouth. It’s not Cary Nelson’s business what happens in Native American Studies. It’s not Cary Nelson’s business who does and doesn’t support BDS. It’s not Cary Nelson’s business to sort the good people of color from the bad people of color. And yet in the structures within which he functions it actually is his business. He exemplifies a specific class of white senior scholar who exercise

the responsibility of managing political standards on campus. Administration forever summons men of that class to the task. It is their duty, their pleasure, their passion, their birthright, their burden. That's why men like Nelson never offer a 'no comment.'" After I drafted the Duthu op-ed, it was revised and approved by the executive committee, cosigned by all 8 members, and published in *Inside Higher Education* as "Everyone Lost at Dartmouth." As an organization tasked with responding to violations of academic freedom that involve Israel and BDS, it was precisely the responsibility of the AAF to comment. Salaita notably treats the *IHE* essay as if I were the only person involved.

72. For commentary on the anthropology debates, see the website of Anthropologists for Dialogue on Israel & Palestine: <https://www.anthrodialogue.org>. For an analysis of the MLA texts, see Chapter Nine in *Israel Denial*.

73. Makdisi's "Apartheid / ~~Apartheid~~ / []" is available through the electronic access to University of Chicago Press journals offered by many libraries. Unless otherwise noted, all [quotations are from that essay. For a thoughtful overview of the apartheid arguments and issues see Alan Johnson, "The Apartheid Smear."

74. The initial invitation was extended to Berman, who wrote back to ask if we could write it jointly. Mitchell agreed.

75. The conclusion is reprinted with Berman's permission.

76. See Cary Nelson and Gabriel Noah Brahm, eds. *The Case Against Academic Boycotts of Israel*.

77. Makdisi "proves" that Israel's purported discrimination against Arabs is not about the exploitation of Arab labor by stating that "labor from the occupied territories is almost totally irrelevant to the Israeli economy" (320), but some 100,000 Palestinians have permits to work in Israel, while another 50,000 enter without official permission. Without this labor force, many construction projects would come to a halt. There is a serious consequence to this piece of Makdisi disinformation: the potential to expand the Palestinian workforce is likely to be an important part of any workable two-state solution.

78. The Official Knesset translation of Basic Law Human Dignity and Liberty is here: https://www.knesset.gov.il/laws/special/eng/basic3_eng.htm. For relevant commentary see Yitzchak Zamir and Moshe Sobel "Equality Before the Law" and Sharon Weinthal, "The Inherent Authority of Judges in a Three-Track Democracy to Recognise Unenumerated Constitutional Rights: The Israeli Story of a Judicial Mission with No Ammunition."

79. In establishing itself with UN approval as the homeland for the Jewish people, Israel inevitably left open the possibility that some members of its Arab minority would feel a degree of alienation. The key issue for a democracy, however, is whether a minority is granted full and equal treatment under the law. Israeli Arabs may not identify with Israel's anthem or flag, just as a Jewish citizen of Finland, Iceland, Norway, Sweden, or Switzerland may not fully identify with a national flag with a Christian cross, but they are citizens with full rights.

80. Also see chapter 15, “Human dignity in Israeli constitutional law,” in Aharon Barak, *Human Dignity: The Constitutional Value and the Constitutional Right*.

81. The indented paragraph is item number ten in the judgment section of the full case, which is available at

www.versa.cardozo.yu.edu/sites/default/files/upload/opinions/El-AL%20Israel%20Airlines%20Airlines%20v.%20Danielowitz.pdf.

Some of the cases cited in this indented paragraph and the next one are available in English through Cardozo Law School’s Israel Supreme Court project. These are published as Israel Law Reports (IsrLR); older ones were published in “Selected Judgments of the Supreme Court of Israel” [IsrSJ]:

HCJ 98/69 Bergman v. Finance Minister [1969] IsrSC 23(1) 693; IsrSJ 8 13 (<http://versa.cardozo.yu.edu/opinions/bergman-v-minister-finance>)

HCJ 114/78 Burkan v. Minister of Finance [1978] IsrSC 32(2) 800 (note: also spelled Burka’an) (<http://versa.cardozo.yu.edu/opinions/burkaan-v-minister-finance>)

HCJ 453/94 Israel Women’s Network v. Government of Israel [1994] IsrSC 48(5) 501; [1992–4] IsrLR 150 (<http://versa.cardozo.yu.edu/opinions/israel-women%E2%80%99s-network-v-government-israel>)

HCJ 4112/99 Adalah Legal Center v. City of Tel Aviv [2002] IsrSC 56(5) 393, (<http://versa.cardozo.yu.edu/opinions/adalah-legal-center-arab-minority-rights-israel-v-city-tel-aviv-jaffa>)

HCJ 4541/94 Miller v. Minister of Defence [1995] IsrSC 49(4) 94; [1995–6] IsrLR 178 (<http://versa.cardozo.yu.edu/opinions/miller-v-minister-defence>)

Several others are available in Hebrew only:

EA 2/88 Ben Shalom v. Central Election Committee [1989] IsrSC 43(4) 221

HCJ 953/87 Poraz v. Mayor of Tel-Aviv-Jaffa [1988] IsrSC 42(2) 309

HCJ 10026/01 Adalah Legal Center v. Prime Minister [2003] IsrSC 57(3) 31

HCJ 240/98 Adalah Legal Center v. Minister of Religious Affairs [1998] IsrSC 52(5) 167

HCJ 7111/95 Local Government Center v. Knesset [1996] IsrSC 50(3) 485

HCJ 2671/98 Israel Women’s Network v. Minister of Labour and Social Affairs [1998] IsrSC 52(3) 630

82. This paragraph is taken from section 13 of the judgment portion of the case. The full case is available at www.versa.cardozo.yu.edu/sites/default/files/upload/opinions/Supreme%20Monitoring%20Committee%20for%20Arab%20Affairs%20in%20Israel%20%20v.%20Prime%20Minister.pdf.

83. See A. Barak, *Interpretation in Law*, vol. 2, Statutory Interpretation, pp. 435–436. The excerpt is part of a direct quotation from HCJ *Miller v. Minister of Defense* (the language is from the Cardozo Law School translation of the case here <http://versa.cardozo.yu.edu/opinions/miller-v-minister-defence> [see par 14 of Mazza’s opinion]).

84. In the words of Justice Or in HCJ 5394/92 *Hoppert v. 'Yad VaShem' Holocaust Martyrs and Heroes Memorial Authority*, at p. 363. See also: Barak, *supra*, at pp. 565–566; HCJ 453/94 *Israel Women's Network v. Government of Israel*, at pp. 525–526 [451–454].” (Mazza, J.).

85. Some elements of the new Basic Law are unclear. It downgrades Arabic from an “official language” to a “special language,” but then states that this change will “not harm the status given to the Arabic language before this law came into effect.” So many have found that change offensive, including this writer, but it is unlikely to have any immediate practical effect on Israeli Arabs. Of course English is everywhere in Israel even though it has no special status. It is possible this clause was actually meant as a political affront with only symbolic status.

The clause that views “the development of Jewish settlement [not settlements] as a national value” might have an impact on the status of settlements built on private Palestinian land. That would be a very serious consequence, but it is uncertain how that possibility will play out, either in future legislation or in the Court.

86. See Amira Hass, “Lebanon Census Finds Number of Palestinian Refugees Only a Third of Official UN Data.”

87. The original Russell Tribunal was organized by Bertrand Russell and hosted by Jean-Paul Sartre in 1967 to investigate the American intervention in Vietnam. Later Tribunals borrowed the name to take up other conflicts, including the Israeli–Palestinian conflict in meetings from 2009–14. The final meeting addressed Operation Protective Edge. Judge Richard Goldstone, himself highly critical of Israeli policy, writing in *The New York Times* in October 2011, said of the Russell Tribunal on Palestine that “It is not a ‘tribunal.’ The ‘evidence’ is going to be one-sided and the members of the ‘jury’ are critics whose harsh views of Israel are well known. In Israel, there is no apartheid. Nothing there comes close to the definition of apartheid under the 1998 Rome Statute.” As detailed on the Revolv website’s history of the Russell Tribunal, South African journalist and human rights activist Benjamin Pogrand, who moved to Israel, described the Cape Town Session of the Russell Tribunal on Palestine as “theatre: the actors know their parts and the result is known before they start. Israel is to be dragged into the mud.” For an example of South African criticism see Dan Krausz, “Tribunal more kangaroo court than court of law.”

88. See https://en.wikipedia.org/wiki/Arab_al-Na%27im. The fourth town, El Qubsi, appears to be an unzoned village/encampment that is part of the Arab municipality of Nahf, next to the Jewish town of Lavon: <https://www.google.com/maps/place/ElQubsi,+Nahf,+Israel/@32.9413373,35.2824014,14z/data=!3m1!4b1!4m5!3m4!1s0x151c322bcabf3765:0xdb3c89c2d07f683c!8m2!3d32.941339!4d35.299911>. Makdisi has a longer analysis of unrecognized villages in the “Inside Out” chapter of his *Palestine Inside Out: An Everyday Occupation*. In referencing the towns I have substituted the standard spelling for Makdisi’s versions.

89. Makdisi’s discussion of Arab towns in the Galilee confounds ordinary Arab localities with the many unrecognized settlements of Bedouin, which exist mainly in the South but also in the Galilee. These are fixed settlements of people who

had formerly been nomadic, and the state on urban planning grounds refused to “normalize” ad-hoc localities and sought to encourage their residents to move to already recognized urban or rural localities. It is possible that as part of the disputes with authorities over the rights of residents in such localities services were denied in the past. Since the 1990s all such policies have been reversed, and such “unrecognized” settlements receive health and educational services even when the localities are unrecognized. Unsurprisingly, however, the state authorities have been unwilling to invest in infrastructure when the very location is in dispute. In many cases, these settlements were eventually recognized. “The Palestinian Town of Umm el Hiran” (307), which the article says was being demolished, is indeed a Bedouin settlement, which in 2015 had 70 families in 35 buildings. Presenting it as a “town” serves to muddy the waters. An important point is that most of the Arab Bedouins who had lived in this location and its surroundings in the 1980s willingly moved to the newly founded town of Hura.

Makdisi also makes much of the repeated (and widely publicized) state demolition of the Bedouin village of Al-Araqib (or Araqeeb) in the Negev. He wants to depict this as a brutal confrontation between a bureaucratized state and a vulnerable native population, between oppression and justice and ultimately between evil and good. While it is not my intent to debate Israel’s land policy in the Negev, it is important, once again, to place this in the context of Israel’s long campaign to settle Bedouins in permanent locations, that being key to the provision of reliable social services, and to be aware that Al-Araqib has been the subject of extended court proceedings. The village has become a site of symbolic political activity for all parties, which partly explains the repeated rebuilding and demolition. Both the government and the Bedouin appear to have dug in their heels. It has been suggested, one might add, that at least some of the Bedouins involved actually have permanent homes in other communities. Al-Araqib raises important vexed issues but it also a stage for political theater. One such issue is whether a traditional nomadic way of life remains viable in a small highly modernized country. The incongruities are partly visible in the mix of modern vehicles and camels at temporary villages. The nomadic Bedouin lifestyle remains more intact in the unsettled reaches of the Egyptian Sinai.

90. See https://en.wikipedia.org/wiki/Arab_al-Na%27im.

91. See <https://en.wikipedia.org/wiki/Kamaneh>.

92. Makdisi blames the local admission committee for what he takes to be ethnically and racially discriminatory policies (306). As he notes (his footnote 9), the Israeli Supreme Court ruled, in the Ka’adan case that discrimination by an admissions committee is illegal. I would add that Ka’adan is still good law in Israel. Furthermore, Ka’adan was not the only such case. In fact, in 2011, the Israeli Supreme Court ruled against an exclusionary decision by an Admissions Committee (HCJ 8036/07 *Zubeidat*). Furthermore, neither the statute nor the case that Makdisi alludes to (but, doesn’t cite) “allow formal discrimination to flourish.” Quite the contrary. The statute in question explicitly states as follows (Article 6(c)): “The admissions committee will not refuse to accept a candidate for reasons of race, religion, gender, nationality, disability, personal status, age, parenthood, sexual orientation, country of origin, political-party opinion or affiliation.”

93. Makdisi is burdened with *Critical Inquiry's* long history of promoting Jacques Derrida's work, which is anchored by Derrida's radical and foundational deepening and complication of Saussure's insight that language is a system of differences. The problem for Makdisi is that Derrida was clearly highly sympathetic to Israel. What Makdisi must therefore imply is that, with Israel, Derrida was incapable of recognizing that what masquerades as difference is really Jewish sameness and identity.

94. See http://www.cbs.gov.il/shnaton68/st02_21x.pdf for detailed census data about the ethnic makeup of Israeli towns and cities.

95. See Barkat, "AG Mazuz Rules JNF Land Can Now Be Sold to Arabs."

96. See, as cited here: <http://versa.cardozo.yu.edu/opinions/ornan-v-ministry-interior>.

97. See especially the third chapter, "Citizenship as a Category of Exclusion," in Robinson's *Citizen Strangers*. In a report on a 2014 panel discussion of *Citizen Strangers*, Gabriella Patti reports that Robinson stated that "Part of what I'm trying to show in my book is that Israel's state and government officials did everything they possibly could, at the foundation of the state, in those formative years, to make it so there could never be anything, any kind of citizenship along the lines of the gold standard that is in line with the context of the U.S." Setting aside the issue of whether the US represents an unqualified gold standard, the context, in Israel, was the recent conclusion of a war with its Arab residents and with five Arab States. In a generally favorable review of the book, Aziza Khazzoom notes a number of problems, among which that "there is no pure democracy against which to compare the society" and that "Robinson works with a one-to-one correspondence between Israeli activity and European/American colonialism," whereas Jews were "simultaneously victims and beneficiaries of European colonial domination." She adds that "Robinson uses terms like 'colonialism,' 'ethnic cleansing,' and 'apartheid,' and does not voice Israeli rebuttals to her arguments" (317).

98. It is worth noting that the Palestinian Constitution has Islam as the official religion (Article 6) and Sharia as the primary source of legislation (Article 7). Even the religious freedom ('shall be respected') granted extends only to "monotheistic religions (such respect, of course, itself is just an Islamic principle)." This is striking when the rhetoric is that it is Israel that is the exclusionary and discriminatory entity and that 'Palestinian' identity is inclusive <http://www.pcpsr.org/en/node/487>.

99. Makdisi also writes "Indeed, Jews who are not citizens actually have more rights in some domains, particularly with regard to land, than native Palestinians. In no other country on earth do racially privileged noncitizens enjoy greater rights than those who actually live in the territory controlled by the state." This is either confused or willfully in error. Only when a Jew exercises the right of return and achieves citizenship does he or she have rights to the land and only the same as any other Israeli, including Arab Israelis.

