



مجموعة فلسطين للتفكير الاستراتيجي
PALESTINE STRATEGY GROUP

Reframing Palestinian Advocacy in the US: Centering Palestinian rights within self-determination

Strategy Report

October 2, 2023



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This strategy report of the Palestine Strategy Group (PSG) presents the capstone deliverable of a year-long (2022-2023) research project titled ***Identifying areas of Palestinian strategic thinking engagements in the US.***

Executive Summary

The Palestinian struggle for liberation and the right of return are inalienable rights. Over decades, while the Palestinian political agency was fully intact, Palestinian self-determination was defined three-fold: 1) statehood; 2) the return of refugees to their homes; and 3) full equality to the Arab-Palestinian citizens of Israel. To date, albeit progressing in the international arena, the statehood project has not been realized. In the meantime, the question of refugees has not advanced and discrimination against Palestinians in Israel is on the rise. Coupled with the impoverishment of the Palestinian national institutions and political system in the last decade, an alternative discourse for actualizing self-determination and freedom is thus being sought by Palestinians in the homeland and the diaspora.

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Conceptions of rights-based decolonization have been deemed increasingly fit to achieve the aforementioned. The Palestinian rights agendas, however, divorce the question of rights from the substance of a State and do not necessarily stipulate their correlation. In fact, the predominant rights-based discourse on Palestinian liberation has shrugged off the statehood project as an element to realize national self-determination. This is especially the case in the US, which is the hotbed of this conversation and the only locus where a Palestinian Rights Movement (PRM) has recently risen to prominence and influence.

Nevertheless, the current rights-based decolonization *qua* political endgame must contend with political facts that did not exist before 1974, which is when the path towards Palestinian statehood was first devised. First and foremost, it must contend with the formative and lingering impact of the discourse as well as the progress towards statehood. Secondly, it must contend with an incipient yet expanding twist in official US foreign policy—displacing the national framework of Palestinian rights—effectively redefining its relation to the Palestinian national liberation movement from a state-in-the-making to an ensemble of governing bodies of stateless people. Thirdly, it must contend with the creeping and overt Israeli annexation of the occupied Palestinian territory (OPT) and the growing global consensus of Israel committing the crime of apartheid in the OPT, in Israel “proper,” and in its dealings with Palestinian refugees.

In the course of this strategy report, we try to provide answers to the challenges that the abovementioned contemporary political reality produces. We do so by taking stock of the dynamics of Palestinian rights advocacy in the US and by identifying the salient trends therein, in view of major domains of activity thereof.

Overall, we propose anchoring the pursuit of Palestinian rights in a processual framework whose aim is the decolonization of Palestine/Israel. That is, we deem dismantling all existing arrangements and structures that maintain supremacist prerogatives and privileges for Israeli Jews over Palestinians, between the Jordan River and Mediterranean Sea, as the more robust vision and route to delivering a tangible

national self-determination for the Palestinian people. Yet, while acknowledging the role that nation-states play in today's world order, we note that they have become less meaningful as political containers for organizing, managing, and redressing unjust realities than half a century ago.

We thus put forward strategic correctives to the current articulation of the Palestinian rights discourse in the US. As no alternative vehicle to the United Nations General Assembly (UNGA) exists, a recognized State of Palestine has been outlined and valorized by Palestinian agencies in order to save the indispensable goal of national self-determination from political doom. Therefore, rather than ditching it altogether, we suggest that the PRM deploys Palestinian statehood as a mere combative instrument or token – as long as it serves the endgame of decolonization. According to the rights-based decolonization plan, state formations would possess political valence insofar as they actualize national self-determination for the Palestinian people.

The cause of Palestinian rights in the US is at a crossroads. After a decade of sustained and incremental gains in American public opinion, the expanding PRM is being combated in and over its own rights-based terrain, not only by Israeli advocacy agencies but also, as of recently, by the US government. Through appropriating and inverting the liberation-driven rights agenda exemplified by the PRM, the US government has been pulling the rights-based discourse away from its guiding values and political goals and aligning it with what serves a de-nationalized Palestinian political predicament.

In this vein, this strategy report highlights a neglected strategic consideration in the current scene of Palestinian rights advocacy in the US: national self-determination and its centrality to Palestinian liberation. It does so by taking stock of the contested field of Palestinian rights in the US and scrutinizing its dynamics.

