

## ***Law and Memory: Walking, Sumud, and Other Ways of Resisting The Occupation of Palestine***

*Interview with Raja Shehadeh by Meltem Ahıska and Saygun Gökarıksel, January 19, 2019*

**Meltem Ahıska:** Let us start with the general context. How would you describe the occupation in Palestine, particularly in relation to the rule of law?

**Raja Shehadeh:** The occupation of Palestine was far beyond an occupation. The peculiarity of the situation is that Israel has a foundation myth, which is not so unusual for many nations, but in the case of Israel, the foundation myth is that they came to a land that belonged to them, that they had lived in, and then left for two thousand years or so, and they are now back. All other people who had lived there before the Israelis' return were considered temporary and they had no real rights. Israel's official policy is based on the denial that there were people in the land whom they forced out. After the forced expulsion in 1948 the Israeli legislators employed the law to claim rights over the property of the expelled Palestinians.

We must distinguish between 1948 and 1967. In 1948, they used the law to say that all the lands Palestinians left would be called *absentee property*. The absentee property is going to be administered by the Israelis until there is a resolution of the conflict. Then, they realized that they had to make another change, so they made another law, which they called the Development Law, which allowed the Israeli custodian to 'develop' these lands, supposedly held in trust, on behalf of the absentees. This mechanism enabled them to use these properties as their own. Israel became a country, where 96% of the land was owned by the state. This 'public land' could only be leased to Israeli Jews. Thus, the state acquired a lot of power in administering the land.. Most of the agricultural land which had belonged to Palestinian farmers was given over to the Israeli Jewish farmers to farm. As a result, the farmers became a very strong lobby. This makes a crucial difference with respect to the question of the allocation of water, as the farmers used their lobbying power to keep the fees they pay for water at a minimum. The farmers, for example, plant water-thirsty plants such as citrus, which means that whenever Israel exports an orange or a grapefruit it is exporting water. This doesn't make sense in a land that is deprived of water, but they cannot make a change, because the lobby is too strong. One can say much more about this as far as the 1948 areas are concerned, but it was always the case that Israel was careful in the use of law and made a consistent development. They were not arbitrary. They always built one law over the other, and if they wanted to arrive at a certain result, they made sure that it was expressed in law. This was a big gain for Israel, because it meant that corruption was less. There was a consistent

narrative, let's say. Although the use of the word *narrative* here is very loose. But there was a narrative that they could always refer to and explain how they went from one stage to the next, and how they were being careful about the law and the rights of others. Needless to say that these laws that they enacted were not necessarily consistent with international law.

So, that was for 1948. In 1967, the situation was entirely different, because the Palestinians stayed. There were some who left, and some who were forced out, but the majority stayed. In the West Bank alone there were some 370 inhabited villages. Each village had land around it and many of them were agricultural. In our limited imagination, we thought that Israel would not be able to get away with taking over the land as they did in 1948, because we're here. We thought: how could they possibly get away with taking the land and allocating it only for the Jewish settlements? But that is exactly what they did, and the process by which they did it is quite amazing. It involves many changes that occurred in the law – it's always in the law. The reason why we at Al-Haq, the human rights organization, could follow the situation and write about it and explain it was because Israel didn't do things surreptitiously. They always expressed the change in military orders.

There are now over 1770 military orders and each military order tells exactly what they wanted to do. The Palestinians outside, the PLO always considered that this is a temporary thing. They thought: when we come back, when we liberate the land, we will do away with these military orders. That is why when we were searching and scrutinizing those orders as a human rights organization in the occupied places, they thought our work was not really very important, they didn't take it seriously. But let me just tell you that I wrote a small book called *The West Bank and the Rule of Law* in 1980 in which I described at some length the military orders that affected property, the right of movement, education, and so many aspects of life under occupation. It was a simple thing. I said that the military orders were very difficult to get, because Israel was printing them and giving them over, but not compiling them. If you were a newcomer to the profession and wanted to get these laws, you couldn't. They would issue a military order on a sheet, two sheets and put them in the lawyer's chamber. Some of the lawyers would take them, some would use them as draft paper. If you didn't get the chance to get a compilation, you couldn't buy it anywhere. So, we said many of these laws are, in effect, secret, because they are not available.