100. For a concise overview of the status of Arab Israelis in the years after the founding of the Jewish state, see Donna Robinson Divine, "Citizenship and Democracy in Israel."

101. For analysis of Ben-Gurion's attitude toward Israel's Arab minority see Anita Shapira, *Israel: A History*, pp. 196–97; and Anita Shapira, *Ben-Gurion: Father of Modern Israel*, pp. 180–81.

102. An Israel Democracy Institute Nov. 2017 survey (Hermann et al) reports that Arabs in Israel identify themselves as the following: Arab 39%, by religion 34%, Palestinian 14% and as Israeli 10%. As of September 2017, 60% of Arabs in Israel had a positive view of the state and 37% negative. That said, 47% felt they were not treated equally so there is clearly room for improvement. Other recent surveys of Arab self-definition (from *The Jerusalem Post* Sept. 27, 2017) are as follows: Israeli Arab 28%, Israeli 11%, Arab citizen in Israel 13%, Muslim 2%, Palestinian Arab 15% and Israeli Palestinian 20%.

103. The Israeli government has been reluctant to categorize its Arab citizens as Palestinians whether or not they want that designation. In an international environment in which a Palestinian right of return continues to be widely debated, that is a change the government is unlikely to make, since it obscures the distinction between citizens (Israeli Arabs) and non-citizens (Palestinians). Makdisi also claims that the term “Israeli Arabs” is “never used to refer to the Arab Jews who make up a considerable proportion of Israel’s Jewish population [who really are Israeli Arabs according to him] because he supposes in their case Israel wants to erase their Arab identity and absorb them as Jews” (313). The idea that their history and its impact on their identity can be erased is a Makdisi fantasy.

104. Since Ottoman times, marriage, just like burial, has been regulated not by the state but by the different religious authorities—the clergy for Christians, the Qadis for Muslims, and the Rabbinate for Jews. Israelis preferring non-religious unions often marry abroad. The state honors their marriage certificates. This religious tradition is increasingly controversial in Israel, but it remains to be seen whether it will change. For a discussion of the issues see Rachel Gelfman Schultz, “Civil Marriage in Israel.” Makdisi tells us that “unlike Orthodox Judaism, both Christianity and Islam permit their adherents to marry outside their faith communities” (316), but according to all four schools of Sunni law and Shia law, interfaith marriages are condoned only between a Muslim male and a non-Muslim female from the People of the Book (that is, Christians and Jews) and not vice versa (https://en.wikipedia.org/wiki/Interfaith_marriage_in_Islam). In Christianity it depends on sect; in Catholicism a dispensation is needed to marry someone outside the sect; it is forbidden by some Protestant sects to intermarry; and in the Orthodox Church, which represents the majority of Israeli Christians, it is forbidden to marry someone who has not been baptized in the Church. Intermarriage is thus forbidden in the Orthodox Church (https://en.wikipedia.org/wiki/Interfaith_marriage_in_Islam).

105. See Dov Lieber, “Number of Arab students in Israeli universities grows 79% in 7 years,” for coverage of the relevant report by Israel’s Council for Higher Education.

Separate school systems for Jews and Arabs date to the Mandate period before the founding of Israel. Although there are now mixed schools that are also bilingual, the separate systems survive not only because instruction there is in the students’ native tongue—Arabic for Arabs and Druze, Hebrew for Jews—but also because the

schools help preserve students' cultural and religious identities. There are Muslim Arab schools that emphasize study of the Koran, just as there are Druze schools that teach the Druze faith. Makdisi's insistence that these diverse institutions are there to enforce discrimination is unwarranted.

Makdisi's confusion about education in Israel is compounded by his flawed account of rigidly separate elementary and secondary systems for Arab and Jewish students. In fact, no one forces an Arab Israeli to attend an Arab-speaking school. Local demographics determine which schools are nearby. In cities with large mixed populations there are public schools with both Arab and Jewish students. A number of schools are bilingual, among them the six run by the Center for Jewish-Arab Education through its Hand in Hand program. Those schools are in Haifa, Jerusalem, Kfar Saba, Tel Aviv-Haifa, and Wadi Ara. Thousands of students are enrolled, and the program hopes to expand. If an Arab Israeli lives in a predominantly Hebrew-speaking neighborhood, he or she would go to a Hebrew-speaking school unless the parents choose otherwise. That said, there are underfunded Arab Israeli schools that require more resources. Indeed, the Israeli Ministry of Justice has ruled against any such unequal funding practices. Israeli universities have done their part by instituting Arab Israeli student recruitment and retention programs, not an obvious boycott-worthy offense. And it would be a mistake to assume every Arab school is inferior. The high school that won first place in a 2015 competition was an Arab high school from the Galilee. In terms of raw numbers, Ministry of Education data shows that the number of Arab students attending kindergarten increased 33 per cent from 2004-5 to 2016, and the number attending high school increased by 59 per cent in the same time period.

For a concise summary of the current status of Arab schooling from an independent research institute, see Nachum Blass's "The Academic Achievement of Arab Israeli Pupils" from the Taub Institute. Makdisi claims that Israel invests more than three times as much per capita educating Jewish as opposed to non-Jewish children (315). There is a gap, but it is not of that severity. In 2015, NIS 20,000 was allocated per primary school student in the Hebrew education stream, while NIS 16,000 was allocated per student in the Arab education stream. Enrollment rates in Arab primary and middle schools rose from 63% in 1990 to 93% in 1990. Once again there is a gap: enrollment in the Hebrew education stream was 97% in 2015. That 4% difference hardly justifies the condemnation Makdisi deploys.

Makdisi's assertion that it is immensely more difficult for Arabs to get into Israeli universities (325) is also false. Israeli colleges and universities have made a concerted and successful effort to recruit and retain Arab students. The enrollment of Arab students in Israeli colleges and universities has doubled over a decade, from 5.2% of the student population in 2004-5 to 10.5% in 2014-15. For more detail see the Central Bureau of Statistics report at http://www.cbs.gov.il/shnaton67/st08_56.pdf. Also see the Council for Higher Education's "The Higher Education System in Israel." Both the education sector and the government are committed to doing still better. See Stuart Winer, "Israel okays \$4 billion upgrade plan for Arab communities." Rather than simply impose central planning on Arab communities, the government has instead tasked Arab mayors with producing proposals about how the money should be spent.

The problem with disparities in primary and secondary school funding in Israel partly mirrors the same long-standing problem in the US: reliance on local funding. Some education funding in Israel is national, but disparities in the local portion are dramatic. There is a comprehensive April 2016 report from Israel's Organization for Economic Co-operation and Development (OECD) that makes the point: "Schools in the Arab education stream tend to be underfunded, as they are often located in less affluent areas. According to national data, more affluent local governments can provide up to 10–20 times higher funding per student for schools than less affluent local governments" (<http://www.oecd.org/israel/Education-Policy-Outlook-Country-Profile-Israel.pdf>). A general report from the Ministry of Education from 2013 (<http://meyda.education.gov.il/files/minhalcalcala/facts.pdf>) makes it clear that closing the performance gaps is part of the ministry's mission. For some historical background see "The State of Public Preschool Education in Israel," a 2012 report from the Taub Center for Social Policy Studies in Israel: <http://taubcenter.org.il/the-state-of-public-preschool-education-in-israel/>.

106. For earlier Makdisi statements jettisoning the two-state solution see "For a Secular Democratic State," "Forget the two-state solution," and "End of the two-state solution."

107. Makdisi concludes his 2008 *Nation* essay "Starving Gaza," reprinted by *The Electronic Intifada*, by declaring that the Palestinian Authority exists "to serve Israel's interests, not those of the Palestinians" (electronicintifada.net/people/saree-makdisi). He opens his 2011 essay "Last Straw for the Palestinian 'Authority'?" by referencing the "so-called President, Mahmoud Abbas."

108. The source of the passage is Henry Siegman, "The Middle East Peace Process Scam."

109. You can listen to a brief version of Ben-Artzi's talk online at <http://www.israelnationalnews.com/News/News.aspx/148537>.

110. There are counter-examples. One would be Ronald "Ronnie" Kasrils (1938–2008), a South African of Jewish descent who was highly critical of Israel.

111. South African Archbishop Desmond Tutu notably accepted the apartheid comparison.

112. It is important to document just how vicious the atmosphere was at Durban: "Jews were actively discriminated, shouted down, meetings on Antisemitism were hijacked by Palestinian Caucus members and supporters, and people who protested against all this were branded 'Zionist pig lovers' and 'Jewlovers.'" In a September 1st march "slogans were carried like 'Kill all the Jews' and 'the good things Hitler did' . . . This march ended at the Durban Jewish Club, which was another sign that the organizers not only see the state of Israel as the enemy but all Jewish people" (Eissens).

113. Dan Diker, ed., *South Africans Refute the Israel Apartheid Libel*.

114. Robert Suresh Roberts, *Fit to Govern: The Native Intelligence of Thabo Mbeki*.

115. Roberts, p. 294.

116. Cf. Mondli Makhanya, “Furiously Defending their Right to Blame Apartheid” and “The Liberation Myth is Busted.”

117. See the report by the Louis D. Brandeis Center.

118. Puar had made many of these claims the previous year in “The ‘Right’ to Maim,” an essay published in the online journal *borderlands*, but it had far less impact, in part because the writing style was often abstract and inaccessible.

119. The Vassar alumni group, “Fairness to Israel,” then published a critique of Puar’s lecture on their website: fairnesstoisraelatvassar.blogspot.com.

120. See the essays listed by Gary Fouse, William Jacobson, Petra Marquardt-Bigman, Peter Reitzes, and Mark Yudof and Ken Waltzer. A Google search will turn up a substantial number of additional examples.

121. Puar’s political motivations sometimes lead her to make claims without fact checking to see if they are still accurate. So at Vassar she proclaimed that the dramatic new West Bank Palestinian city of Rawabi, which I have visited twice, is “at this point in time, devoid of water.” Rawabi was excruciatingly denied a water connection month after month, but the connection was approved a year before Puar spoke at Vassar.

122. Both the original and the amended complaints are available on the Louis D. Brandeis Center’s website: <http://brandeiscenter.com/resources/case-materials/>. The amended complaint is quite direct in its accusations against Puar: “The scheme was advanced by Defendant Jasbir Puar, a USACBI leader who sat on the American Studies Association’s Nominating Committee. Puar also acted, ultimately successfully, to ensure that only signed supporters of USACBI were nominated for American Studies Association President. She imposed this restriction, however, only after concluding that, while a pledge of allegiance to the goals of USACBI was a prerequisite for her nomination to positions of American Studies Association leadership, this requirement should not be disclosed to the general American Studies Association membership who would be asked to vote on Puar’s chosen candidates. By her actions, Puar violated her fiduciary duties of loyalty and candor to the American Studies Association and its members. Those USACBI leaders whose nominations were secured by Puar as part of this scheme also violated their duties of loyalty and candor to the American Studies Association membership by failing to disclose their illicit political intention to the voting members of the association (3).”

123. Since I am also a humanities faculty member, I should describe my own methodology here. When aiming to comment responsibly on issues outside my field, I begin simply by doing a variety of internet searches in order to identify and read relevant publications. As I start to recognize prevailing views—and whenever I have questions—I write to qualified faculty for details. They inevitably suggest other things to read, and I persistently return with other questions. This continues until I have enough confidence to summarize existing research and draw preliminary conclusions. Then I ask faculty who work in the relevant fields to read and critique what I’ve written. One principle is never to rely on only one opinion at any stage of this process. I feel quite free to write to perfect strangers, and I invite them to

introduce me to knowledgeable colleagues. One field I had to look into here for the first time was nutrition studies. Most (though not all) of the nutrition publications I read were clearly written and intelligible to a non-specialist. Obviously, some science fields include technical articles that are more of a challenge. That was mostly not the case with the work cited here.

124. The Dartmouth lecture repeats several sections from the Vassar one but omits the organ harvesting claim, the discussion of stunting, and some explicit language about the overall project's motivations. She also deleted her celebration of the "third intifada" of stabbings and auto rammings.

125. On the organ harvesting controversy, see Petra Marquardt-Bigman's article in *The Tower* and Ernest Sternberg's narrative account in *Anti-Zionism on Campus*.

126. Food insecurity is an issue for some in Gaza, exacerbated by Hamas militancy and by the Egyptian and Israeli restraints on imports that Hamas policy has necessitated. But there is repeated testimony that lack of funds to purchase food, rather than food unavailability, is the main problem.

127. The only realistic internal organ transplantation options are for those harvested in operating rooms, from donors still alive, as often happens with kidneys, or from those very recently dead. Functioning cadaver organs like hearts have a very short shelf life. The time an organ is separated from its blood supply must be kept to a minimum. Kept on ice in cold solution, ten to 24 hours is possible. You have to get the organ to a recipient, already identified, very quickly.

128. Sterilization methods include application of chemicals, UV, and ionizing radiation.

129. In "The Global Traffic in Human Organs" Scheper-Hughes notes the "layman's natural aversion to the idea of tampering with internal organs," as opposed to "skin, corneas, bone marrow, cardiac valves, blood vessels, and blood," along with sperm and ova that are often sold commercially. It is partly this popular conception, she suggests, that leads surgeons to treat those body parts and substances differently (197). In fact, transplantation protocols make a clear distinction between organs and tissues, classifying the items harvested at Abu Kabir as tissues.

130. Ernest Sternberg's essay was completed before Puar arrived on the anti-Israel scene, but others have critiqued her work on organ harvesting. Petra Marquardt-Bigman writes, "as 'evidence,' she cites reports of abuse at the Abu Kabir forensic institute near Tel Aviv that occurred almost two decades ago and have since been thoroughly investigated. Indeed, even the links Puar provides make clear that there was a five-year investigation triggered by complaints from employees at the institute and a series of investigative reports in Israeli media." Ernest Sternberg elaborates: "the murder-for-organ-theft libel gained notoriety in 2009, when the Swedish tabloid *Aftonbladet* claimed that, as part of an international syndicate involving rabbis and Jewish doctors, the Israeli military hunted down and murdered young Palestinians and slit open their bodies so as to harvest their organs either for sale or insertion into needy Jewish bodies. The defamation spread quickly and gained legs: soon Israelis were accused of kidnapping Ukrainian children

(25,000 no less!) to steal their organs, not to mention Algerian children, and not least, Haitian children, whose bodies these single-minded Israelis plundered while pretending to help the Haitians recover from a devastating earthquake.” Sternberg gives a very detailed account of how the Israeli pathologist Yehuda Hiss’s handling of tissue samples was exaggerated and exploited. While the reports Puar herself cites leave no doubt that these incidents happened in violation of Israeli law and were thoroughly investigated, Puar still insinuates that Israel has a sinister history of stealing organs. Preposterously enough, she claims that this history is “well documented” by linking to the completely discredited *Aftonbladet* article, even though the author of the article admitted that he had “no idea ... no clue” whether his story was “true or not.”