This report traces the top-down appropriation of the liberation-driven Palestinian rights agenda and evaluates the threats it poses to the organizing principle and objective of Palestinian national self-determination. It also parses a range of (dis-)positions and (non-)actions vis-à-vis national self-determination, undertaken by the steadily growing bottom-up PRM, and identifies those that could unintentionally feed into the top-down de-nationalization of Palestinian rights as led by the US administration.

Therefore, this report advocates the recalibration of Palestinian national self-determination in the US as a guiding discursive and political principle of the PRM's advocacy strategies. Consequently, it points out the strategic context and directions that may counter the ongoing and alarming disuniting of the Palestinian body politic and the disembodiment of its national rights in the evolving US policy of de-nationalizing Palestinian rights.

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A note on method and subject matter:

In the context of the Palestinian cause, the term “strategy” refers to the expedient pathway that puts ideological visions into context and in proportion with the most effective means of achieving an overarching goal of the struggle, that is, a solution to the perpetual colonization, dispossession, and refugeehood of Palestinians. Accordingly, this report is concerned with the most rudimentary and overarching Palestinian political-strategic objective: liberation and justice. There are, however, various ideological imaginations and conceptions articulating both the substance and realization of Palestinian liberation.

While the report acknowledges competing ideological strategic vehicles, which could serve the purpose of Palestinian liberation at this juncture, such as the diametrically opposed frameworks of national independence/statehood and indigenous sovereignty, it maintains a primary ideological commitment to national self-determination. The latter is the most capacious political vehicle for protecting the unity of the Palestinian people and its rights.

The challenge with which the report grapples, therefore, is to find an optimal framework that maximizes the strategic impact of Palestinian rights in the US, without foregoing national self-determination as the organizing principle and an operational guideline thereof. This report thus argues that the current liberation-driven Palestinian rights advocacy must *always* consider national self-determination and the implications of its eschewing or erasure in strategic deliberations and actions.

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1. The dynamics of Palestinian rights in the US

1.1. Introduction

We are living through a defining moment for the Palestinian cause in the US.

In the past two decades, a liberation-driven US Palestinian rights agenda emerged as the main platform calling for, and asserting, the unconditional provision and safeguarding of the inalienable rights of the Palestinian people. The combination of Israel's accelerated colonization of Palestine and the brutalization of Palestinian lives, alongside the failed efforts to achieve a two-state solution and Palestinian political sovereignty, has rendered the liberation-driven rights-based discourse the rhetorical and normative commonplace for activism and advocacy for Palestine and the Palestinians in the US. Furthermore, Palestine/Israel has become a polarizing and partisan wedge issue both between the Democratic and the Republican parties. It is also becoming part of the American culture war, where contemporary Israel is viewed as paradigmatic of illiberal ethno-states on part of the Left and as the role model of a Christian nationalist state on part of the Alt-Right.

Recognizing the significance of US politics in determining the Palestinian political predicament and capitalizing on recent promising shifts in the field of Palestinian rights, the Palestine Strategy Group ran a research project in the past year. Entitled *Identifying areas of Palestinian strategic engagements in the US*, the project identified four strategic engagement arenas in the US (see subsection 1.4). It aimed to understand how primary US constituencies and agencies engage with, advance, and curtail Palestinian rights in society and politics. The research outcomes illuminated the inner workings of each of the arenas investigated and, by way of synthesis, made strategic forays into what this report calls the Palestinian Rights Movement (PRM) in the US.

The two-decades old PRM can minimally be defined as the sum total of a range of activities and institutional efforts that partially or fully correspond with the normative-political compass set by the three demands of the call for Boycott, Divestment and Sanctions (BDS) (which, in a way, reiterate the traditional Palestine Liberation Organization (PLO) stance minus the overdetermined political outcomes it later adopted). It demands that Israel end its three forms of injustice that infringe international law and fundamental Palestinian rights. These three cardinal injustices include the expulsion and prohibition of Palestinian refugees from returning to their homes in Palestine, the illegal military occupation of the West Bank, including East Jerusalem and the Gaza Strip (WBGS), and the systematic discrimination against Israel's Palestinian citizens. The mobilizations, activism, and advocacy carried out by the PRM involve US-based agencies such as grassroots groups, youth and student solidarity movements, intersectional protest, infra-institutional community bodies, institutional advocacy organizations, and a handful of congresspersons, among others.