I came back from my education in law in 1979, and my father wanted me to do something. He said, "We have all these military orders piled up in single sheets somewhere in the office. Why don't you put them together and organize them according to subject?" This experience opened my eyes. I realized that Israel was busy amending local laws – all aspects of the law. For example, there were many orders on parks and public places. "Why are they interested in green areas?" I thought. There

were orders on every aspect of life in the West Bank. Not all of them were being implemented, but they were there, evidently for future use. You couldn't escape if you went on trial for violating one order. They would just say, "You violated this order." You can't say, "I didn't know, or I didn't see it." So that small publication which was published jointly by Al-Haq and the International Commission of Jurists in Geneva, drew a lot of attention at that time, because people did not know what was happening. It was, effectively, a secret legislation, because it was not being published properly. The fact that it was secret legislation alarmed so many people. Israel was compared to most oppressive countries, and it was a shock to Israel at that time which was believed to be running a benevolent occupation, all for the benefit of the local people...

**Saygun Gökarıksel:** How did the Israeli state authorities respond to this claim about the secret legislation? How did they legally justify such secrecy?

**Raja Shehadeh:** They denied that it was secret. There was a left wing journalist who said, "It's impossible that Israel is doing it in secret. You are not telling the truth." I said, "Okay. If you can find me the laws and buy them for me, I would be very grateful." He went looking and looking, but could not find them. They were not available. What Israel did after that in 1982 was to publish these in journals. Now we have all the publications. But it's not as though they were without a justification. In other words, they always found a way to justify each and every one of these laws by international law. Of course, they interpreted international law in their own faulty manner, but they always managed to find a justification. After *The West Bank and the Rule of Law* was published, the Israeli Ministry of Justice commissioned a study to answer our study and claimed that the Hague convention, the regulations of 1907 say that you can change the local law, but that has to be for the benefit of the people. The Israeli Ministry said that they did it for the benefit of the people. They published in 1981 (under the rubric of Israel National Section of the International Commission of Jurists), a book called *The Rule of Law in the Areas Administered by Israel*, in which they took our study chapter by chapter and showed the Israeli counter argument. Of course, in the law studies and in the law departments in the Hebrew University, they only taught the Israeli version. They all came to believe that Israel was doing it legally and according to international law, and there was no problem at all.

**Saygun Gökarıksel:** The Israeli state then really took seriously the issue of legality, which was more than a mere window-dressing...

**Raja Shehadeh:** Yes. But it was only formally legal in contradiction to the international law of occupation. But things have changed now, with the right-wing government and with the settlers becoming much more aggressive. They no longer want to be bothered with claims of legality under the law. Because now, it's the Bible. They say it's our land according to Biblical text and that for them is enough. They don't want to deal with law, legality, or international law. In fact, the maps in the school portray the West Bank and Gaza and eastern Jerusalem as part of Israel. So, there has been a change.

**Meltem Ahiska:** In your well known and awarded book *Palestinian Walks* (2007) you introduce a very impressive and novel perspective. Not only a perspective but also an experience that claims another kind of knowledge. You walk around and beyond the law. You say that you give your own account of the land "where Israeli planners place Jewish settlements on hilltops and plan them such that they can only see other settlements while strategically dominating the valleys in which most Palestinian villages are located. It is not unusual to find the names of Arab villages on road signs deleted with black paint by over-active settlers" (p.16). So can we say that your practice of walking is a way of showing the status of law as part of occupation?

**Raja Shehadeh:** Well, there are two different things. Part of the alienation that they're trying to impose is to make the Palestinians feel like foreigners in their own land. This is done by saying that so many areas, open areas are out of reach to Palestinians, even for walking in them. Familiarity with the land through walking on it has become very difficult. In *Palestinian Walks*, I was walking in the land in order to familiarize myself and familiarize others with the land and to show that it is, after all, our land. But I also describe some legal cases. For example, in one of the walks, I describe the Albina case in which I was involved. The claim was that Albina's land was public land, when, in fact, it was private land. It has to be mentioned here that only a third of all the land in the West Bank had been properly registered. In the case of the Albina land, the registration process had proceeded to the point when there was a final survey map of the land; the land was given a number and proper boundary, but the final step of registering it in the land registry had not taken place. Yet everything else had happened. So, it was quite clear that the land was private, and we gave enough evidence to the court to prove this. At the end of the case the judge, who happened to be a classmate of my uncle, was very embarrassed for having to do this. He said, "This land has been successfully proven to be private land." *Private land*. So, you would think we won the case. But then, he went on to say, "There is a military order which says that if the Custodian of Public Land makes a transaction for the land in good faith, then the transaction stays, and is proper." I had anticipated this and said,

“No transaction could have been made in good faith, because all the records are open to this custodian.” Of course, when you’re doing a transaction, you check the records. And he must have checked the records. So, he couldn’t possibly have done the transaction in good faith, believing that the land was public land.