The Swedish article in question is Donald Boström’s 2009 *Aftonbladet* piece “Our sons are plundered of their organs.” As Sternberg points out, Boström’s “main claim is that during 1992, and perhaps as late as the year of publication in 2009, and maybe all the years in-between, Israeli soldiers under official orders, and with collusion by Israel doctors and foreign Jews, killed young Palestinians described as ‘stone throwers’ so as to steal their organs to make up for shortage in Israel or to sell them to rich Americans. Boström centers his accusation on a seemingly ordinary 1992 campaign by the Israeli Ministry of Health, then headed by Ehud Olmert, to persuade citizens to permit the future donation of their organs. Despite the tens of thousands who signed up, the author reveals, the gap between supply and demand remained wide (as of course it must, since those who signed would have to die before their organs could be used). ‘While the campaign was running,’ he further writes, ‘young Palestinian men started to disappear from villages in the West Bank and Gaza. After five days Israeli soldiers would bring them back dead, with their bodies ripped open.’ Though the claim is not stated outright, the innuendo is clear: that Israelis systematically murdered Palestinians to make up for shortfalls in organ donation.”

Boström would later back off, claiming that he was only communicating suspicions, but his article acquired a long history of anti-Semitic citation nonetheless. As Sternberg writes, “The article was posted worldwide on the internet and editorially welcomed on the Arab satellite networks. By September 6, an Algerian daily had declared that a ‘Jewish gang’ was abducting Algerian children for the trafficking of their organs. That claim, too, was immediately reported by Aljezeera, Iran’s Press TV, the popular website Islam Online, Arab-American sites, and left- and right-wing anti-Semitic sites. By November 29, a Ukrainian philosophy professor had declared at a conference in Kiev that 25,000 Ukrainian children had been brought to Israel for removal of their organs. This accusation too was repeated by Ukrainian and Iranian websites and an establishment Muslim site in Canada Based on the Bostrom article, the US Muslim Public Affairs Council, which depicts itself as America Muslims’ moderate voice, called for a war crimes tribunal against Israel.

Sternberg details many other examples, but reserves special mention for *CounterPunch* “because it enjoys contributions from academicians, some with reputations for academic respectability.” “A *CounterPunch* article by Bouthaina Shaaban, entitled ‘Israeli Bodysnatchers,’ pushes the *Aftonbladet* charges ‘about Israeli occupation forces killing Palestinians with the objective of stealing their organs.’ Another article by the same author accepts media reports that Israelis were stealing

children's organs in the Ukraine, and declared that 'there are documented reports from Haiti that organs are being stolen by Israelis' and that America and Israel 'use the Haiti disaster to cover up their crimes.'

131. Goodwin points out that "public service announcements never indicate that some states have imposed laws that provide for nonconsensual tissue harvesting" by "a medical examiner or justice of the peace (or their agents)" (16), so they amount to an "open secret." She complains that "Disproportionately, the homicide victims were Black and Latino and, in California, they comprised the primary pool of unwitting donors" (17). A section of her bibliography lists the relevant state statutes (278-279).

132. As Sternberg points out, people of his generation would not have read Edward Said's *Orientalism*.

133. Although Israel-related examples are not a major focus of Campion-Vincent's *Organ Theft Legends*, the book makes useful suggestions about how such legends come into existence and spread.

134. Puar cites one essay in support: Nancy Scheper-Hughes and Donald Bostrom's "The Body of the Enemy," though she misspells Scheper-Hughes's last name.

135. Ernest Sternberg's "The Dynamics of Demonization" offers a much more detailed analysis of Scheper-Hughes than I can provide here. I am indebted to him for sharing his draft with me. It was his work that alerted me to the need to incorporate Scheper-Hughes into this section of my essay.

136. Scheper-Hughes's 1996 "The Global Traffic in Human Organs" mentions that Israelis needing kidney transplants travel to other countries to obtain them (p. 194), but otherwise her discussion focuses on other countries.

137. "Neo-Cannibalism, Organ Theft, and Military-Biomedical Necropolitics" is a longer version of "Terrorist Necropolitics," the latter published in *Harvard International Review*.

138. Hiss was responsible for doing autopsies on victims of violence; tissue and organ samples are routinely preserved as evidence. When I worked in a research (not pathology) lab at the National Institutes of Health in Bethesda, Maryland, in 1964, the organs, including hearts, of patients who died were routinely removed and used for research. Part of my job was to process those organs.

139. The Knesset passed its "Organ Transplant Law" in 2008. It prohibits people from paying for organs or obtaining compensation for their sale. It bans the sale of organs from both the dead and the living. It prohibits both cash payments and material gifts, including burial costs, as well as payments to a third party. Insurance payments for transplant surgeries linked to purchased organs are also prohibited.

140. For reasons of space I am not quoting her longer anecdotes, running one or more paragraphs, most of which are about Israel.

141. When evidence cannot be found that supports the former employee's story, Scheper-Hughes tells us it has been destroyed. In her own mind she combines the skills of an Interpol agent and a prosecuting attorney, traveling the world to

investigate crimes and adjudicate guilt in multiple countries, flawlessly evaluating the evidentiary value of what she is told in conversation and reaching conclusions unqualified by doubt. If a bereaved mother tells her a story she herself believes, Scheper-Hughes treats it like sworn testimony in a court of law. But readers should not assume she is herself the equivalent of a jury of twelve men and women. All this work falls under the rubric of what she calls “militant anthropology.” She tells us that this politically committed discipline requires continual self-reflection, but there is little evidence anywhere of an inclination to question her conclusions. Her confidence in her ability to ascertain the truth is extraordinary.

142. There is always a shortage of organs for transplant, but that in no way constitutes evidence Israel solved the problem by unethical harvesting.

143. In “Terrorist Necropolitics,” Scheper-Hughes acknowledges that some organ theft allegations are “false, based on moral panics, post-traumatic stress disorder and the anxiety and ‘worst fears’ of vulnerable populations and ethnic groups,” but the only rumor about Israel she concedes may be false is the accusation that Israelis harvested organs when they travelled to Haiti to offer aid after the 2010 earthquake. In “The Body of the Terrorist” she first dismisses the rumor that Moldovan babies were being kidnapped to serve as kidney donors to foreign children, then warns that some children from Israel “had been taken abroad by their parents for commercial transplants” (856).

144. Because many Palestinians cannot afford taxis to bring them from the border to hospitals in Israel, the Rozana Project organizes volunteers in its Road to Recovery program to do so. Travel permits issued to those accompanying patients raise the number involved to 180,000. Despite that, BDS advocates criticize Israelis for denying Gaza or West Bank Palestinians travel permits for access to health care in East Jerusalem of Israel. The WHO in its 2013 “Right to Health” report gives statistics that help put these accusations in context: “In the West Bank, a total of 222,188 applications for health access permits were submitted by West Bank residents in 2012,” according to Palestinian data that includes both patients seeking care and patient companions. “Of this total, 177,051 were granted, for an overall permit approval rate of 79.7%.” Of those not approved, some 2.7 percent did not receive their permits in time to access their medical appointments, a serious consequence, but not evidence of a pervasive effort to deny medical care. In Gaza, a total of 10,560 applications for health care access permits were submitted by Gaza residents in 2011 . . . A total of 9,478 permits were granted, representing a permit approval rate of 89.8%.” In 2015 the approval rate from the West Bank rose to 89.77 percent, but the approval rate from Gaza fell to 76.56 percent in the wake of the 2014 conflict. In 2015 Israel changed its regulations to allow entry to men aged 55 or older and women aged 50 or older without permits for medical treatment. Given the increased rate of illness among this age group, this change in policy can be expected to have a significant positive impact. Earlier studies that attempt to predict the effect of travel restrictions on Palestinian health are no longer valid.

WHO’s 2016 “Right to Health Report” points out that Egypt’s closure of the Rafa crossing on Gaza’s southern border has seriously affected Palestinian health care. Until then some 4,000 Gazans exited Gaza through Rafa per month for

health care reasons. West Bank residents have relatively open access to Jordan for private health care.

Critics of Israel also complain that Palestinian ambulances are routinely denied entry, with patients transferred to Israeli ambulances instead. As Clarfield and Dechtman remind us, explosives were found hidden in a Red Crescent Ambulance carrying a sick child in 2002 at a checkpoint inspection near Ramallah (Hass et al). Similarly, in 2005, 10 kilograms of explosives were found hidden in the underwear of a 21-year-old woman from Gaza who had received a medical permit for treatment in Israel when she was stopped at a checkpoint (Clarfield and Dechtman). There were other incidents in which ambulances were used to transport suicide bombers. Unless the Israelis want to risk repetition of such events, they have to make certain that an ambulance is not, effectively, a bomb. Since the time involved in searching a vehicle for explosives is considerable—given that structural components, not just the mattress are at issue—transferring the patient is both more humane and medically advisable. The Israeli ambulances are arranged beforehand, so they are waiting at the checkpoint when the Red Crescent vehicle arrives. The most common referral to Israel is for cancer therapy.

145. Founded in 1995, Save a Child's Heart is an Israel-based international humanitarian organization dedicated to training medical professionals and providing life-saving cardiac care to children regardless of race, religion, gender, national, or financial status. As the website (saveachildsheartus.org) declares, our “on-site teaching missions and our medical study abroad program in Israel give doctors-to-be the necessary tools to establish centers of competence in their home countries.” In August 2008, the group treated its 1,000th Palestinian child.

146. See www.projectrozana.org.

147. The WHO's *Global Nutrition Monitoring Framework* modifies the irreversibility prediction somewhat, suggesting “stunting may be reversible in children under two years of age” (8).

148. By the end of the Second Intifada, rates of chronic malnutrition had risen, but that was a temporary phenomenon that resolved itself when financial resource distribution networks recovered. As Shahin et al remind us, “Populations affected by conflict will experience food insecurity and under nutrition”: the Second Intifada “interfered with food availability and accessibility” (2).

149. See, for example, Juan Cole, “Creepy Israeli Planning for Palestinian Food Insecurity in Gaza Revealed.”

150. The OCHA figures for total food and livestock truckload crossings into Gaza are as follows: 9,037 (2007), 14,994 (2008), 19,913 (2009), 19,705 (2010), 18,667 (2011), 18,289 (2012), 20,459 (2013), 23,004 (2014), 21,269 (2015), 21,269 (2015), 24,525 (2016), 26,268 (2017). From 2014 to 2017 the delivery of fuel from Israel went from 214.74 million litres to 321.97 million litres. Cooking gas went from 51.10 million litres to 65.46 million litres.

151. MAS is an abbreviation of the Institute's Arabic name: *Ma'had Abhath As-Syayat Al-Iqtisadiya Al-Filastini*.

152. Mahmoud M. Sirdah reports the rate in the “previous (fathers’) generation (45.2%) and the current (groom/bride) generation (39.9%),” which is consistent with other studies. El Kishawi et al report a higher stunting rate for Gaza than other contemporary studies, then offer only one conclusion: “parental consanguinity is associated significantly with increasing rate of stunting” (6). After surveying 16,197 women in 1995 and 4,972 women in 2004, Assaf and Khawaja report an overall consanguineous marriage rate of 45 percent in the Palestinian Territories. In a study of consanguineous marriages in Afghanistan, Naibkill and Chitkara report that 52.3 percent of their children present congenital anomalies (37).

153. The Israeli example confirms the impact education can have on consanguinity. Vardi-Salliternik et al in 2002 estimated the rate of consanguinity to be around 36–50% in Jordan and 53% among Israeli Arabs. Na’amni et al report that “the rate of consanguineous marriages decreased from 35.8% among those married before 2000 to 28.2% among those married in 2000–2004, and to 24.0% among those married in 2005–2009” (94). Schellekens et al report that “between 1975–1979 and 2005–2010, consanguineous marriage declined by almost 60%.” They emphasize that increased female enrollment in school and increases in the number of years spent in school were major factors. The consanguinity rates reported, it should be emphasized, vary with sample sizes and variations in the target group studied. One University of Haifa researcher I interviewed, Wendy Sandler, pointed out that poor Bedouin villages have fewer marriage options outside their immediate community. As their income and collective wealth increases they marry people from other Bedouin villages and thereby avoid the effects of consanguinity. Writing about the West Bank, Mikkii et al write, “Stunting was negatively associated with father’s education among boys and with urban residence, median STL [standard of living] and onset of puberty among girls.”

154. Chaudhry et al cite a high rate of vitamin D deficiency in children—60.7 percent, which falls in the upper range of 30–75 percent for the Middle East and North Africa—which is surprising, given that UV radiation is its major source and there is no lack of sunlight in Palestine. They point out that some studies “attribute this to reduced outdoor physical activity, the clothing style in the region, or to seasonal variations in a child’s month of birth (2). The only realistic solution remains supplementation.

155. Yehia Abed suggested to me by email that flour fortification in Gaza, which is dependent on foreign donations when local production is lacking, has not been consistent over time. He also suggested that, while different studies report different stunting rates in Gaza, partly because they often address different age groups, most studies show a rate of 10 plus or minus 1 percent. Detailed guidelines for flour fortification have been available for some years. The World Food Programme’s 2015 update of its “Technical Specifications for Fortified Wheat Flour For Palestine” is a concise 5–page set of recommendations. The A2Z (USAID Micronutrient and Child Blindness) project maintains an online set of “Food Fortification Tools” as part of its “Micronutrients Global Toolkit” to help countries organize and evaluate their programs (<http://www.a2zproject.org/node/95>). In 2010 the Palestinian Ministry of Health issued a detailed “Inspection Manual for Monitoring Salt and Flour Fortification.”

156. As one would expect, nutrition is a very large field of study; likewise, the literature dealing with micronutrient fortification is extensive. Quintaes et al do a good job of summarizing recent research, and their bibliography lists over a hundred papers that those interested may consult.

157. On the impact of poverty in Gaza see Abudayya et al. 2007. Stunting rates in poor neighborhoods and communities, like Jabalia refugee camp in Gaza, are typically higher than rates in other areas. Abudayya et al 2011 ask an important question: what are the educational effects of stunting and other health conditions on the student population, however small, that suffers from the conditions at issue and how does their performance compare to others? Using the more serious metric of 3 standard deviations from the norm, they compare the educational performance of those students with others. There are multiple issues here, and they cannot be assigned specific weights; they include the parents' educational level and socioeconomic status and the nutritional habits of the students and their families. The students covered were 12–15 years of age. Students showing evidence of stunting numbered 89, whereas non-stunted students numbered 843. Again, the total sample of 932 was not large, but the results suggest why the problem should be more aggressively addressed: 42.7 percent of stunted and 65.5 percent of non-stunted students showed good school performance.