After more than three decades of Palestinian statehood (of "two states-for-two peoples") guiding the official and media-driven conversation on Palestine, Palestinian rights have become the token around which the conversation revolves, including in the higher echelons of American policy and decision-making. The rights-based discourse has been

rapidly growing in US campuses and among racial-social justice activist circles, in addition to social media; it has become the primary framework in the US public and political spheres to discuss Palestine and Palestinians. The PRM has a large stake in this development as it has been making headway in mobilizing American society, public opinion, and political discourse with regards to Palestinian dispossession and injustice; it succeeded in making Palestinian rights central to the US-wide racial-social justice movement.

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On the other hand, as of recently, there have been increasingly worrisome signs, and growing evidence, that the US foreign policy on resolving the “Palestinian-Israeli conflict” has changed, to the detriment of the PLO’s definition of Palestinian national self-determination-cum-statehood. The language and tools through which Palestinian self-determination and sovereignty are undermined are framed by, and sourced from, the realm of rights-based approaches and the values that purportedly underpin them. This development has far-reaching consequences to the rights-based approaches to Palestinian liberation; it poses a serious challenge to the PRM’s hitherto advocacy strategies, as the political battle is being shifted to play over its terminological, conceptual, and normative terrains, which this report also aims to demonstrate.

Therefore, the purpose of this strategy report is three-fold: (i) to showcase the actual dynamics and the momentous implications of this discursive and political turn and scrutinize their impact from the vantage point of Palestinian (national) liberation; (ii) to illuminate the way(s) in which safeguarding national self-determination is a critical matter to Palestinian liberation and how it corresponds with, and complements, the current advocacy strategies of the PRM; and (iii) to help shield the PRM from the US government-led efforts to eliminate the national framework of Palestinian rights and privatize them.

1.2. The turn to Palestinian rights and the liberation-driven Palestinian rights-based agenda in the US

Historically speaking, the outlook for Palestinian rights in the US was notably bleak. The fate of Palestinians and the justness of their cause were degraded and overlooked in the American political landscape and public life. Spearheaded by the uncritical mass media, the American political class and the pro-Israel lobby public discourse have been inhospitable and largely hostile to Palestinians and their rights for many decades, casting Palestinians as irrational people and terrorists. Cracks in this distorted and malicious reality began to evolve in the aftermath of the 1982 Lebanon War and the first Palestinian Intifada in the late 1980s.

The US government consistently opposed the Palestinian claim to self-determination until 1988. Until then, its conditions for the various peace initiatives were “[no PLO, no Palestinian state, no pressure on Israel \(indeed, always more aid to Israel\)](#).” Despite brokering and sponsoring the so-called “Oslo Accords” following the 1991 Madrid Middle East Peace Conference, the commitment to realizing Palestinian national self-determination in the form of an independent state in the WBGS was officially recognized only by President George W. Bush in 2002 as part of the efforts to implement the 2003

US-led “[Roadmap to Peace](#).” It is worth mentioning in this regard that the 2002 United Nations Security Council (UNSC) Resolution 1397 was the first of its kind to call for two states for two peoples along the 1967 borders to the Palestinian-Israeli conflict.

In the decade following 9/11, the American conversation on Palestine and Palestinian rights was negatively impacted by the salient “War on Terror” and the rise of the Islamophobic trope of a “Clash of Civilizations”. The tides of public discussion began to positively change in the beginning of the previous decade. They witnessed a leap during Israel’s 55-day war on the besieged Gaza Strip in the summer of 2014 (which coincided with the US police killing of Michael Brown in Ferguson, Missouri and the subsequent racial justice wave of protest that followed). The May 2021 events, otherwise known as the [Dignity Uprising](#) or the Unity Intifada, included a war on the Gaza Strip and witnessed a short-lived but massive Palestinian uprising from the River to the Sea. They prompted another leap in the bottom-up momentum of justice-based Palestinian rights discourse in the American public sphere.

The contemporary Palestinian liberation discourse is by and large articulated in the language and discourse of rights. Palestinian civil society promulgated the rights-based approach to liberation and self-determination in the aftermath of the collapse of the final status negotiations of the Oslo process and the sheer destruction of the Second Intifada (2000-2004/5). It gathered momentum as the International Court of Justice (ICJ) gave an advisory opinion on Israel’s “Separation Wall” in 2004 and with the subsequent Palestinian civil society call for BDS.