Well, there are settlements, which are established on Palestinian land using the procedures which Israel has set up. They are contrary to the international law, but are ‘legal’ under the law promulgated by the Israeli military government. Israel calls them “legal settlements” according to the Israeli law. But there are settlements, which have been done without following any of this process, because the settlers decided they wanted this piece of land and they put themselves there and created *de facto, fait accompli*. These settlements are considered illegal, even under Israeli law. Now they have a problem with the settlements, because the government is a right-wing government and a settler-dominated government, and they cannot evict these settlers. They now use this law, this military order regarding transactions done in ‘good faith’ to legalize the illegal settlements.

**Meltem Ahiska:** If we come back to walking... You said it is familiarizing yourself and others that this land is ours, so it is, in a way, objecting to this law, which appropriates the land in so-called legal ways.

**Raja Shehadeh:** Yes. Objecting to the whole process through which Israel is trying to alienate people from their land and prevent them from becoming familiar with it. This is also achieved through land use planning or zoning of land, which I spoke about a bit yesterday.<sup>1</sup> There were about 200,000 Palestinians left in Israel after 1948. The villages as well as the only city where Palestinians remained –Nazareth – had land around them, for their expansion and for agriculture. Most of this land was confiscated by Israel through zoning schemes which allocated the land to nearby Israeli villages, cities and Kibbutzim while confining the villages to the built up area. So, the villages, until this day, would have land that used to belong to them, not far from the village but onto which they cannot expand because that land has been taken away. You can readily distinguish the Palestinian villages in Israel, because they look so crowded and confined to a small area. They’re all building on top of each other, while the Israeli-Jewish areas have open areas like how a little city or village must be. The same phenomenon is in the West Bank. All the villages in the West Bank and the cities have been zoned by Israeli planning schemes that became law before the Oslo Accords were signed, and which cannot now be altered by the Palestinian Authority, so that they are confined within small areas. The areas in between them are taken over in

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<sup>1</sup> See the lecture here: <http://hrantdinkmemoriallecture.boun.edu.tr/index.php/en/keynotes/keynote/12>

one way or another and made into either areas for the expansion of the Jewish settlements or for parks or open areas that you cannot build in. Actually, you cannot even walk in these areas because they are in what is known as Area C and you need permit to even walk in them. But, of course, we do not listen to that and we do it anyway. So, there is a vision. That's the point. There is a vision they are implementing slowly to reach a situation where the majority of the inhabitants of the West Bank will be Jewish-Israeli people, and the Palestinians are confined in their areas and they eventually will find it impossible to stay in these areas and they will leave.

**Meltem Ahiska:** The law or the legal language defines rights and they are formulated in a standardized way but of course always having a particular impact within a particular regime as your discussion on the rule of law and occupation of land shows. But then, there are certain wishes, desires as well as complaints in people's everyday life, which are not incorporated into legal language. You say in *Where the Line is Drawn: Crossing Boundaries in Occupied Palestine* (2017) "with the start of the intifada in 1987 more blockades and checkpoints appeared on the roads. New roads were constructed to ensure speedy passage between the Jewish settlements in the West Bank and Israel. It was not until the signing of the Oslo Accord in 1993 that Israel began drawing a new border between Israel and the West Bank that prevented access from Palestinian cities and villages while allowing the unobstructed flow of traffic between the West Bank Jewish settlements and Israel. The general permit issued in 1967 for Palestinians to move to and from Israel was replaced by individual permits, allowing permits only to those Palestinians whom Israel deemed favourable. *Once again we were prevented from visiting the sea*" (p.45). I find this last sentence about visiting the sea important. I guess that it never appears in legal terminology that there is a right to visit the sea. So, how do you make this connection between law and everyday life?

**Raja Shehadeh:** Maybe I should first make it clear that until the early 1990s, the whole of greater Palestine, greater Israel was open so you could drive anywhere. Drive to Gaza, drive to Jaffa, drive anywhere. And then, in the early 1990s, they began to put restrictions. And by 2000, the West Bank became sealed. People in the West Bank can no longer drive or even just go to visit the sea in Gaza or in the Israeli parts. You need a permit to cross, but you cannot use your car with the West Bank license plate. So, what is violated is the right to roam, that is, the *freedom of movement*. Which is also restricted on the West Bank through many checkpoints that are placed between Palestinian villages and cities. Ilana Hammerman, an Israeli woman who was a publisher and then retired decided to violate this restriction. She thought "Why are the Israelis depriving the Palestinians of the right to see the sea?" which is exactly

your point. And what she did was to take in her car young children and their mothers to the sea without asking for the permit, just smuggling them. And then, she went further, and she said, “Not only am I going to do this, I’m going to declare I’m doing it, and declare that I’m violating the law because it’s a law that should be violated.”<sup>2</sup>

**Saygun Gökarıksel:** Are there any divisions or conflicts within the legal government of the occupation in Israel, for instance, with respect to the courts and among the legal officials?