158. Tulchinsky served as coordinator of West Bank and Gaza health services from 1981–1994 and then as coordinator with the Palestinian Health Authority. He spent many years directly involved with Palestinian health care.

159. Of the essay's twelve authors, three are from Al-Quds University and two are from the PA's Ministry of Health.

160. Since Puar's claim about stunting in Palestine is central to her argument, I cite the relevant original medical and public health research comprehensively. A bibliography of those publications that simply endorse UNICEF or WHO stunting data, however, would be substantially larger.

161. Wahaidi et al, surveying 323 Gaza students aged 12–19, found mild stunting in 29 percent, moderate stunting in 7.4 percent, and severe stunting in 0.5 percent (11).

162. See <http://www.who.int/childgrowth/software/en/>.

163. These percentages represent the most recent data available as of 2017; the data for individual countries is generally from 2013 to 2016. One of my friends remarked about this data: "When I worked in rural health in Guatemala as a medical student (1972), I was amazed by how smart little kids were, until I realized that kids I thought were four were really eight, so prevalent was stunting."

164. Interviews with nutrition researchers suggested that the Haredi (ultraorthodox) and Bedouin populations have higher stunting rates than Arab Israelis or other Jews.

165. "Infants given iron and vitamin supplements had growth patterns closer to the international standard than children who did not receive the supplements" (Sever and Peterburg 48).

166. The Palestinian National Authority's "National Nutrition Policy Statement" set an admirable goal of reducing stunting prevalence "by 1% per annum between 2008–2010" (15), but the goal was not achieved. Similarly, the goal that flour fortification "reach 80% of available flour in the market" and household "consumption of iodized salt reaches 90%" (7) did not materialize. Iodized salt consumption, however, came close, reaching 76.6 percent by 2010.

167. The sample size used in the Albelbeisi article is extremely small—25 children—but they are only exploring the issue of compliance, not assessing the results in the health of the children.

168. See <https://vizhub.healthdata.org/cgf/>.

169. The researchers who produced *Growing Up in the Middle East* have been disseminating results from the survey since it was conducted. The project was the product of a collaboration between Bar-Ilan University, al-Quds University, and the Myers-JDC-Brookdale Institute in Jerusalem. The survey method was thus reviewed by ethics committees at both an Israeli and a Palestinian university. The extensive survey instrument addressed both adolescent self-perception and those objective behaviors with the most impact on current and future health. Mental health was assessed by a series of questions that recorded such things as problems sleeping to contemplation of suicide. Current and future physical health was assessed not only by student self-evaluation but also by recording matters like frequency of smoking, the latter a concern because 49.7 percent of adult male West Bank Palestinians smoke. The level of smoking among Palestinian females (3.5 percent) is dramatically lower, but all are at risk from secondhand smoke.

170. In October 2016 a program supported by Project Rozana at the Binational School of Psychotherapy at Hadassah Hospital began training Palestinian and Israeli child psychologists in the latest techniques for treating children suffering from PTSD. The participating Palestinians are from both Gaza and the West Bank.

171. I am awaiting full review of casualties in the 2018 confrontations in Gaza before making a judgment about the tactics used.

172. For Israeli civilian casualty figure estimates (36 percent), see the Israeli Ministry of Foreign Affairs report "The 2014 Gaza Conflict, 7 July 26–August 2014: Factual and Legal Aspects." p. A-2. Colonel Richard Kemp, former Commander of British Forces in Afghanistan, spoke in 2011 about Israeli operations in the Gaza War during Operation Cast Lead. He said that a study published by the United Nations showed "that the ratio of civilian to combatant deaths in Gaza was by far the lowest in any asymmetric conflict in the history of warfare." He stated that this ratio was less than 1:1, and compared it favorably to the estimated ratios in NATO operations in Afghanistan (3:1).

173. Her only support for the maiming thesis comes from a few polemical pieces by well-known anti-Zionist figures, among them Max Blumenthal.

174. In the leadup to *The Right to Maim*, Puar told *Cosmologies Magazine* "I am most interested in how this works in Gaza—how mathematical algorithms are deployed to fix calorie intake, water supplies, and electric currents, among other infrastructural

elements—to create an asphyxiatory regime of control, in which the Palestinians can breathe and not breathe according to the desires of the Occupier/Israel” (West). That was the last we heard from her about the “mathematics” of food supply, since she has no real interest in hard data.

175. For a concise review of Hamas’s use of ambulances and hospitals during Operation Protective Edge and earlier see “Hamas’s Use of Medical Facilities and Ambulances for Military-Terrorist Purposes” on the American Center for Democracy website (acdemocracy.org).

176. In the second chapter of *The Right to Maim*, one of two not focused on Israel, she cites Omar Dewachi’s claim that “health infrastructure has become a normalized target of warfare, effectively ignoring 150 years of the adherence to the ethics of medical neutrality” (91–92), but in her influential public lectures it becomes a distinctively Israeli vice.

177. Khattab et al calculate smoking rates among men in Egypt at 53.5%, Syria at 57.9%, and Lebanon at 59%. Rates in Palestine are likely lower because of the increased access to education since 1967.

178. A number of reports note that children whose mothers have secondary or higher education are less likely to be underweight and/or stunted compared to children of mothers with no education. Poverty and lack of education are often linked. Pressures to switch from breastfeeding to infant formula, a much-criticized international phenomenon, can also contribute to faltering growth and micronutrient malnutrition. The risks are multiplied if clean water is not readily available.

179. Ismail Jalili offers the following statistics for the prevalence of consanguinity in Arab countries: UAE, 40–54 %, Jordan 49–58%, Gaza & West Bank 40%. Among some communities in Saudi Arabia the rate reaches 80%.

180. At the time the article was written, Tamara Barnea was director of the JDC–Middle East Program in Israel; Ziad Abdeen was dean of scientific research at Al-Quds University.

181. See www.stjohninternational.org/jerusalem-eye-hospital.org.

182. See Skinner et al for another long-running collaborative health initiative. As the essay reports, for ten years, as of 2005, Israeli, Jordanian, and Palestinian health professionals worked together through the Canada International Scientific Exchange Program (CISEPO) to address mother–child health, nutrition, infectious diseases, and youth health. It began with a focus on congenital hearing impairment and then spread to other health issues. CISEPO is housed at Mount Sinai Hospital, the University of Toronto, and York University. It currently selects Canadian, Israeli, Jordanian, and Palestinian medical students to build bridges of peace through health education.

183. See www.peres-center.org/pediatric_hemato-oncology.

184. For more information on the pediatric haemato–oncology program see http://www.peres-center.org/pediatric_hemato-oncology.

185. For more information see http://www.peres-center.org/medicine_current.

186. I have withheld his name to protect him from retaliation.

187. The WHO's "Global Nutrition Monitoring Framework" notes that "improvements in breastfeeding practices and prevention of diarrhea can have an enormous impact on reducing childhood stunting and wasting" (10).

188. Tulchinsky's essay "One Epidemiologic Family" gives detailed information about the immunization campaign for each disease.

189. Sarah Schulman's 2011 op-ed in *The New York Times*, "Israel and Pinkwashing," is generally credited with giving the accusation against Israel its most influential notice.

190. The 2013 documentary film by Michael Lucas and Yariv Mozer, *Undressing Israel: Gay Men in the Promised Land*, offers a convenient introduction to Israeli gay culture. For earlier testimonies about gay life in Israel across a series of generations, see Amir Sumaka'i Fink and Jacob Press, *Independence Park: The Lives of Gay Men in Israel* and Tracy Moore's edited collection *Lesbiot: Israeli Lesbians Talk about Sexuality, Feminism, Judaism, and Their Lives*. Nir Cohen's *Soldiers, Rebels, and Drifters: Gay Representation in Israel Cinema* covers both fiction and non-fiction film and, as always with cinema, engages with both subcultural and wider cultural representation. For an analysis of the evolution of Israeli policy and a study of the realities of gay life in multiple cultural arenas, see Lee Walzer, *Between Sodom and Eden: A Gay Journey Through Today's Changing Israel*. For a regional perspective, see Brian Whitaker, *Unspeaking Love—Gay and Lesbian Life in the Middle East*. A Wider Bridge is a North American LGBTQ 501c3 organization that builds ongoing relationships between the North American and Israeli gay communities.

191. In the 2011 edition of *Unspeaking Love* Brian Whitaker writes that "Estimates of the number of gay Palestinians who have quietly—and usually illegally—taken refuge in Israel range from 300 to 600" (41), though that is based on articles from 2002 and 2003. I am now writing 15 years later, so it seems appropriate to set a more updated range. See "Palestinian gays flee to Israel," *BBC News* (October 22, 2003) and Dan Williams, "Palestinian Gay Runaways Survive on Israeli Streets," *Reuters* (September 17, 2003).

192. See, for example, "To Be Gay in Gaza Right Now," *The Daily Horse* (January 13, 2009); Diaa Hadid and Maid Al Waheidi, " Hamas Commander, Accused of Theft and Gay Sex, Is Killed by His Own," *New York Times* (March 1, 2016); and Joumana Haddad, "A Palestinian Novel Unearths Dirty Secrets in the Arab World," *New York Times* (July 3, 2017).

193. Traditionally, many Arabs "who engage in same-sex activities do not necessarily regard themselves as gay, lesbian, bisexual, etc." (Whitaker 12), which partly explains why revealing same-sex practices does not carry the same significance.

194. In a very rare example of one BDS advocate finding fault with another, Massad in *Islam in Liberalism* says "Puar deploys her radical critique of US homonationalism in defense of liberal forms of gay internationalist activism (including Western-funded

NGOs like the Israel-based alQaws, which Puar insists is not ‘liberal’ at all, but rather ‘radical’), which she actually encourages, especially in the Arab world . . . These are nothing if not bona fide liberal goals and include nothing radical in them at all” (270-71).

195. Improvements in some areas of military service continue to be made. In 2015 the IDF announced that the members of same-sex couples will not have to report for reserve duty at the same time, a provision that will help those couples that have children (Eglish).

196. A 2009 Tel Aviv gay center shooting resulted in two deaths and more than a dozen injuries. High school student Shira Banki, 16, was one of six people wounded in a July 2015 assault on a Jerusalem Gay Pride march. She died of her wounds.

197. See two articles by Alon Harel, “Gay Rights in Israel: A New Era” and “The Rise and Fall of the Israeli Gay Legal Revolution.”

198. In this case the addition of “bodies” seems a confused effort to lend theoretical grandeur to the sentence.

199. Although Puar invokes Deleuze and Guatari’s concept of the rhizomatic in both of her books, I would argue that the associations around terrorism and its social functioning in *Terrorist Assemblages* match the theoretical usage far more accurately than does her later adaption for use in *The Right to Maim*.

200. In a November 22, 2017 essay for the *Herald Sun*, “Duke University Press and the Demonization of Israel,” Peter Reitzes writes, “At least eight members of DUP’s Editorial Advisory Board and staff have appeared to publicly support initiatives related to the Boycott, Divestment, Sanctions (BDS) movement against Israel, appearing as signatories of various BDS-oriented initiatives, and often using social media to promote and defend BDS. At the time of the 2015 Iran Nuclear Deal, Ken Wissoker, the DUP Editorial Director of Books Acquisitions Group, tweeted, “Tell Congress: you work for me, not for Netanyahu . . . Also, on Twitter, DUP Editorial Associate Sandra Korn celebrates ‘our NEW BDS campaign in Durham !!!!!’” Korn is a member of Jewish Voice for Peace and of the Facebook group “International Jewish Anti-Zionist Network.” Her 2014 video is available at <https://www.youtube.com/watch?v=EJQFHlrdw0>. Korn’s February 18, 2014 piece in *The Harvard Crimson*, “The Doctrine of Academic Freedom,” was one of the first statements to suggest that academic freedom was outdated and should be replaced by principles of social justice. The point here is that some of the Duke Press staff have deeply held convictions about the issues addressed in the press’s publications.

201. We get distinctly into the political imaginary when she argues that shooting to maim and checkpoints are really part of one plan to “restrict mobility for nearly everyone (albeit unevenly and differently)” by “literalizing mobility impairment through both targeting knees and creating infrastructural impediments to deliberately inhibit and prohibit movement” (157).

202. See “The Task Force on AAA Engagement on Israel-Palestine.”

203. In 2012 a controversy erupted after University of Pennsylvania English Professor

Amy Kaplan suggested that faculty might well look for opportunities to insert anti-Israel material into courses that offer a potential thematic link with the Israeli-Palestinian conflict. She used the examples of a general course on prison culture and politics that could be enhanced with a section on Israeli treatment of Palestinian prisoners, or a general literature survey that could include a section on Palestinian literature. See “University of PA Responds About Amy Kaplan’s Politicizing of Her Courses.”

204. See Scott Jaschik, “Crossing a Line.”

205. See Elizabeth Redden, “Big Night for Boycott Movement.”

206. See Sharon Ann Musher, “The Closing of the American Studies Association’s Mind.”

207. See “Anti-Israel boycott resolution fails at American Anthropology Association.”

208. See “What Israel’s Nightmare Trajectory May Mean on Campus.”

209. A recent alternative is Gil Troy’s *The Zionist Ideas*.

210. For recent examples of Massad’s views, see his “Palestinians and the Dilemmas of Solidarity” and “The Future of the Nakba.”

211. See Paul Bogdanor, “An Antisemitic Hoax: Lenni Brenner on Zionist ‘Collaboration’ with the Nazis.”

212. The Faculty Action Network website (www.israelandtheacademy.org) that includes, among its 500 syllabi in Israel studies and Jewish studies, a significant number that aim to teach the Israeli-Palestinian conflict in a way that represents both sides fairly. Donna Divine’s essay, “The Arab-Israeli Conflict: How to Teach All Sides Without Taking Sides,” is also on the site.

213. My own university requires that each department keep copies of all current course syllabi publicly available.

214. In her essay, Jarrar writes, “I had deleted anything on my website critical of Israel, which amounted to about 160 posts. I had deleted the section in my Wikipedia entry that said that I was a Palestinian writer. It had been unsettling, deleting my Palestinianness in order to go back to Palestine.”

215. Apparently none of those reviewing the syllabus thought to instruct Hadweh to differentiate between essay and book titles; he italicizes them all.

216. Matar’s syllabus is included in Gary Fouse’s “A New Low in Academia at UC Riverside.”

217. For detailed comments on (and extensive quotations from) the Puar lecture, see both my chapter on Puar and William A. Jacobson, “Vassar faculty-sponsored anti-Israel event erupts in controversy.”