This rights-based approach sees in international law a potent tool for holding Israel accountable to its international obligations and for protecting the unity of the Palestinian people through their internationally recognized rights: (i) the right of return (UNGA Resolution 194); (ii) freedom from occupation in the WBGS (UNSC Resolution 242); and (iii) the right to equal citizenship for the Palestinians living within Israel (the assumed 1949 internationally recognized armistice line). All the while, the rights-based approach does not define any political end-game.

The liberation-driven Palestinian rights agenda and discourse have focused on articulating the elements of a new political strategy capable of uniting the political vision of a fragmented Palestinian body politic and protecting its rights. As it sought to transcend an ethnic and territorially truncated understanding of self-determination, inscribed in the “two states-for-two peoples” formula, it tactically refrained from proposing an explicit juridical-political solution that would actualize the Palestinians’ primary objective of (national) self-determination and did not take a position on the PLO’s definition of a state on the 1967 Green Line.

Even so, the consensus within today’s growing PRM is not to atomize the different Palestinian grievances and hardships, created by Israel-sanctioned divisions of locale and/or administrative-legal statuses, but to associate each of them with the existing colonial apartheid regime between the Jordan River and the Mediterranean Sea.

More than ever before, the PRM’s current talk on the plight of the Palestinians in the US focuses on the rights that they should enjoy and exercise and avoids or minimizes the question of establishing a state in the WBGS as the guarantor thereof.

In and of itself, the above must be seen as an important development as Palestinian voices, faces, and lives started to matter in the American public opinion. While the

change is quite transformative and unique from a global perspective, and is indeed welcome, one needs preliminary caution against at least two related aspects, which are little discussed amidst pro-Palestinian circles and influential national Palestinian agencies.

The first aspect concerns current attempts and policies by the US government and other powerful US and international actors to malignly invert the principled perspective and language of Palestinian rights in the US and enlist it in the service of a de-nationalized Palestinian future.

Indeed, the liberation-driven “Palestinian rights” agenda and discourse have been recently appropriated and inverted by the US government in complicity with Israel’s rolling decision to liquidate *qua* resolve Palestinian *national* self-determination. This top-down dynamic, which runs counter to the efforts and goals of the liberation-driven PRM, was officially initiated by President Trump and his administration (2017-2021). At its heart stands the will to disembody the national framework of the Palestinian body politic and its aspiration to liberation in the form of political sovereignty and return of the refugees.

Whereas the PRM underlines the indivisible nationhood of the Palestinian people and affirms their individual and collective rights in the homeland and the diaspora, the last two US administrations have (ab)used the Palestinian rights agenda by disaggregating and individuating the national-collective framework; they have done so by privileging individual human rights within a framework of regional neoliberal “economic peace.” This occurs in tandem with the implicit acquiescing in Israel’s incumbent regime of national supremacy and creeping apartheid. We call this top-down, not-so-explicit, yet deliberate political behavior by the US government (and influential US Israel advocacy and international agencies) a denationalization-driven Palestinian rights policy.

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The second aspect concerns the hitherto pressing need to re-examine and re-articulate national self-determination for the Palestinian people in light of the growing demise of the PLO’s statehood project; the impoverishment of the Palestinian national institutions and political system in the last decade; and in the face of the current efforts to liquidate national self-determination and normalize (even immortalize) Israel’s supremacist sovereignty from the Jordan River to the Mediterranean Sea.

1.3. The nascent double dynamic of Palestinian rights in the US

The actual US foreign policy on Palestine in the past five years indicates the abandonment of its ostensible commitment to an independent Palestinian state; it also shows an evolved new-old, though not fully declared, policy that adopts a discourse of civil and economic rights and moves away from Palestinian national self-determination as the organizing principle of Palestinian rights.

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Though it had conflicting motivations, the transformation of the US policy vis-à-vis the “Palestinian-Israeli conflict” and the rights of the Palestinians was swift and significant by any standard of US foreign policy. While multiple US administrations proposed roadmaps for a peace process that would result in two states, one (Israeli-)Jewish and one Palestinian, the Trump administration curbed the prospects for a two-state solution by changing long-standing positions regarding core components of the conflict, which have not been repealed by the Biden administration either.