**Raja Shehadeh:** Yes, there are.

**Saygun Gökarıksel:** What do these conflicts say about the role of law in Israeli state’s occupation? Would they offer any important possibilities to challenge the occupation?

**Raja Shehadeh:** In the 1980s, I went around on speaking tours, criticizing the system. The answer was always that, “Yes, there might be excesses, but in Israel... It’s a country of the rule of law. Where the rule of law dominates, and it’s a democracy, and you have the option of going to the High Court of Justice in Israel. Now, the High Court of Justice in Israel is interesting, because the High Court is an administrative court. So, you can challenge administrative decisions in the High Court. The Ministry of Defense is an Israeli ministry and therefore, its decisions and orders regarding, for instance, the occupied territories, can be challenged in the Israeli High Court of Justice. Only eastern Jerusalem was annexed to Israel. Israeli law applies there. But the rest of the West Bank has not been annexed (with the exception of the Latrun Salient) and as such Israel is not sovereign there.<sup>3</sup> This was an example of how special Israeli occupation is because it allows occupied people to challenge the decisions of the occupier, which never happened in the past in other cases. In our organization, Al-Haq, we wondered whether we should use this opportunity and finally decided, “Why not?” In the 1980s and 1990s and even now, there were plenty of appeals to the High Court... But we never got justice in the High Court, because the court always said that they would never put themselves in place of the security/military forces to decide. There were, of course, secret things that the security forces told the High Court and which we did not know. In brief, basically, for the so-called ‘security reasons’, the High Court did not really play the role that we hoped it would play.

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<sup>2</sup> <https://www.haaretz.com/opinion/.premium-in-some-cases-israeli-law-must-be-broken-1.5338866>

<sup>3</sup> A recent article by the veteran Israeli Journalist Gedeon Levi sheds light on Meir Shamgar, the Israeli High Court Judge, who was instrumental in setting up the system that gave legitimacy to the Occupation:

<https://www.haaretz.com/opinion/.premium-forefather-of-the-administered-territories-1.8009353>

However, it was still important to appeal to the High Court and the military was not happy about the appeals. For example, the security forces used to arrest students right before the final exams in order to make them fail their final exams. I would go to the military's legal advisor and say, "You know, you're doing this, and this is, for many reasons, illegal. If you don't revoke the order, I'll go to the High Court." That threat often worked, because the military authorities didn't like to go to the High Court in such obvious cases when it would be difficult for the court to justify their decision. In a sense, the High Court played a little bit of that critical role. But, at the end of the day, in terms of really changing or challenging the policies and decisions, the High Court has not been of much use and ended up giving legitimacy to the occupation. For example, the settlements, as we know, are illegal and they never ruled that the settlements are illegal. They said, "The settlers are also part of the local population." International law, as you know, gives certain rights to the local population. When the court considered the Israeli settlers as local population the court, in effect, turned international law on its head! The legal structure looks very good on the surface. Israel had a cunning system. For many years, the people who criticized Israel, were told, "But there is the High Court. Palestinians can always resort to the High Court, which has very good judges." These judges have taught at very prestigious institutions such as Yale and Harvard and their decisions are respected there despite their terrible record on human rights.

At the same time, there are some important Israeli organizations that are unhappy about what has been happening. They realized that by encouraging the settlements, the Israeli authorities plant the seeds for future catastrophe, because if the settlers are there and if there isn't any land for the Palestinians to establish a state, you then perpetuate the struggle forever. Until 1988, Al-Haq and another organization, the Palestinian Center for Human Rights, in the occupied territories were the only organizations that were doing human rights work about the occupation. The Israelis had the Civil Rights Association, but it didn't have in its mandate to look into the civil rights of non-Israelis in the Occupied Territories. Thus, they avoided any interventions, contraventions of law that would take place in the occupied territories. In 1988, the organization called *B'Tselem*, (the Israeli Information Center for Human Rights in the Occupied Territories), was established to look into the human rights violations in the occupied territories. Over time, *B'Tselem* has become more important and radical and have taken up issues of military orders and legality. They have done tremendous work and explained how the land has been taken from Palestinians as well reports and interventions regarding other major human rights violations.