218. The syllabus, since deleted, was accessed in 2016 at <https://new.oberlin.edu/dotAsset/04cd95b3-51a0-4807-b1b9-5e8c24f86209.pdf>.

219. Karega's blatantly antisemitic Facebook posts were widely publicized in March, 2016; see Andrew Pessin, "Oberlin Alumni Outrage Over 'Growing Tolerance for Antisemitism' at Alma Mater."

220. Screen shots of Karega's Facebook posts are reproduced in David Gerstman, "Oberlin Professor Claims Israel Was Behind 9/11, ISIS, Charlie Hebdo Attack."

221. Had the AAUP's Committee A on Academic Freedom and Tenure been responding to social media interventions about a subject other than Israel, it might have been willing to take a more serious look at the issues involved in today's changed world. By the time the issue arose, however, two opponents of Israel, both supporters of academic boycotts, had been appointed to the group. It did not help matters that one proceeds by intense ad hominem attacks and the other by way of personal sarcasm. That did not encourage a free and open discussion. During the course of drafting and revising the AAUP's investigative report on the Salaita case, there was considerable staff and appointed committee member support for claiming that Jewish donors had shaped the university's decision to withdraw Salaita's offer. In conversation with me, one senior staff member cited the Sami Al-Arion case in Florida as an example of Jewish donor intervention proving that that was always what such people do, even though there had been no significant evidence of donor influence at the University of Illinois. In the end, there was enough disagreement so the accusations against donors were removed from the report. But the AAUP refused to seriously consider the idea that a faculty member's social media interventions in areas of his or her teaching or research might be part of his or her professional profile.

222. On the relevance of social media to a faculty member's professional profile, see Don Eron, "Professor Salaita's Intramural Speech."

223. See my "Advocacy Versus Indoctrination."

224. See Blake Neff, "Oberlin Students Release Gargantuan 14-Page List Of Demands."

225. For a report on Karega's dismissal, see Colleen Flaherty, "Oberlin Ousts Professor." Some portions of Flaherty's account merit quotation here:

Oberlin's Board of Trustees ultimately voted to dismiss Karega for "failing to meet the academic standards that Oberlin requires of its faculty and failing to demonstrate intellectual honesty," the college said in a statement released late Tuesday. The vote followed "extensive consideration and a comprehensive review of recommendations from multiple faculty committees," and from President Marvin Krislov . . . Oberlin's board said that the college's commitment to academic freedom stands, and that the case against Karega came down to "professional integrity and fitness." The college said Karega had received "numerous procedural protections" "during her review, including representation by counsel; the ability to defend herself with witness testimony, documents and statements; and the opportunity to cross-examine those testifying against her. "The faculty review process examined whether Karega had violated the fundamental responsibilities of Oberlin faculty members—

namely, adherence to the Statement of Professional Ethics of the American Association of University Professors, which requires faculty members to ‘accept the obligation to exercise critical self-discipline and judgment in using, extending and transmitting knowledge’ and to ‘practice intellectual honesty.’” For the full statement see Valerie Strauss’s account.

226. Regarding the terms in this chapter’s title, some Arab poets of Palestine are Israeli citizens, while others are not, though that is often a result of whether their families remained in Israel or fled or were forced out during the 1948 war. If a family returned after a census was taken they were not accepted as citizens. There is no meaningful thematic difference between poetry by Arab citizens of Israel and non-citizen Palestinians. There are thus overall two relevant bodies of poetry, not three. I often use “Palestinian” to describe both Arab Israeli and non-citizen Arab poets of Palestine.

227. Rashed Hussain, “An Address,” in *Enemy of the Sun: Poetry of Palestinian Resistance*, ed. Naseer Aruri and Edmund Ghareeb, p. 14. In an effort to demonstrate that the poems it reprints constitute a collective movement, *Enemy of the Sun* takes the unusual step of listing authors’ names in the table of contents but not including them with the poems themselves. Throughout this essay I transcribe Arab poets’ names using the English language version that is most widely used, which may differ from the version used in some of the anthologies I cite. For a substantial biographical essay about Hussein, along with translations of ten of his poems and testimonials from both Arabs and Jews, see Kamal Boullata and Mirene Ghossein, eds. *The World of Rashid Hussein: A Palestinian Poet in Exile*.

228. Natan Zach, “Landscapes,” *The Static Element: Selected Poems of Natan Zach*, p. 71. Zach (1930–) was born in Berlin and came to Palestine in 1936. The poems published in *With an Iron Pen* and *No Rattling of Sabers* show him evolving into a critic of the occupation. See Zach, “On the Desire to be Precise” in Esther Raizen, trans., *No Rattling of Sabers: An Anthology of Israeli War Poetry*, pp. 138–40, and “A Small Song for the Fallen,” “Language,” and “Good Intentions” in Tal Nitzan and Rachel Tzvia Back, eds., *With an Iron Pen: Twenty Years of Hebrew Protest Poetry*, pp. 27, 31, 124–25. The subtitle in the Hebrew edition translates as “Hebrew Protest Poetry 1984–2004.” The epigraphs to this chapter evoke the diasporic histories that have shaped both peoples’ identities.

229. One key decision about such a course is whether to include Israeli poetry from the first half of the twentieth century before the Jewish state was founded and before there was a contrasting poetry of Palestinian nationalism. I do not address that poetry here, but including a week on it seems important.

230. Daniel Weissbort’s collection *Palestinian and Israeli Poets* is a valuable exception. Among its virtues is that it offers examples of Palestinian lyricism that include both political and non-political poems, along with some whose political resonance is ambiguous. Equally valuable for demonstrating that lyricism and politics are not mutually exclusive is Jamal Assadi, ed. and trans., *The Story of a People: An Anthology of Palestinian Poets Within the Green-Lines*.

231. Poems about Jerusalem are scattered among many of the collections cited here. It is also useful, however, to read a broader selection of Arab poetry and poetry from the Palestinian diaspora about Jerusalem. See Salma Khadra Jayyusi and Zafar Ishaq Ansari, eds. *My Jerusalem: Essays, Reminiscences, and Poems*.

232. Michael Gluzman, *The Politics of Canonicity: Lines of Resistance in Modernist Hebrew Poetry*, p. 71.

233. Often in modern war the quality of the poetry from one side of the conflict considerably outweighs that of the other. There was an awesome amount of German poetry produced in World War I, but it is the British poetry that has survived to become canonical. Compelling poetry about the Spanish Civil War in support of the Spanish Republic was written worldwide, but the fascist poetry of the other side is mostly forgotten. Both during and after World War II the allies produced memorable poems, but Nazi poems are of interest only to see how they contribute to anti-Semitism and the adulation of Adolf Hitler.

234. Although distinctly successful and unsuccessful translations are worth comparing, my preference in teaching is often to provide students with all available translations of a given poem, even if that means comparing half a dozen translations. That can become a very focused exercise in close textual analysis.

235. I do not assume that the kind of comparative course I am proposing would have to be exclusively comparative. Some weeks could be devoted to only one of the bodies of poetry. A week on Holocaust poetry by Israeli Jews is one possibility. A week dealing with non-Palestinian Arab poetry is another. The Syrian poet Nizar Qabbani (1923–1998), for example, is often grouped with Palestinian poets because he too writes about Arab resistance and about the occupied territories. A section of the course could look more broadly at poetry engaging Arab nationalism.

236. I make no claim to be able to select the ideal representative poem for either poet; their output is simply too rich and varied for that. My choices are of suggestive texts that I wanted to discuss in this context.

237. A substantial number of alternative Amichai translations are available in the major collections cited below. The translation record for Darwish is more complicated, so it may be useful to note some of its highlights here. There are two full translations of Darwish's long poem sequence "A State of Siege" (2002): in Darwish, *The Butterfly's Burden*, trans. Fady Joudah, and Darwish, *State of Siege*, trans. Munir Akash. Akash writes, "I publish this work to remedy the great harm done to *The State of Siege* in English" (x), but whether he is referring only to online versions or also to Joudah's I cannot say. "Mural" (2000) exists in three translations: in Mahmoud Darwish, *Unfortunately, It Was Paradise: Selected Poems*, trans. and ed. Munir Akash and Carolyn Forché, in *If I Were Another*, trans. Fady Joudah; and as Darwish, *Mural*, trans. Rema Hammami and John Berger. In the *Nation*, Jordan Davis writes, "'Mural' is remarkably sturdy. While neither of the new English versions—nor the one published in 2003 in *Unfortunately, It Was Paradise* . . . is completely satisfying (in fact, all are often frustratingly vague), the poem is nevertheless a tour de force." Davis also compares Joudah's Darwish collection *If I*

Were Another with Mohammed Shaheen's translation of *Almond Blossoms and Beyond*: "Shaheen's versions are so much less cluttered, so much more moving, that it may take a few readings to recognize that Joudah is even referring to the same text. (Joudah: 'Dream/slowly...no matter how often you dream you'll realize/the butterfly didn't burn to illuminate you'; Shaheen: 'Dream slowly,/and, whatever you dream, understand /that the moth does not burn to give you light.')." On the other hand, Davis praises Joudah's work in *The Butterfly's Burden*. Darwish's *Why Did You Leave the Horse Alone* (1995) exists in three different versions as well, as an independent book translated by Jeffrey Sacks and later by Mohammed Shaheen, and as a partial translation in *Unfortunately, It Was Paradise*. A number of individual Darwish poems also exist in more than one version. His last poem, "The Dice Player," is included with the Hammami/Berger version of *Mural* and is also available in a Fady Joudah translation in *VQR*.

238. For an analysis of the problematics and ambiguities that Arab Israeli writers confront when they write in Hebrew, see Lital Levy, *Poetic Trespass: Writing Between Hebrew and Arabic in Israel/Palestine*.

239. The full poem by Darwish, "Those Who Pass Between Fleeting Words," is available online.

240. In *Mahmoud Darwish: The Poet's Art and His Nation*, Khaled Mattawa comments on "the poems Darwish wrote in Israel before 1970, in which he actively attempts to understand Israelis. These poems provide compelling portraits of Israeli characters and demonstrate exceptional empathy on his part. Giving the majority of their lines to the Israeli speakers, these poems engage Israeli characters in intimate dialogue, teasing out their vulnerabilities, aspirations, and contradictions" (54).

241. Mahmoud Darwish, "Rita's Winter," trans. Fady Joudah in Darwish, *If I Were Another*, pp. 88-93. For an account of the gradual public acknowledgement of the relationship, see Muna Abu Eid, *Mahmoud Darwish: Literature and the Politics of Palestinian Identity*, 119-21. For an analysis of "Rita's Winter," see Angelika Neuwirth, "Hebrew Bible and Arabic Poetry: Mahmoud Darwish's Palestine—From Paradise Lost to a Homeland Made of Words," in Hala Khamis Nassar and Najat Rahman, eds., *Mahmoud Darwish: Exile's Poet*.

242. See Beverly Bailis's "Darwish in the Transnational Classroom" for interesting suggestions about ways to teach "Identity Card."

243. I quote the second stanza of "Identity Card" from Ian Wedde and Fawwaz Tuqan, trans. *Mahmoud Darwish: Selected Poems*, p. 24, but there are many different translations available. That accounts for the slightly different version of the refrain I use earlier in the paragraph. Darwish uses details of his own father's life to create the image of a universal Arab worker. The speaker is notably an Arab, not a Palestinian, because the Palestinian liberation movement had not yet coalesced. Darwish revised the poem, moderating its Marxist character. After leaving Israel in 1971 he refused to perform "Identity Card" at readings, despite endless requests to do so, but the poem was set to music and continued to be heard for years nonetheless.

244. Mahmoud Darwish, "The girl/The scream," in Darwish, *A River Dies of Thirst*, trans. Catherine Cobham, p. 3.

245. See *The Selected Poetry of Yehuda Amichai*, trans. Chana Bloch and Stephen Mitchell; Yehuda Amichai, *Poems*, trans. Assia Gutmann; and *Yehuda Amichai: A Life of Poetry 1948-1994*, trans. Benjamin and Barbara Harshav. The Gutmann translation is reprinted in *The Early Books of Yehuda Amichai*, trans. Yehuda Amichai, Assia Gutmann, and Ted Hughes.

246. I take the liberty here of substituting "words," from both the Bloch and Mitchell translation in *The Selected Poetry of Yehuda Amichai* and the Harshav translation, for "things" from the version by Gutmann because I think "words" carries the implication more effectively in English. In the Harshav version (p. 8), the "twisting channels" are "sinuous channels" (line 4), and the "immune chauffeurs" are "burly chauffeurs" (line 6).

247. Amichai, "Jerusalem, 1967" in Robert Alter, ed. *The Poetry of Yehuda Amichai*, p. 83.

248. The poem is included in *The Selected Poetry of Yehuda Amichai*, trans. Chana Bloch and Stephen Mitchell, pp. 165-66, but not in Alter's *The Poetry of Yehuda Amichai*. I prefer the new translation by Kronfeld and Bloch from Chana Kronfeld's *The Full Severity of Compassion: The Poetry of Yehuda Amichai*, pp. 55-57, which is what I quote from here. *The Full Severity of Compassion* includes Kronfeld's analysis.

249. See Chana Kronfeld, *The Full Severity of Compassion: The Poetry of Yehuda Amichai*, pp. 55-59.

250. See Mahmoud Darwish, *Unfortunately, It Was Paradise: Selected Poems; Victims of a Map: A Bilingual Anthology of Arabic Poetry*, trans Abdullah al-Udhari; and Reuven Snir, "'Other Barbarians Will Come': Intertextuality, Meta-Poetry, and Meta-Myth in Mahmoud Darwish's Poetry," in *Mahmoud Darwish: Exile's Poet*.

251. See Adam Kirsch, "Amichai: the Tolerant Irony of Israel's National Poet."

252. See *Yehuda Amichai: A Life of Poetry 1948-1994*, trans. Benjamin and Barbara Harshav; Amichai, *Poems of Jerusalem and Love Poems*; Amichai, *Amen*, trans. Amichai and Ted Hughes; and Glenda Abramson, *The Writing of Yehuda Amichai: A Thematic Approach*. *Amen* uses the title "Patriotic Songs" for "Songs of Zion the Beautiful."

253. In addition to the several selected poems devoted to Amichai cited here, there are two other translations of note: *Time*, trans. Yehuda Amichai, includes all eighty poems from the original 1978 book, whereas Alter selects thirty-five; Amichai's *A Great Tranquility: Questions and Answers*, trans. Glenda Abramson and Tudor Parfitt, translates all seventy-five poems from the original 1980 book, whereas the Alter collection selects thirty-three.