This denationalization-driven US Palestinian rights policy started taking shape with President Trump’s decision to relocate the US Embassy to Jerusalem and recognize the city as Israel’s capital (December 2017) – a move that inaugurated a shift in America’s position on the conflict as it unilaterally intervened in a “final status” issue. In 2018, the Trump Administration reduced US aid to the Palestinian National Authority (PNA) and the people of Occupied Palestinian Territories, discontinued contributions to UNRWA and closed off the PLO representative office in Washington DC. In 2019, Secretary of State Mark Pompeo repealed a decades-old position that deemed Israel’s West Bank settlements inconsistent with international law and shut down the US consulate in East Jerusalem (effectively merging it in its newly relocated embassy to Israel in Jerusalem). In January 2020, President Trump announced his vision for Israeli-Palestinian peace (“[Peace to Prosperity](#)”), which, among others, provides for Israel the annexation of 30 percent of the West Bank and a smaller non-contiguous “State” of Palestine.

In August 2020, the Trump administration brokered an agreement between Israel and the United Arab Emirates and Bahrain, known as the [Abraham Accords](#), in which the countries pledged to normalize ties. These accords formalized informal economic and security relations between these states and signaled the ostensible end of the 2002 Arab Peace Initiative, which conditioned Israel’s regional normalization on ending the occupation of the WBGs and establishing a Palestinian state with East Jerusalem as its capital. The Abraham Accords also posited economic peace, development, and growth as the organizing logic for the normalization of the Arab Israeli relations, which include Palestinians but exclude representative Palestinian participation in the process.

Cumulatively, these actions, plans, and accords boiled down to a major policy change, which suggests, as the current Special Representative for Palestinian Affairs in the Biden Administration [Hady Amr wrote back in 2018](#) (when he held no office at the US government yet), that the US “is no longer truly pursuing a two-state solution and will treat the Israelis and Palestinians as a single political entity instead of two.” Notably, the US policy on Palestine had already been drifting in that direction while acquiescing with Israel’s supremacist “one-state reality.”

While the Biden administration has reiterated support for the two-state solution and reversed some of Trump’s punitive financial aid measures, it has largely accepted the Trump administration’s political-strategic moves and the changed rules of the game as compared with the US-Palestinian engagement in the previous three decades. This can be partly attributed to the US cornering itself with the need for Congressional action to

change course and to administrations lacking the political will to make the effort to do so.

The turn to rights-based politics has accentuated the ingrained tension in the relationship between state arrangements and national self-determination. As the expectancy for a viable state as a means to exercise national self-determination has faded, Palestinian national liberation efforts face a complex challenge: to protect and realize the right to national self-determination in a reality of fragmented and defunct domestic Palestinian political arena and in the face of deliberate Israeli and US policies to *de-nationalize* the Palestinian cause and *disaggregate* the inalienable collective rights it imparts.

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1.4. US arenas of Palestinian rights activism and advocacy

As mentioned above, the previous project identified four strategic engagement arenas in the US context with the aim to understand how primary constituencies and their agencies engage with, advance, and curtail Palestinian rights in society and politics. The four knowledge-intensive domains of strategic activity investigated were the following:

- (i) Jewish-Identified political organizations in the US and Palestinian rights;
- (ii) US Protestant and Evangelical Christian politics and Palestinian rights;
- (iii) US Muslims and Arab advocacy and lobbying for Palestinian rights;
- (iv) US-based legal advocacy for Palestinian rights.

As such, our understanding of the workings of the multi-level and multi-front PRM is intricately informed by the above and will be manifested in the following attempt to take stock of the strategic contours of its activities.

The present moment provides an uncommon and unparalleled opportunity for Palestinian rights advocacy in the US. If the practical contradiction between Israel's "Jewish" substance and "democratic" character (which is encapsulated in the feigned "Jewish and democratic" quip) has never been a contention bone in the American public sphere, Israel's recent wave of racist legislation, deepening apartheid, ongoing annexation, and most recently the unprecedented domestic turmoil around Israel's "judicial overhaul/reform," has made it a salient issue in American public opinion.