**Meltem Ahiska:** What you have been saying is very interesting that there's a very complex structure of law in Israel which is well-designed. But can we say that people

have a different conception of the land? Not just as a property, not just as something that is regulated by law, but a place of memories, a place of belonging? Can we say that the land is not, for them, just something that can be mapped but that is attached to emotions, attached to memories, to experiences...?

**Raja Shehadeh:** Absolutely! And, in *The Third Way* (1982), I wrote about this. I called the Israeli attitude to land pornographic. It's not the land itself that they love but it's false memories and conceptions of it that attracts them. And this need brings forth a lot of writing about the land in which they write that this land is ours, making arguments for it, finding stories, finding references in the Bible. All of this is written down, is represented and expressed. Whereas the Palestinians who feel direct attachment to the land don't feel that need to elaborate and explain their attachment in order to make it real. Theirs is a direct relationship. However, when the settlements started and I knew that there were plans for building so many more of them and I knew about the Road Plan, because I've seen the Planning Scheme for the entire network of roads in the West Bank published in 1984, we have challenged it in the court. And I knew what the Road Plan would lead to, and this was 1984, a long time ago. Many Palestinians were saying, "Why are you continuing to talk about the settlements? They are nothing. They are tiny spots here and there, and they're not going to affect us." They failed to appreciate the danger they posed. Now they do. For example, for a land that is dry, the springs are very important. Springs become places where you visit and where you use the water. Many of the sites of springs are now prohibited for Palestinians to visit. And so, there is already a generation of people of Palestinians who have never visited the spring next to their village, because every time they try to go there, they are prevented by the settlers... This means that there's a new generation who has no direct relationship to the land surrounding them. They are alienated. The other thing that happened was that the Palestinians were mainly agricultural people. But when the occupation began, Israel being an industrialized country offered Palestinians work opportunities in Israel. Large numbers of people left the land and went to work in Israel, getting a much better wage. And then, having left the land, the Israelis came and said, "This land is abandoned, because it hasn't been planted. And, if it's not planted for a number of ten years, then it resorts to being public land." So, they took the land. I have somebody who comes to help every once in a while for heavy things in the garden and he's from the village. I noticed that he doesn't have any idea about cultivation. And he's from the village! That would never have been the case in the past. He's now in his forties, but as a wage earner, he has grown up without any direct relationship to the land. He has no idea about cultivation. So, now the people can no longer deny that the settlements take over the land. It's no longer a theoretical thing that you have to convince the people of,

because they experience it directly.

**Meltem Ahiska:** In the epilogue of *Palestinian Walks*, I was very affected by your encounters with these two young Palestinian boys who did not really understand your walking, your connection to the land and the beauty of it, as you're saying there. Why do you think they are like that, this young generation?

**Raja Shehadeh:** Well, the fact is that walking, as a leisure activity, is not something that is completely natural to people in Palestine. There are places in the world... I don't know about how it is in Turkey, but for example, Germany has a long tradition of walking the land. And that is something that is very familiar and very natural to people. In Palestine, there wasn't that activity. During the Intifada, especially in the first Intifada, and the second Intifada, many of the young men who were activists ran for shelter to the hills to hide from the soldiers. To them, there's a function for the hills, which is not a function of beauty and enjoyment of nature. And most people in the past were farmers. One woman who leads weekly walk now, has an aunt in the agricultural village of Battir who was a farmer in village, and she told us, "For my aunt, the last thing she wants to do on her day off is walking, because every day she's on the land and she doesn't want to spend another day on the land." To walk for leisure used to be seen as crazy, but now this is slowly changing. Actually, *Palestinian Walks* helped a little bit in opening people's eyes to the beauty of the land. We have a walking group that does a weekly walk and other groups have emerged, as well. About 15 or 20 years ago, when we were seen walking in the hills, people would think either that we are Israelis, or foreigners, or crazy people. And once, we were walking, Penny<sup>4</sup> and I and a friend of ours, it started raining. We then hailed a car that was on the road. And the car driver said, "What are you doing?" We said, "We were taking a walk in the hills." He thought that either we were lying or were crazy. He couldn't accept it at all. How would anybody walk when it was possibly going to rain? So, ultimately, I said, "No, we were looking at a land and considered to buy it." He said, "Oh, I see!" Only in that way he could relate to our walking. People now accept it a little more. You can find more and more people walking on the outskirts of Ramallah, partly because in the past most people lived in houses with gardens. And you could sit out in the sun... Now, most people live in flats. Due to the scarcity of land, people are building higher and higher apartment blocks. They find themselves, especially in the summer, so confined in these flats that they have to find a way to be outside.