254. Abdullah al-Udhari's *Modern Poetry of the Arab World* happily provides first dates of publication for all the poems included, among them fourteen early poems by Darwish and six by al-Qasim. Ian Wedde and Fawwaz Tuqan's *Mahmoud Darwish: Selected Poems* includes thirty poems from the 1960s and nine from 1970, with dates

of first book publication supplied. Denys Johnson-Davies' *The Music of Human Flesh: Mahmoud Darwish* translates thirty-five poems from the 1960s and 1970s, none of them dated, though most can be dated from other sources. Rana Kabbani's *Sand and Other Poems: Mahmoud Darweesh* translates twenty-two undated poems from 1985 or earlier. Munir Akash's *Mahmoud Darwish: The Adam of Two Edens* translates one poem from 1989 and twelve from 1990-95, though none of them are dated in the book itself. *Enemy of the Sun: Poetry of Palestinian Resistance*, ed. Aruri and Ghareeb, translates fifteen undated Darwish poems from the 1960s, while *The Palestinian Wedding: A Bilingual Anthology of Contemporary Palestinian Resistance Poetry*, ed. and trans. A.M. Elmessiri, translates ten undated early Darwish poems. Ben Bennai's *Psalms: Poems by Mahmoud Darwish* translates a seventeen-poem sequence from 1977. *I Don't Want This Poem to End: Early and Late Poems by Darwish*, translated by Mohammad Shaheen, includes thirty-three early poems and restores nineteen of them to their place in poem sequences, but does not identify their sources. Salma Khadra Jayyusi's *Modern Arabic Poetry: An Anthology* is very useful for placing Palestinian poetry in a broader Arab poetic context, but its Darwish selection of four poems is not very helpful; two of the poems are here only as excerpts, while only one translation is not available elsewhere.

There is also disagreement among critics about whether *Birds Without Wings* (1960) or *Leaves of the Olive Trees* (1964) should be treated as Darwish's first book, since Darwish himself effectively disavowed *Birds Without Wings* and did not include it in his first collected poems, issued in 1973. That is why some list *Leaves of the Olive Trees* as his first book, a practice that seems unnecessarily misleading. Wedde and Tuqan translate two poems from the 1960 collection to open their selected poems. Are we to count them as mistaken?

One very important warning to students and teachers: do not assume that your library owns the books necessary to study Israeli or Palestinian poetry. Many do not. A number of the books I have cited are out of print, and a few are rare. A good source of used and out-of-print books, AbeBooks, listed only one copy of *The Music of Human Flesh* in January 2017; the price was \$2000.

255. The poems are "A Soldier Dreams of White Tulips" (1967), "As Fate Would Have It" (1977), and "Four Personal Addresses" (1985). The last of these is a prose poem.

256. Nawwab, "The Thrice-Loved Land," in Jayyusi et al, eds., *My Jerusalem*, pp. 267-68.

257. Barakat, "Diaspora, Step By Step," in Jayyusi et al, eds., *My Jerusalem*, pp. 242-44.

258. Marcela Sulak's "Jerusalem" is reprinted with the author's permission from her book *Decency*.

259. Adonis was born Ali Ahmad Sa'id in 1930.

260. Ravikovitch's poetry is quoted from *Hovering at a Low Altitude: The Collected Poetry of Dahlia Ravikovitch*, trans. Chana Bloch and Chana Kronfeld. For a critical introduction to her poetry and a substantial group of translations, also see Yair

Mazor, *Broken Twig: The Poetry of Dalia Ravikovich and Modern Hebrew Poetry*. Groups of very good alternative translations are available in Warren Bargad & Stanley F. Chyet, eds. and trans., *Israeli Poetry: A Contemporary Anthology* and in Tsipi Keller, ed. and trans., *Poets on the Edge: An Anthology of Contemporary Hebrew Poetry*.

261. See Taha Muhammad Ali, *So What: New and Selected Poems, 1971-2005*, trans. Peter Cole, Yahya Hijazi, and Gabriel Levin. Muhammad Ali dated a number of his poems, which enables us to place them in specific historical contexts.

262. Unless otherwise noted, all Shabtai quotations come from his *J'Accuse*, trans. Peter Cole.

263. Aharon Shabtai, "2006," *War & Love / Love & War*, trans. Peter Cole, p. 37.

264. Moshe Dor and Barbara Goldberg, eds. *After the First Rain: Israeli Poems in War and Peace*.

265. The biographical notes section of *With an Iron Pen* says "Dahlia Falah is a pen name, and details of her personal life are a secret closely guarded by her publisher" (151).

266. Neither the book's biographical notes nor various internet sites offer a birth date for Tal Nitzan.

267. Samih al-Qasim, *Sadder Than Water: New & Selected Poems*, trans. Nazih Kassis, p. 65.

268. Rashed Hussein, "Tent #50 (Song of a Refugee)" in Aruri and Ghareeb, eds. *Enemy of the Sun: Poetry of Palestinian Resistance*, p. 11.

269. Tawfiq Zayyad, "Cuba," in Aruri and Ghareeb, eds., *Enemy of the Sun: Poetry of Palestinian Resistance*, p. 123.

270. Fouzi El-Asmar, "The Wandering Reed," in Elmessri, ed. *The Palestinian Wedding*, p. 107.

271. Anton Shammās, "Prisoner of Sleeping and Waking," in Weissbord, ed., *Palestinian and Israeli Poets*, p. 37.

272. Rashed Hussein, "At Zero Hour," in Elmessri, ed. *The Palestinian Wedding*, p. 179.

273. Harun Hashim Rasheed, "We Will Return One Day," in Weissbord, ed. *Palestinian and Israeli Poets*, p. 160.

274. Salem Jubran, "A Refugee," in Assadi, ed. *The Story of a People*, p. 137.

275. Mourid Barghouti, "The Balcony," in Weissbord, ed. *Palestinian and Israeli Poets*, p. 61.

276. Rashid Hussein, "Remainder," in Assadi, ed. *The Story of a People*, p. 116.

277. Salim Makhuli, "Once We Found Ourselves," in Assadi, ed. *The Story of a People*, p. 164.

278. Abd-Al-Karim Al-Sab'awi, "Three Poems to Palestine," in Elmessri, ed. *The Palestinian Wedding*, p. 165.
279. Tawfiq Zayyad, "On the Trunk of an Olive Tree," in Elmessri, ed. *The Palestinian Wedding*, p. 57.
280. Salma Khadra Jayyusi, "Dearest Love II," in Elmessri, ed. *The Palestinian Wedding*, p. 77.
281. Tawfiq Zayyad, "The Skull Harvest," in Aruri and Ghareeb, eds. *Enemy of the Sun: Poetry of Palestinian Resistance*, p. 8.
282. Rashid Hussein, "Jerusalem...And the Hour," in Boullata and Ghossein, eds. *The World of Rashid Hussein*, p. 168.
283. Tawfiq Zayyad, "Taxation," in Aruri and Ghareeb, eds. *Enemy of the Sun: Poetry of Palestinian Resistance*, p. 93.
284. Sulak is on an NEA translation fellowship working on a book-length translation of Hass's poetry. Also see Sulak's *Twenty Girls to Envy Me: Selected Poems of Orit Gidali*.
285. See "Attack by female suicide bomber thwarted at Erez crossing."
286. See Rachel Delia Benaim, "The Mizrahim Are Finding Their Voice," Ayelet Tsabari, "Mizrahi Artists Are Here to Incite a Culture War," and Marcela Sulak's podcast series "Israel in Translation."
287. See *All Faces but Mine: The Poetry of Samih al-Qasim*, trans. Abdulwahid Lu'lu'a. Also see *Enemy of the Sun: Poetry of Palestinian Resistance*; *The Palestinian Wedding: A Bilingual Anthology of Contemporary Palestinian Resistance Poetry*; and *Victims of a Map: A Bilingual Anthology of Arabic Poetry*, all cited earlier.
288. As it happens, there is a recent anthology of Palestinian poetry so apolitical that it leaves the remarkable impression that no Palestinian ever wrote a protest poem or a poem on any other political subject: *A Bird is Not a Stone: An Anthology of Contemporary Palestinian Poetry*, ed. Henry Bell and Sarah Irving.
289. For surveys of Israeli and Palestinian poetry, respectively, through 1990 or the early 1980s, see Stanley Burnshaw, T. Carmi, Susan Glassman, Ariel Hirschfeld, and Ezra Spicehandler, eds. *The Modern Hebrew Poem Itself: A New and Updated Edition*, and Khalid A. Sulaiman, *Palestine and Modern Arab Poetry*. *The Modern Hebrew Poem Itself* offers close readings of 105 poems plus a forty-page summary history. *Palestine and Modern Arab Poetry* includes valuable coverage of Arab treatments of key issues by poets outside Palestine. For an analysis of the changing cultural, political, and rhetorical options available to Palestinian poets from the 1950s through the first forty years of the occupation, see Khaled Furani, *Silencing the Sea: Secular Rhythms in Palestinian Poetry*.
290. Michael Gluzman provides both the Hebrew original and an English translation of "Passover on Caves" in his *The Politics of Canonicity*, pp. 173-180. His fifth chapter offers a detailed analysis of the poem and a history of its reception.

291. Hanna Abu Hanna, “The Desire’s Squint,” in Assadi, ed., *The Story of a People*, p. 22.

292. See *Songs From Bialik: Selected Poems of Hayim Nahman Bialik*, ed. and trans. Atar Hadari, and C.N. Bialik, Selected Poems, ed. and trans. David Aberbach.

293. See Ra’hel, *Flowers of Perhaps*, trans. Robert Friend.

294. References to the travel report are identified internally by page number; references to the 19–page resolution are identified internally with the letter “R.” One can imagine the MLA leadership could have written something like, “given the complexity of the issues involved, the large number of publications referenced, and the fact all materials were submitted to us against an October 1 deadline, we decided to place the resolutions and their supporting documentation online on November 1, 2016.” That of course would have required something other than a rote, programmed response. At the time, several members of MLA’s executive council were public supporters of academic boycotts of Israel. As of December 28, 2016, three executive committee members (Emily Apter, Lenora Hanson, and David Palumbo-Liu) had signed a public petition endorsing the boycott resolution, while one (David Tse–chien Pan) signed the MLA Members for Scholars’ Rights petition opposing the boycott resolution (<https://scholarsrights.wordpress.com>).

295. The BDS resolution implies that Israel controls all of Gaza’s borders (R 2) and cites a report from B’Tselem in support. But B’Tselem makes it clear that Egypt is on Gaza’s southern border and controls it, including the Rafa crossing, a major point of exit from and entry to Gaza. The resolution entirely ignores the fact that Israel’s borders with Gaza on the north and east are borders with a hostile entity equipped with offensive weapons and committed to Israel’s destruction. It treats as uncontested a claim that Gaza remains an occupied territory, even though Israel withdrew its forces in 2005. Since Israel’s safety and survival requires it to police Gaza’s Mediterranean Sea border to the west—lest Hamas import still more dangerous offensive weapons—Israel does share responsibility to help meet the Gaza population’s humanitarian needs. That task is complicated by Hamas’s continuing practice of diverting aid to such military ends as building underground attack tunnels.

296. The only mention of terrorism in the narrative accompanying the resolution occurs when its authors decry examples of people “accusing professors and students of terrorist sympathies and ‘Jew hatred.’” (R 17).

297. If readers feel this critique is unwarranted, they may consider an example from the 2014 BDS debate in the MLA. When the program for the 2014 MLA annual meeting appeared online, a number of members were surprised to see several pro-BDS sessions scheduled. We hadn’t anticipated that, so several of us wrote the executive director to ask if one session opposed to academic boycotts could be added to the program in the interest of intellectual and professional integrity—even though the program submission deadline had passed. We were told rules were rules and turned us down, so we arranged to rent a room for a session in a nearby hotel. By distributing fliers throughout the convention site, we built a large audience for the

session. Months later we ran into the same problem at the American Anthropological Association. There the executive director recognized that it was in the AAA's best interest to give members at least some access to competing arguments and added an official session for us even though the deadline had passed and the program was already online. Bureaucrats often feel they are protected by inflexibility, but broader interests may take precedence in such politically contested arenas.

298. When the MLA approved votes opposing the Vietnam and Iraq wars, two critical conditions were met: first, they represented a broad consensus within the organization in opposition to the wars themselves, not just the votes of an agitated, obsessed minority; second, the massive government spending on both wars directed government funds away from social programs, including education. Higher education and the MLA thus had an economic stake in the issue. Foreign aid to Israel does not threaten federal spending on higher education.

299. Passage of the resolution by the organization as a whole would have given the MLA a narrowly political rather than scholarly identity. Might that have compromised the organization's eligibility to receive funding from either the National Endowment for the Humanities or nongovernmental tax-exempt educational foundations? What would it say to the world about the state of the humanities if the membership endorsed a resolution grounded in unrelieved bias?

300. See <https://mlaboycott.wordpress.com/the-open-letter/>.

301. One should remember that Ben Gurion airport (known as Lod until being renamed in 1972) has been the site of terrorist attacks. Israeli security has prevented hijackings, but terrorists on incoming flights have twice carried out major assaults. The worst of these occurred in May 1972, when three members of the Japanese Red Army sprayed machine gun fire into the passenger arrival area, killing 24 and injuring 80.

302. The phrase I quote from the report could have begun one word earlier, in which case my sentence would have read as follows: "Thus they tell us falsely, as though it is an undisputed fact, that 'Palestinians must delay entering the universities until they are 21.'" They use the term "Palestinians" here, whereas I use "Arab Israelis." There is a debate in Israel about which term should be used to describe Arab citizens in Israel, and the authors of the report honor the political preference for calling them Palestinians. But that produces misleading results in their report: first, it serves their purpose in blurring the geographical and political distinction between Israel and the West Bank; second, it allows them to imply that Arab citizens in Israel face the same difficulties as Palestinians on the West Bank; and third, it creates pointless confusion in their argument. In this case, they obviously do not want to suggest that Palestinian universities bar admission until age 21. I opt for the two different terms for the sake of clarity, although Israeli Arabs differ in how they identify themselves.

303. A news story describing Technion University's successful recruitment and retention program—that raised the percentage of Arab students from 7 percent in 2004 to 20 percent in 2016—mentions that "Arab students are usually 3–4 years younger than their Jewish peers because they likely didn't serve in the military."

See Dov Lieber, “At Israel’s MIT, education, not affirmative action, triples Arab enrolment.”