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With the debate in Israel centering around the issue of the “preservation/erosion of democracy” of the state (for Jews only, of course, as per the mainstream Israeli discourse), [American public views](#) were polled (in June 2023) regarding Israel’s “Jewishness” vs “democracy” dichotomy (while assuming a two-state solution is no longer in the cards). The results were intriguing: 73% of Americans chose democracy over Jewishness, even if it meant that Israel would no longer be a Jewish state – this included most Republicans, 64%, who tend to be very supportive of Israel. Further analysis also shows that a majority of Evangelical Christians, 58%, who tend to be most supportive of Israel, would choose democracy over Jewishness in Israel. In short, the long shadow of Israel’s rolling domestic crisis, which is touted as the most dramatic crisis since its inception, represents a real opportunity for the PRM to further propagate the demand for Palestinian liberation and justice and for democracy-for-all in Palestine/Israel.

The fervent pro-Israel lobby in the US is the product of a long process of building unique strongholds of support and the fruit of decades of sustained work. On the “liberal” side, the process began in the 1950s through the American Israel Public Affairs Committee (AIPAC); while it started in the 1970s through the Evangelicals on the “conservative” side.

Nevertheless, and contrary to the well-established and popular perception among Israeli elites that takes for granted the unwavering bi-partisan American support, facts on the ground have been changing course in the past decade.

For instance, in the 2022 congressional elections cycle, AIPAC launched, for the first time in history, its very own super 501(c)(4) Political Action Committees (PAC) to directly fund and derail Democrats’ electoral campaigns. Alongside its affiliated [Democratic Majority for Israel super PAC](#), they [spent over \\$41 million to attack Democrats](#) who violated its purity test on unconditional aid and support for the Israeli government. Although Israel advocacy groups were able to defeat democratic candidates in a few key races, they certainly didn’t win all battles, failing to secure victories in key races, such as in the race for PA-34 (Penn State House of Representatives District 34), where they invested millions of dollars. Altogether, Israel advocacy groups [have spent a total of more than \\$70 million dollars](#) to squash dissent and solidify an extremist pro-Israel slant among members of the US Congress and states’ Houses of Representatives. AIPAC boasted of defeating 13 “non-pro-Israel” candidates in the 2022 election cycle.

AIPAC’s aggressive entry into Democratic primaries signals the increasingly partisan track that the anti-Palestinian lobby is taking, mirroring Israel’s rightward shift and the Democratic disavowal of groups like the National Rifle Association of America (NRA) and, more recently, Big Oil. To put things into [historical perspective](#): while today there is only one NRA-backed Democrat in the House, just twelve years ago Democratic candidates in the House represented nearly 20 percent of NRA-financed candidates (a drop from 39 percent in 1992).

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Israel advocacy groups over US legislature. With these anti-Palestinian forces seeking to crush dissent and undermine the gains that the PRM has made over recent years, the fight for Palestinian rights will continue to face an uphill climb in the upcoming 2024 Presidential and Congressional race.

1.4.1. Jewish-identified activism and advocacy for and against Palestinian rights

As the PRM is poised to work for Palestinian liberation alongside sympathetic American Jewish organizations and against hostile others, understanding the visions, organizations, and modes of operation of hostile forces is necessary in order to minimize damage; it also draws the sympathetic forces and communities closer to the inclusive vision of liberation-driven Palestinian rights.

When it comes to Palestinian rights, the current American Jewish political field—i.e., the arena in which American Jewish organizations compete and cooperate with one another to exert public and intra-communal influence—can be divided into three loose coalitions. Each of these coalitions can be characterized by its ethical and communal commitments, relationship to Zionism, and analyses of anti-Semitism. They may also be defined by the advocacy goals that flow from the interplay of the aforementioned characteristics.

When it comes to Palestinian rights, the current American Jewish political field . . . can be divided into three loose coalitions.

The dominant coalition—overshadowing the others by magnitude when it comes to political, economic, and socio-cultural resources—consists of **Israel advocacy (IA)** organizations, defined as organizations dedicated to advancing the interests and/or burnishing the image of Israel in the US. They do so regardless of the political character of the Israeli state or of their aim to secure and entrench Israel’s Jewish identity and demographic dominance against perceived challenges from Palestinians and their supporters. As a matter of fact, IA organizations seek to impede the efforts of Palestinian rights advocates in the US and de-legitimize their moral-political standing, both within and outside the Jewish community. Conceiving commitment to Israel and Zionism as an essential part of Jewish identity, a major bulk of IA organizations work seeks to minimize, if not erase, the distinction between anti-Zionism and anti-Semitism. The largest and most-resourceful organizations of the IA coalition are the American Israel Public Affairs (AIPAC), the Anti-Defamation League (ADL), and the American Jewish Committee (AJC).