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<sup>4</sup> Penny Johnson is the wife of Raja Shehadeh. She is also among the editors of the *Jerusalem Quarterly* and the author of *Companions in Conflict, Animals in Occupied Territories* (2018).

**Saygun Gökariksel:** There seems to be something very provocative and at the same time regenerative about this practice of walking in this landscape under the conditions of occupation...

**Raja Shehadeh:** Regenerative is the right word.

**Saygun Gökariksel:** Walking is about the space of creating and recreating memory; about the possibility of another archive through this walking as opposed to the legal construction or hyper-legality of this and that order. You connect those fragmented locations together. But it is also about time. You take time, as it takes time to walk like you do. And in a sense, this walking challenges the occupation's regime of time that is manifest in one's experience of getting stuck at the checkpoints or by the fences, and helps imagine a different lifeworld. Could you reflect on how this walking experience affects the sense of time and history?

**Raja Shehadeh:** Well, you've said it very well, and it is right that when you are walking, you are in a sense, challenging all these attempts at confining you, at defining your territory, defining your life, defining your time, because you are there, in a one to one relationship to nature, which nobody can take away from you. Even though they are trying to convince you that the relationship is circumscribed and defined in a particular way by these orders and by these limitations and by these restrictions, you are defeating all of that and defeating also the fact that the occupation tries to determine your time, and steal time from you by forcing you to wait for hours at the checkpoints. You are challenging all of that, because you are making your own time, your own space and your own relationship to nature, which reminds you that, after all, human beings can put all these restrictions, can construct all of these structures, but they're not, ultimately, real. Because what is real is your own relationship to nature and this a one-to-one relationship that you define for yourself that goes beyond all of these other structures that are imposed. When you are not walking, you are confined. Every time you go one way, you find "Stop," because of a military order or restriction.

**Saygun Gökariksel:** Walking is indeed a familiar practice in social protests and movements across the world. There are, for instance, the famous marches from Selma to Montgomery organized by the Civil Rights Movement activists in 1965 in the U.S. against racism. There is the Salt March led by Mahatma Gandhi in colonial India in 1930 against the British salt monopoly. How did you come to the idea of walking? What is your inspiration?

**Raja Shehadeh:** As I was growing up, our house was next to the hills and the hills were empty, so I would walk down these hills, but it wasn't something that we did as a family, to go on walks. As a family we went sometimes on picnics, but my father was not a lover of nature. He was too much of a political activist, and didn't really care for nature. And the schools had this habit of taking us once a year, at most twice a year, on a field trip to somewhere. That was it. When I came back to Palestine after my law studies, I felt confined by the occupation, by work, and by the nature of the life there. So, I started taking walks and found that it worked very well for me. Then, I interested a few other friends and more friends and so, started taking more walks. We lived in a house where we could just leave the house and be in the hills, immediately. We knew the tracks, which were done by shepherds and every village was connected to other villages by these tracks. When you become familiar with them, you can follow them and go for a one-hour walk, two-hour walk, five-hour walk, eight-hour walk on these tracks in the hills, which were empty and free of danger. We didn't have wild animals or any danger of any sort. So, our mind was totally concentrated on enjoying nature without any restrictions and apprehensions. I started on these walks in 1978 and went on and on. I always wanted to write about the land and the walks. I never thought there would be such an interest that I could publish a book on those walks. But in 2006, my publisher who is also a walker, said, "Why don't you write about walking?" It was fantastic. I could combine my interest in writing and walking. *Palestinian Walks* starts with a walk that was over 25 years ago. It shows how the land has changed since my walk back in 1979. Another walk starts in 1981 and ends in a recent date, so, each walk follows a trip in space and time, and has a different theme, yet, it's an actual walk that I did take. Now, you cannot follow all of them. Some of them you can still follow, but some you cannot follow because the land has been taken over by the buildings and other changes or by the Israeli settlements. I realized that the land was vanishing, and I'm not a photographer. So, I could only preserve it in words. At least people in the future would read about it and realize what it was like. And the book did that. It reminded many people of how beautiful the land is and opened people's eyes to what they hadn't been aware of.

**Meltem Ahiska:** So, what about this concept of staying and endurance that I am very curious to hear about?

**Raja Shehadeh:** In my very first book, *The Third Way*, I wrote about *sumud* which is endurance, perseverance, holding on. And the reason I wrote about it is because I realized that what we are up against is an attempt by Israel to force us out, but not immediately. By making life so difficult that we will, on our own, decide to leave. So,

our opposition to this is to stay put and make ourselves entrenched in the land. Persevering. The book was a series of pieces on *sumud*, on the various aspects that *sumud* takes. Of course, I was writing against a trend at that time, because the trend was that it's going to be violence and force, and not passive resistance like *sumud*. It's going to be resisting the occupation by military means and then, we will win and go back to Palestine, and everything will be alright. So, my *sumud* concept was not very popular. I think it has become much more popular now, because people have come to realize that it is really going to be through *sumud*. Actually, in the whole of Israel, the greater Israel there is now almost a parity in population between the Arabs and the Jews. That is because of *sumud*, of staying put.