304. An exception applies to students in the academic reserve track. As Stuart A. Cohen reports in *Israel and Its Army: From Cohesion to Confusion*, “As early as 1950, the IDF initiated the *atudah akadema’it* (‘academic reserve’), a special service track for a small number of academically gifted recruits who have already gained university places on the basis of their matriculation grades. Modeled on the ROTC programs developed in the United States, the *atudah akadema’it* allows successful applicants, generally no more than a few hundred each year, to combine their mandatory conscript service with studies toward an undergraduate degree, principally by completing much of their training during university vacations. In return for this benefit, and for having the IDF pay their university fees, participants in the program contract to ‘sign on’ for three additional years of duty as IDF professionals after graduation.”

305. It is worth asking how these six MLA members might have gotten this kindergarten claim wrong, whether from a misinformed or malicious source or through the application of their own bias. One may only guess, but here is one possibility: the state had been arranging transportation to kindergarten only for children age five and above, Jewish or Arab. Parents were responsible for transportation for younger children. State services more recently decided to make special provision for unrecognized Bedouin communities in the south and provided small vehicles with booster seats to transport children ages three–four. For relevant national education policies see the education report by the Ministry of Aliyah and Immigrant Absorption. The transportation problem had been highlighted in a January 2015 report from Adalah: The Legal Center for Arab Minority Rights in Israel. This is a good example of how policy can be reformed by open debate in a free society, even without biased or misleading MLA advocacy.

306. For historical background, see “The State of Public Preschool Education in Israel,” a 2012 report from the Taub Center for Social Policy Studies in Israel.

307. While it does not affect citizenship, religious affiliation does shape some social options in Israel. If you are recognized as Jewish, Muslim, or Christian, it means that matters pertaining to marriage, divorce, burial, and the like are under the jurisdiction of the relevant religious authorities. These rules can be very restrictive. As a result, increasingly more Israelis (mainly nonreligious Jews) are choosing not to go through religious establishments in these matters—having secular or non-orthodox marriage ceremonies, and arranging divorce settlements by legal rather than religious bodies. This is perfectly legal, but not recognized by the religious authorities.

308. On the issue of tests, see the National Institute for Testing & Evaluation statement “Test Languages.”

309. It is possible that some additional errors can be ascribed to poor copyediting and fact checking, like the complaint about “the establishment of Israeli universities in Occupied Territories of the West Bank” (12). A university in Israel is an institution

that can grant doctoral degrees. There is only one such Israeli institution on the West Bank, the highly controversial Ariel University. Although the Israeli government supported upgrading Ariel from a college to a university, a change approved in 2012, the Council of Presidents of Israeli Universities condemned the move, and Ariel's chief administrator is still not a member of the president's group. Should the universities west of the Green Line be boycotted for something they condemn?

310. Among the many issues undeserving of complaint status is the observation that at military recruitment fairs hosted on campus, "Palestinian students and faculty will walk by crowds of colleagues or fellow students actively seeking to participate in the occupation—and sometimes in the destruction of the Palestinians' hometowns" (13). Setting aside the issue that proving the last claim might require mind reading, this is hardly a reason to boycott Israeli universities unless one sets out to boycott American universities that have ROTC programs or hold recruitment fairs as well. Of course efforts to boycott ROTC programs proliferated in the 1960s, a political project that disappeared with the establishment of a volunteer military.

311. I question the wisdom of IDF campus incursions on the West Bank in Chapter Ten on "Academic Freedom in Palestinian Universities."

312. See https://youtu.be/KL_uvaKFRdk. The 2018 Naka Day event at Tel Aviv University included a counter-demonstration from the right-wing organization Im Tirtzu; they can be seen holding Israeli flags.

313. The historical errors begin with the common fiction that the BDS movement began with a 2005 "call" from Palestinian society. In 2016 prominent BDS activist Ilan Pappé finally admitted this it isn't true. As David Hirsh writes, "British anti-Israel activists started the boycott campaign and they persuaded people in Palestine to issue the 'call'. . . . The pretense is politically important because it positions Palestinians as being the initiators of the 'call' and people outside the region as passive responders to the voice of 'the oppressed.'" As people outside the BDS movement have pointed out for years, the boycott movement began in Britain in 2002. See David Hirsh, "Ilan Pappé admits that BDS was not initiated by a 'call' from Palestinian Civil Society."

314. See, for example, my "The new assault on Israeli academia (and us)." The issue is addressed repeatedly in Cary Nelson and Gabriel Noah Brahm, eds. *The Case Against Academic Boycotts of Israel*.

315. Recognizing both that young soldiers can make judgment errors and that the application of official policy needs public surveillance, the Israeli organization Machsom Watch, or Checkpoint Watch, formed by a group of Israeli women, monitors and documents the conduct of soldiers and policemen at checkpoints in the West Bank.

316. Checkpoints, more broadly, are a persistent presence in Israel proper as well, though with different connotations. You encounter them in parking lots, shopping malls, train and bus stations, and other public spaces. During the Second Intifada they were placed at the entrance to coffee shops.

317. Although BDS repeatedly argues that Hewlett-Packard should be condemned and boycotted as a company that “profits from the occupation,” many BDS websites actually acknowledge that biometric scanning was in the Wye agreement. See, for example, <http://investigate.afsc.org/company/Hewlett-Packard-company>.

318. See two June 2016 reports: *Security First: Changing the Rules of the Game* issued by Commanders for Israel’s Security, and *A Security System for the Two-State Solution* from Washington, D.C.’s Center for a New American Security. The detailed recommendations occur in the second report, but the reports were coordinated and designed to complement one another.

319. For a concise summary of the military concept of proportionality, along with suggestions for further reading on the subject, see Cary Nelson, *Dreams Deferred: A Concise Guide to the Israeli-Palestinian Conflict and the Movement to Boycott Israel*, pp. 271–276.

320. The 19–page resolution includes specific examples of university military research that need to be backed up with further research. Thus, for example, they report that Tel Aviv University “housed the Operational Theory Research Institute, headed by Brigadier Generals Shimon Naveh and Dov Tamari, which pioneered the IDF’s urban warfare strategy that led to the massive destruction of civilian housing and essential infrastructure in Jenin and Nablus in 2002” (R 12). The institute no longer exists, but it is not clear that it was ever part of TAU. Even the citation they give for this (<http://besacenter.org/wp-content/uploads/2010/07/MSPS85En.pdf>) says that the institute was at the National Security College in Glilot (p.11). Here is an interview with Naveh talking about his theory and the institute (OTRI): <http://www.haaretz.com/israel-news/dr-naveh-or-how-i-learned-to-stop-worrying-and-walk-through-walls-1.231912> .

321. Admittedly this amounts to an inside joke, though not an entirely cheerful one. I write as the author or editor of several books about the 1936–1939 Spanish Civil war. As many progressive faculty members know, some 3,000 Americans volunteered to fight in defense of the democratically elected Spanish government. That war is generally regarded as the first phase of the international struggle against fascism, a struggle the US finally joined during World War II. During the McCarthy period of the 1950s, those US volunteers were persecuted as “premature” anti-fascists.

322. We have yet seriously to ask ourselves why deaths in Gaza matter to the international left and deaths in Syria and Yemen do not. The left has certainly not been comparably galvanized into action over Syria or Yemen. It is highly unlikely that contradictory attitudes toward race, religion, ethnicity, and nationality play no role in this unacknowledged value system. It’s a question we are willing to ask in other contexts: whose lives do we value and why?

323. Butler, “Exercising Rights,” p.300.

324. For discussion of the campus environment for debates over the Israeli-Palestinian conflict, see the fourth chapter in my *No University Is an Island: Saving Academic Freedom*. The environment has become more hostile since then. Also see Cary Nelson and Gabriel Noah Brahm, eds., *The Case Against Academic Boycotts of Israel*.

325. See, for example, Scott Jaschik, “A Moderate MLA.”

326. For a concise survey of the forms of both World War II collaboration and independent genocidal efforts, see István Deák, *Europe on Trial: The Story of Collaboration, Resistance, and Retribution during World War II*.

327. For a history of the bi-national concept, see Rachel Fish, “The Bi-nationalist Fantasy Within Academia” in Cary Nelson and Gabriel Noah Brahm, eds., *The Case Against Academic Boycotts of Israel*, pp. 365–374. A recent polemic in support of a one-state solution—by an Israeli journalist—is Caroline B. Glick’s *The Israeli Solution*. For a critique of the one state solution see Benny Morris, *One State, Two States: Resolving the Israel/Palestine Conflict*. For earlier efforts to float unilateral withdrawal, see Shlomo Cesana, Yoav Limor, and Associated Press, “Barak Floats Unilateral Withdrawal from Judea and Samaria”; See also “Reassessment of Israeli-Palestinian Political Process: Build a Palestinian State in the West Bank,” Reut Institute; “Israel Should Withdraw Unilaterally: Asher Susser interviewed by Toby Greene.” As Toby Greene points out in a later piece, support for consideration of a graduated unilateral withdrawal from the West Bank has grown as advocacy for a one-state solution escalates. He argues persuasively that the diplomatic benefit from commitment to a graduated unilateral withdrawal depends in part on how the process is communicated internationally. See his “Can Disengagement Secure Legitimacy? The European Angle.”

328. See Naftali Bennett, “For Israel, Two-State Is No Solution” Also see his “A New Plan for Peace in Palestine,” *The Wall Street Journal* (May 20, 2014). For a dramatic presentation of Bennett’s plan, accompanied with vivid maps, see his “The Israeli Security Initiative: A Practical Program for Managing the Israeli-Palestinian Conflict.” In his proposal there is no Palestinian state, merely disconnected fragments under overall Israeli military control. Palestinians would gain economic investment and greater physical mobility but have no real capacity for political self-determination. Moreover, there would be no right for Palestinian refugees to return, not even to the West Bank.

Bennett’s plan, unsurprisingly, is not the only West Bank proposal to come from the Israeli right. Avigdor Lieberman, the leader of the Israeli political party Yisrael Beiteinu, first proposed his “Populated Area Exchange Plan” in 2004. Aimed at ensuring ethnic homogeneity for both Israel and a Palestinian state, it takes the extraordinary step of transferring not only a significant portion of Israel’s Galilee region to a Palestinian state but also the Israeli Arab citizens living there. This would constitute a blatant violation of both Israeli and international law. Lieberman would, however, abandon Jewish settlements deep inside the West Bank. See Timothy Waters, “The Blessing of Departure: Acceptable and Unacceptable State Support for Demographic Transformation: The Lieberman Plan to Exchange Populated Territories in Cisjordan.”

329. See Yehuda Ben Meir and Olena Bagno-Moldavsky, *The Voice of the People: Israeli Public Opinion on National Security 2012*. There remains hope that Israelis will choose demography over geography when they confront the one state/two states choice.

330. The survey was conducted by The Washington Institute. An online summary is available at <http://www.washingtoninstitute.org/policy-analysis/view/new-palestinian-poll-shows-hardline-views-but-some-pragmatism-too>. It showed that 55% in the West Bank and 68% in Gaza believe the goal should be to reclaim “all of historic Palestine, from the river to the sea,” but a majority preferred popular resistance to violence. A slide show of selected data is available online at http://www.washingtoninstitute.org/uploads/Documents/other/PalestinianPollingReport_June2014.pdf.

331. Isabel Kershner, “Academic Study Weakens Israeli Claim The Palestinian School Texts Teach Hate.”

332. See Raphael Cohen and Gabriel Scheinmann, “The Grim Lessons of ‘Protective Edge’” and Yaakov Lappin, Yonah Jeremy Bob, and Tovah Lazaroff, “Ya’alon: We can apply lessons from Protective Edge to other arenas.” For an ambitious analysis of the issues, see Anat Kurz and Shlomo, eds., *The Lessons of Operation Protective Edge*.

333. At the 2015 annual J-Street conference, Peter Beinart suggested that concerned activists from other countries might join nonviolent West Bank protests. That is worth serious consideration, but it is important to note that assuring nonviolence would require advance notification and cooperation with both the IDF and the PA. Even in the US, police can be antagonistic when confronted with civil disobedience that is not coordinated with them in advance. The challenges in the West Bank are still greater, since radical elements among both peoples would need to be controlled to assure nonviolence.

334. For a description of a West Bank demonstration that included Israeli and international participants, see Michael Omar-Man, “Hundreds protest forced transfer, destruction of Palestinian village Susya.”

335. Steven Salaita, *Israel's Dead Soul*, p. 10.

336. In *The Palestinian Hamas: Vision, Violence, and Coexistence*, Shaul Mishal and Avraham Sela argue that “Although it is doubtful that Hamas will revise its ultimate goal and its public attitude toward Israel, it may find that it can accept a workable formula of coexistence with Israel in place of armed struggle” (ix). They remind us of the community services Hamas provides and describe it as a complex, divided organization. Their view does not really survive the experience of July 2014 or the spring and summer of 2018, during which Hamas treated its own civilians as expendable. If Hamas wanted to give Gazans a taste of peace, it could declare and honor a demilitarized zone along the Mediterranean and encourage economic development there.

337. See Richard Landes, “Fatal Attraction: The Shared Antichrist of the Global Progressive Left and Jihad.” Also see Jacob Lassner and Ilan Troen, *Jews and Muslims in the Arab World: Haunted by Pasts Real and Imagined*.

338. Campus debates are often dispiriting because the politicization of humanities and soft social science disciplines has reached the point where entire areas of necessary rational reflection have become no-man zones, topics that many will

simply not engage. See Sabah A. Salih, “Islam, BDS, and the West” for an account of the politicization of the humanities. Also see Heather Rogers, “Holding Our Tongues: Why aren’t more non-Muslim feminists decrying violence against women in Muslim-majority countries?”

339. See Todd Gitlin, “BDS and the Politics of ‘Radical’ Gestures.”

340. Although some on the Israeli right reject the concept of land swaps entirely—and others envision a ratio more favorable to Israel than 1:1—there seems little prospect of getting the Palestinians to agree to the fundamental concessions necessary to a final status agreement if the land swap ratio appears to be demeaning. The infrastructure Israel would be giving to the Palestinians is definitely a bargaining chip, but I do not see the Palestinians trading land for it. At least one dramatic piece of potential infrastructure—a mixed sunken road and underground tunnel linking Gaza and the West Bank (it is just over 22 miles from Targumiya to northern Gaza)—could have substantial weight in negotiations. The S. Daniel Abraham Center for Middle East Peace has a very clear oral presentation of the land swap issues at <http://centerpeace.org/learn/borders/>. It is part of a four-part video series (Borders—Security—Refugees—Jerusalem) that is also available at <http://www.theatlantic.com/special-report/is-peace-possible/>. The *Atlantic* also makes printable transcripts of the four presentations available on its site, though without the very helpful charts and graphics that are part of the videos. Also see David Makovsky, “Imagining the Border: Options for Resolving the Israeli-Palestinian Territorial Issue.” The Israeli architectural firm SAYA has a very detailed plan for managing Jerusalem after a final status agreement. “The Border Regime for Jerusalem in Peace: An Israeli-Palestinian Proposal” is focused in part on maximizing tourist income for both parties. For a critique of current Israeli settlement policy and its impact on the final status of Jerusalem, see Daniel Seidman, “Spatial Shaping: Unilaterally Determining Israel’s Base-Line Border” and “‘Spatial Shaping,’ the Ross Agenda and Proposals for a Partial Settlement Freeze.” For an earlier debate about land swaps between Israelis and Palestinians, see “Land swaps and the two-state solution” on the bitterlemons website.