**Meltem Ahiska:** Is that also a local term that people use in everyday life?

**Raja Shehadeh:** Yes.

**Meltem Ahiska:** People also use it in a political way?

**Raja Shehadeh:** There was also a political use. For example, there were funds for *sumud* provided largely by Jordan, which were allocated to help people stay on the land.

**Meltem Ahiska:** I was curious about *sumud* because this resonates with some of the discussions we have in Turkey about whether we want to leave the country or stay. Many people who feel under stress for different reasons because of the political situation are discussing whether they want to leave or stay. So it is relevant, I think, in a different way of course. But endurance has a dual meaning. When we say in Turkish, *tahammül*... Endurance. It has also negative meanings. That you can endure the difficulties. You can absorb them without resisting. There is the ideology that women have this capacity to endure, they stay or must stay silent about difficulties, violence, etc. So, these two different meanings of endurance. What do you want to say about that?

**Raja Shehadeh:** It's very complicated... because you can drive somebody into so much pressure that at the end, they would say: "I'm going to stay put and I'm going to endure, *tahammül*." It becomes a challenge. There are so many examples, but one that I wrote many times about is Sabri Garaib. He lived in a village called Beit Ijza where he had a large plot of land that he cultivated. Then a settlement was built nearby, and they wanted to take his land. He struggled to hold on to his land for his

entire life until he died. It was legendary. Totally legendary. At the end of the day, he managed to stay in the house and have a little bit of land around it. The settlement was built all around him. So, he was given a corridor to enter his house with cameras and high walls topped by barbed wire. Yet hard as his life became, he refused to leave his house. They put dogs around him and made life so difficult. But, he endured to the point that he said, "I'm not going to give up." For him, it became a life purpose. So, there is that challenge where it gives meaning to your life, and you cannot think of giving it up.

There are other cases where people say, "Well, life is short and I have to live my life. By persevering, I'm just wasting my life. Why waste my life? Why not seek other opportunities?" So they left. The big difference was that until the 1993 Oslo Accords, people believed that their *sumud* was going to lead to something, to making progress against the occupation. And then came the Oslo Accords. It was a bad agreement and the Palestinian authority was established. They were trying to excuse their acceptance of the terms that the Israelis had imposed, and that's because they were desperate to get into an agreement that would ensure the PLO's return to the Occupied Territories. The reason why they were desperate, was mainly because they were worried that Hamas was taking over and becoming more prominent. So, they wanted to get back into the territories at any cost. People felt that they have given up so many difficult years when they endured and were willing to endure, and now, it has come to nothing. With this agreement, they'll have to endure more. So many people, friends of mine also, decided to end their endurance and leave. They went to Australia, they went to wherever they could, and decided to start a new life.

Whether you endure or not is also related to how much you think you can make progress and help the situation around you. That is if you believe there is hope. And, at the same time, you also realize that if the good people who can help society leave, then they are not only betraying the cause, they are betraying their society, because they are the people who can make a difference, who can make a change, who can support others around them, because they have better means. So, it's a difficult decision to make. You can be selfish and say, "The situation is not allowing me to flourish. It's not allowing me to progress in my career, in my life conditions. I'm having great difficulty making ends meet. So, why endure it? Who for? What for?" And that is the question: *What for?* If you feel that 'what for' is for supporting others or for a greater cause, then your endurance and *sumud* becomes enhancing and you feel that your life is more important than just for yourself.

**Meltem Ahiska:** So, it has a strong political meaning.

**Raja Shehadeh:** Of course! Of course, very political.

**Saygun Gökariksel:** A collective meaning. Having that enhancement of yourself for the collective...

**Raja Shehadeh:** Yes. Which is a way of surpassing yourself. Surpassing the fact that you're an individual, a lonely person on your own. For example, during the first Intifada, life was difficult, because there were a lot of restrictions. We couldn't go out at night or go to school and teach. The schools were all closed. It was difficult at every level. Yet, when people now think and speak about the first Intifada, they say it was the best time of their life. It's because it was a time that we collectively worked together, opposed, and dreamed about making a new life. The enemy brought us closer together, so it was a wonderful experience. Nobody now regrets the fact that for those seven or eight years, we lost out on pleasure or advancing in our careers. Nobody would say that.

**Meltem Ahiska:** Now, it brings to my mind whether there's also endurance in diaspora. Let us say you have left, you are in exile, but you are staying put in terms of struggling in some way for the greater cause.

**Raja Shehadeh:** I think, yes, the diaspora is important, and they have done tremendous work as well. But, very often, I think that the more important part is inside, because you're not just practicing *sumud* passively. You are practicing *sumud* by building institutions, by influencing others in their thinking, by helping others think it through, by finding ways to resist that you cannot do outside. So, I think that the more important work is inside. Of course, it's not so easy outside, either. But not everybody can leave... When people decide not to leave, even though they can leave, that's the most effective. That's making a choice of *not* leaving rather than staying.

**Saygun Gökariksel:** In your lecture, you discussed in detail a number of Israeli state's violations of the international law. A straightforward question: How does the Israeli state get away with all the violations?

**Raja Shehadeh:** Very simple. Because the United States and the rest of the world, which could pressure Israel by all kinds of means, through economic sanctions, for example, would not challenge Israel, because they are supporting it diplomatically, economically and politically. Israel is strong. For example, the head of the *B'Tselem* went to the United Nations, to the human rights commission to testify against Israel

and to show that what they are doing is contradicting the international law and asking them to take a decision against Israel. Of course, Israel was furious. They said, “This is treason.” But there were already several Security Council decisions taken against Israel in the past. The latest one was when United States abstained from vetoing a UN decision against the Israeli settlements at the end of Obama’s term. This means there is now a decision against the settlements in the Security Council resolution. But it doesn’t get implemented, because Israel is still very strong politically and diplomatically. And all the countries including Turkey support Israel, while rhetorically speaking against the actions of Israel and taking only symbolic actions to oppose it. When it comes down to business, they have the greatest business relations with Israel. As long as this situation continues, the likelihood that Israel would change is null.

**Meltem Ahiska:** What is the situation of the political movement in Palestine, now?

**Raja Shehadeh:** Terrible ! Terrible, terrible ! Palestinians have no power whatsoever and have lost. Lost, entirely. But the *sumud* still persists, because people are still there and Israel wants to throw all of them out. They cannot do that however, because they don’t have the necessary means; there’s no place to put those people. The natural place would be Jordan, but Jordan would be destabilized and Britain and the United States would not agree to this action.

**Saygun Gökariksel:** What do you think are the possibilities of countering the Israeli state’s actions? In your lecture, you have offered a very important observation that the rights struggles are *indeed* indivisible and interdependent. The violation of one right actually puts in jeopardy other rights, just as struggles around rights are connected across space beyond national borders even though they are rarely described as such, especially at this moment in history.

**Raja Shehadeh:** There are solidarity groups all over the world who are supporting Palestinians and the Palestinian cause. This is a very important thing because it makes people realize that, after all, we are not alone. There are others who are following and caring and doing everything they can, even when it is sometimes at the cost of losing a job in a university. For example, there is the case of Angela Davis who lost an

award.<sup>5</sup> Solidarity is a very important means to keep the spirit alive and to change the world.

**Meltem Ahiska:** And memories are also important for solidarity. So, what I understand from what you say, it is beyond victory and defeat, which are the hegemonic binary terms. It is beyond that, it is the endurance, the struggle...

**Raja Shehadeh:** Yes. I think if people looked at it just in these binary terms, then they would lose faith very quickly, because then you are pinning your hopes on victory, very close victory, tomorrow, after tomorrow... It's not going to happen. So, you have to have a longer-term view. And I also think, the question is about preserving your humanity and dignity. You do that by enduring and taking a longer-term view of things. Their attempt is to compromise you, to compromise your humanity. And by refusing that, you're winning. So, you are re-defining what it is to win. And that's very important, I think.

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<sup>5</sup> Angela Davis, an activist, academic and writer, who was a speaker at the Hrant Dink Memorial Lecture series in Boğaziçi University in 2015, was invited by the Birmingham Civil Rights Institute in her hometown Birmingham, Alabama in 2019, to take the Fred L. Shuttlesworth Award for Human Rights. But the award was revoked at the last minute. As she later learned the reason for this was because of her long-term support of justice for Palestine. Angela Davis's response to this was: "I have devoted much of my own activism to international solidarity and, specifically, to linking struggles in other parts of the world to U.S. grassroots campaigns against police violence, the prison industrial complex, and racism more broadly."

<https://www.nytimes.com/2019/01/08/us/angela-davis-israel-civil-rights-institute.html>