341. These figures are taken from the interactive map maintained by The Washington Institute for Near East Policy. Their website is <https://www.washingtoninstitute.org>.

342. As Shaul Arieli has written in “What we have learned from the barrier”: “We have learned that Israel is in need of a physical barrier between it and the Palestinian territories in any scenario, whether confrontation or negotiated agreement. This need springs from the ongoing threat of terror, of varying levels of intensity, on both sides. . . . A barrier on an agreed border line should be in the Israeli interest, since Israel would then be able to ensure that the border between it and Palestine is relatively porous, enabling the passage of goods, tourists, workers and vehicles. Building the barrier with security needs in mind will make it easier for Israel, when it signs an agreement, to prevent opponents on both sides from interfering with the implementation of a deal through violent acts, mass marches and so forth.” At the same time, as Arieli points out, “We have learned that all the Israeli governments since Sharon’s have been inclined to revise the barrier’s route on the basis of political

considerations that take the needs of settlements into account, considerations that are alien to real security needs.”

343. For the full recommendation, see Ilan Goldenberg et al, “Advancing the Dialogue: A Security System for the Two-State Solution,” p. 17.

344. Among prospective, as opposed to existing, settlements, none seems more controversial than the proposed plan to build in the E-1 area or corridor between Jerusalem and the large settlement of Ma’ale Adumim to its east. If construction does not continue farther to the east beyond Ma’ale Adumim, then E-1 development would not divide the West Bank in two and block establishment of a contiguous Palestinian state. A Palestinian state could still control the twelve miles between Ma’ale Adumim and the Jordan River. Concerned about Palestinian construction in the E-1 area reflecting the potential for Ma’ale Adumim to become a permanently isolated enclave, and wanting as well to secure sufficient strategic depth on the eastern border of its capital, the Israelis have repeatedly announced plans to build in the E-1 area; international opposition has led them to desist. Both Palestinians and Israelis are interested in creating immutable facts on the ground by building in the area. The Palestinians are concerned about access to their own future East Jerusalem capital, which E-1 construction could make more time consuming, and see all construction in the Jerusalem area as a threat. Ideally, neither party would build in E-1 for now, instead waiting for negotiations to settle its status. A Google search on “e-1 west bank” will turn up a variety of position papers and historical accounts. See, for example, Nadav Shragai, “Understanding Israeli Interests in the E1 Area: Contiguity, Security, and Jerusalem.” Ramallah-based Palestine Monitor (<http://palestinemonitor.org/details.php?id=o3vocpa267yoe3465r87>) regularly reports on E-1 and other issues confronting Palestinians. For a concise summary of the Palestinian perspective, see Atif Shamim Syed, “Israel’s E1 Plan and Its Implications.”

345. See *Breaking the Silence: Soldiers’ Testimonies From Hebron, 2005-2007* for accounts of IDF service in Hebron. In December 2014 I spent a day in Hebron with Avner Gvanyahu, an IDF veteran who now heads *Breaking the Silence*.

346. Amos Goldberg, “Hebron like you’ve never imagined it.” At the time, Goldberg suggested that a bi-national form of sovereignty might solve the Hebron problem, but the extreme isolation of the Hebron Jewish communities makes them too vulnerable for bi-nationalism to succeed there. And bi-nationalism is an unrealistic option for Israel and Palestine as a whole.

347. See Yossi Klein Halevi, *Like Dreamers: The Story of the Israeli Paratroopers Who Reunited Jerusalem and Divided a Nation* for a portrait of the settlers who returned to Hebron after the 1967 war. There are several full-length documentaries and numerous brief video segments about Hebron on YouTube.

348. There are many articles about the status of Shuhada Street. See, for example, David Shulman, “Hope in Hebron”: “Those who still live on Shuhada Street can’t enter their own homes from the street. Some use the rooftops to go in and out, climbing from one roof to another before issuing into adjacent homes or alleys. Some have cut gaping holes in the walls connecting their homes to other (often deserted)

houses and thus pass through these buildings until they can exit into a lane outside or up a flight of stairs to a passageway on top of the old casba market.” The eighth annual “Open Shuhada Street” demonstration took place in Hebron and elsewhere in February 2017. There are over twenty “Open Shuhada Street” demonstration videos on YouTube.

349. The experience of relying completely on the PA to protect a religious site does not inspire confidence. Consider the wholesale trashing of the Tomb of Joseph in Nablus.

350. For a useful map that shows the settlements in Hebron, see *Humanitarian Atlas*, issued in 2011 by the United Nations Office for the Coordination of Humanitarian Affairs. It includes detailed maps for a number of West Bank areas. Shaul Arieli maintains a very useful series of maps on his website: <http://www.shaularieli.com/?lat=en>. There, for example, one can see maps detailing the Israeli and Palestinian proposals that grew out of the 2007 Annapolis Conference attended by Palestinian President Mahmoud Abbas, Israeli Prime Minister Ehud Olmert, and U.S. President George W. Bush.

351. Asher Susser, “The Two-State Solution: Getting From Here to There.” For a concise summary of the principle of “coordinated unilateralism,” along with accounts from key Israelis who support it, see Alan Johnson, “Idealism Without Illusion: Should ‘Coordinated Unilateralism’ Replace the Peace Process?” Also see “Head to Head: Moshe Arens and Ami Ayalon discuss coordinated unilateralism.” An ambitious study discussed later in this chapter—*The Costs of the Israeli-Palestinian Conflict* by the Rand Corporation—estimates that Israel will not derive significant economic benefit from either coordinated or uncoordinated withdrawal from the West Bank. At the same time, Rand sees substantial economic benefit to both Israelis and Palestinians from a fully realized two-state solution. Of course coordinated unilateralism is not ideally intended as an end in itself but rather a route to a two-state solution, in which case economic benefits would be achievable. Notably, however, the Rand report does not envision Israel’s overall security expenditures declining under any scenario. It also adds that the economic costs of a major violent uprising would be considerable. Finally, readers will want to consult the concise 2012 white paper on coordinated unilateralism, “A New Paradigm for the Israeli-Palestinian Political Process,” on the web site of Blue White Future, a group founded by Ami Ayalon.

352. The Palestinian Central Bureau of Statistics website estimates the 2016 population of the Jenin Governorate’s towns, rural areas, and refugees camps at 318,958 (http://www.pcbs.gov.ps/Portals/_Rainbow/Documents/jenn.htm) and the 2016 Nablus Governorate’s at 389,328 (http://pcbs.gov.ps/Portals/_Rainbow/Documents/nabls.htm).

A considerable number of maps of the West Bank are available online, though many are too small for those unfamiliar with the area to use effectively. I recommend the map available on the Peace Now website: http://static.bicom.org.uk/wp-content/uploads/2012/07/120712_susser_upoad-II.pdf. Note that several Jewish settlements in the north central West Bank—Kadim, Ganim, Sa-nur, and

Homesh—were abandoned and the settlers evicted as part of the August 2005 withdrawal that included Gaza. The settler movement, however, has not given up interest in returning. See, for example, Tovah Lazaroff, “Settler leaders vow to rebuild West Bank settlement of Homesh.” Once a prototype Palestinian state is established, it should be impossible for settlers to return. For a remarkable set of maps that begins with ancient near east empires and proceeds to the contemporary world see Max Fisher, “40 maps that explain the Middle East”: <https://www.vox.com/a/maps-explain-the-middle-east>. The maps may appear to be too small, but they can be expanded to full screen size. My preference, however, is for very large-scale hard-copy maps. B’Tselem publishes one for the West Bank, and Gisha publishes one for Gaza. The United Nations office in Israel also has hard-copy maps available. Maps three-feet high or larger are preferable. Plastic, three-dimensional maps of Israel five-feet in height are also available and helpful. Those maps give graphic testimony to the significance of the mountainous spine running through the West Bank.

353. See Herb Keinon, “Yadlin: Israel should consider ‘coordinated unilateral’ action if peace talks fail” for a preliminary version of Yadlin’s plan. He presented it in a full lecture at a June 29, 2014, symposium—“In the Absence of Progress toward a Final Status Agreement: Options for Israel”—sponsored by The Institute for National Security Studies in Tel Aviv. A simultaneous English translation of Yadlin’s presentation and numerous responses are available online in video format at <https://www.youtube.com/playlist?list=PLCapdZwzDpNnYultApPpGDjy-OGwGGOFT>. Yadlin’s presentation is the third one on the list, titled “An alternative option for Israel, ‘Plan B.’” As of mid-2018, it had received only 426 views, some of which are no doubt repeat visits to the site. That is not a hopeful indication of international interest in these matters.

354. There are a number of notable innovations in “Advancing the Dialogue,” including the most detailed proposal I have seen handling Palestinian airspace and providing for a West Bank airport (37-40).

355. Running north to south, the outposts (with Peace Now’s population estimates based on counting housing units in aerial photos as of 2011) include Skall’s Farm (35), Bracha A (40), Sneh Ya’akov (100), Shalhevet Farm (120), Lehavat Yitzhar (40), Hill 725 (40), Mizpe Yitzhar (40), Hill 851 (100), Hill 782 (120), Hill 836 (20), Hill 777 (70), Gva’ot Olam (30), Tapuah West (50), Rechelim (240), Hotel Nehemia (100), Pagel Mayim (180), Nof Harim (160), Hayovel (150), Givat Harel (180), Shvut Rachel (400), Es Kodesh (80), Ahiya (130), Haroch (80), Kida (200), Adel Ad (150), Ofra North East (60), Amona (200), Jabel Artis (100), Beit El East (50), Givat Assaf (80), and Mizpe ha’al (90). There are a few additional outposts for which I do not have population figures. Rechelim was officially recognized as a settlement by the state in 2012; Peace Now gives its 2016 population as 668. The population estimates for outposts are notoriously unreliable and have apparently not been updated, but the 2011 figures at least give a sense of the size range. Peace Now does an annual report tracking construction in settlements and outposts which relies on satellite imagery for some data collection: http://peacenow.org.il/wp-content/uploads/2018/03/Annual-Report-2017_Final.pdf.

356. A second phase withdrawal could extend from Nablus to Ramallah. That would require evacuation of numerous settlements and outposts. Negotiations over Ariel's status—including the entire area, not just the university—might be postponed, leaving it contained within a finger of Israeli territory extending from the west. From Bethlehem through Hebron to the far south is yet another target for withdrawal.

357. See “The New Paradigm 2012,” available online at <http://bluewhitefuture.org/the-new-paradigm-2012/>.

358. It is of course possible that the Palestinians might refuse to cooperate. Susser thinks otherwise: “it will be very difficult for Palestinians to resist an Israeli withdrawal. If Israelis decide to withdraw from 60 to 70 per cent of the West Bank, are the Palestinians going to ask the Israelis to remain? Probably not. It's true that the Palestinians, in principle, have resisted a negotiation on an interim settlement. But I am not talking about a negotiation” (p. 4).

359. When I visited Rawabi in July 2014 as a member of a faculty study tour organized by Brandeis University's Shusterman Center for Israel Studies, the project's administrator, Palestinian businessman Bashar al-Masri, was asked what level of cooperation and assistance he'd had from either Israel or the Palestinian Authority. His answer: “Zero from the Israelis, zero from the Palestinian Authority.” He emphasized the need for water rights from the Israelis and complained that the PA collected taxes and returned nothing. See Avi Issacharoff, “Waterless, the first planned Palestinian city sits empty” for an analysis of the political maneuvering that stalled Rawabi's opening to occupancy. When I visited again in 2016, the water lines were attached, some apartments were occupied, and construction was considerably advanced.

360. The 2017 figures are taken from the interactive map maintained by The Washington Institute for Near East Policy. Their web site is <https://www.washingtoninstitute.org>. The Israel Central Bureau of Statistics collects and publishes population data for settlements recognized by the Israeli authorities. See “Population statistics for Israeli settlements in the West Bank” for 2016 figures. Note that the transliterated spellings of settlement names vary.

361. The full survey can be found online at <http://bluewhitefuture.org/wp-content/uploads/2014/03/Survey-booklet-voluntary-evacuation-final.pdf>. A summary of the findings is available at <http://bluewhitefuture.org/wp-content/uploads/2014/03/PressRelease-voluntary-evacuation-final.pdf>.

362. See Dore Gold, “Kerry and the struggle over the Jordan Valley.” Also see Shaul Arieli, “A security plan for the Jordan Valley.”

363. For a convenient online map of the revised version of the Allon Plan see http://en.wikipedia.org/wiki/Allon_Plan.

364. Toameh, Magally, and Espanioly all talked to faculty members on a study tour organized by Brandeis University's Shusterman Center for Israel Studies in July 2014. I also talked privately with Toameh.

365. See Itamar Radai, Meir Elran, Yousef Makladeh, and Maya Kornberg, “The Arab Citizens in Israel: Current Trends According to Recent Opinion Polls.”

366. For accounts of IDF soldiers’ experiences that are unfortunately unsigned, see *Our Harsh Logic: Israeli Soldiers’ Testimonies From The Occupied Territories 2000-2010*.

367. For an online copy of the 1988 Hamas Charter, see <http://www.thejerusalemfund.org/www.thejerusalemfund.org/carryover/documents/charter.html?chocaid=397>. A revised charter was issued by Hamas leader Khaled Mashal on May 1, 2017. The status of the new charter remains in dispute, but it continues to reject recognition of the “Zionist enemy” and advocates for the eventual “liberation of all of Palestine.”

368. Ami Ayalon, Orni Petruschka, and Gilead Sher, “Act Independently.”

369. Maira’s book is part of a series, *American Studies Now*, founded and edited for the University of California Press by two former presidents of the American Studies Association, Curtis Marez and Lisa Duggan, both themselves leaders of the ASA campaign to boycott Israeli universities and both defendants in the suit filed against the ASA leadership. It is not likely the UC Press could have found a more political biased pair of editors.

370. Among other acts noted in the Complaint is the fact that the American Studies Association’s bylaws were amended to allow the association to withdraw large amounts from the Trust Fund. That enabled individual defendants to withdraw funds to pay for expenses incurred as a result of the Boycott Resolution (58).

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