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The second coalition consists of **liberal communitarian (LC)** organizations. Whether Zionist or non-Zionist, what LC organizations *actually* share—and what accounts for their unique vulnerabilities—is a commitment to advancing “liberalism” within established Jewish communal networks, largely dominated by the IA coalition. Though increasingly at odds with the dominant IA coalition, LC organizations shape their agendas and identities in such a way as to remain within the boundaries of *communal* legitimacy

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as defined by the dominant IA coalition. This involves rhetorical deference to Jewish concerns and sensitivities (withstanding IA coalition's interpretive activities), as well as the political acceptance of Jewish self-determination in the "Land of Israel" (understood as support for Israel as a "Jewish and democratic state" within the 1949 armistice line). In practice, however, LC organizations dedicate much of their work on Palestine/Israel to (i) advocating an end to the Israeli military occupation (usually in the framework of a two-state solution); (ii) educating

American Jews about Israeli human rights violations; and/or (iii) working to enhance the rights and standing of Israel's "Palestinian minority" citizenry. Importantly, they tend to forgo the conflation of anti-Zionism and anti-Semitism and challenge Israel-centric understandings of anti-Semitism. Within the rhetorical and programmatic limitations imposed by their communitarian commitments, these organizations play an important role in countering dominant-coalition assaults on Palestinian rights and Palestinian-rights advocates and may, in the future, move to expand that role in new directions. LC coalition's largest and most-resourceful organizations are J Street, Americans for Peace Now (APN), and T'ruah – The Rabbinic Call for Human Rights.

The third coalition consists of progressive challenger (PC) organizations. . . . Its membership is diverse and shares . . . a lack of explicit commitment to Zionism and a will to challenge the undemocratic power exerted by the dominant coalition in shaping Jewish identity in America.

The third coalition consists of **progressive challenger (PC)** organizations. These organizations rebel against the established boundaries of political-communal legitimacy by (i) contesting institutional censorship; (ii) establishing new, non-Zionist sites of Jewish life; (iii) refusing to endorse Jewish hegemony or supremacy in Palestine/Israel; and/or (iv) actively working to advance Palestinian rights. The cumulative resources of the PC coalition pale in comparison with those of the LC and especially the IA coalition. Its membership

is diverse and shares not so much a positive program of solidarity with Palestinians (though some do advocate such a program) as a lack of explicit commitment to Zionism and a will to challenge the undemocratic power exerted by the dominant coalition in shaping Jewish identity in America. Each of the PC coalition's member groups cater to discrete constituencies and/or play unique functional roles in the activist ecosystem. An understanding of these differences is crucial if Palestinian rights advocates are to maximize the benefits of alliances and make additional strategic partnerships with members of this coalition. PC coalition's largest and most-resourceful organizations are: Jewish Voice for Peace (JVP) and IfNotNow.

It is necessary to understand not only the differences *between* these coalitions but also the differences *within* each coalition. For example, when it comes to the IA coalition, the most important cross-cutting cleavage relates to whether an IA organization's mission is purely Zionist or whether it attempts to combine a Zionist orientation in foreign affairs with a liberal-progressive orientation domestically. This tension can be fruitfully exploited by Palestinian rights advocates.

It is necessary to understand not only the differences between these coalitions but also the differences within each coalition.

Understanding the current trends in the American Jewish political field is critical for furthering the PRM capacity to influence beneficial trajectories therein and block harmful ones. The decade of 2008 to 2018 saw the birth and explosive growth of the PC coalition. Yet that growth appears to have plateaued in recent years. Entrenched opposition from the IA coalition, including its repressive influence over Jewish communal institutions, has limited PC organizations' ability to make concrete political gains and blocked, to a large extent, their efforts to reform Jewish communal institutions from within. Yet, their ability to mobilize and politically educate Israel-disillusioned youth on Palestine/Israel, particularly on campuses, has continued almost unabated.

One important phenomenon in the PC coalition is the shift from contesting within the community to operating outside and beyond it. The shift outward has been accompanied by a shift leftward as PC activists have built relationships with Palestinian organizers and advocates. Finally, the PC coalition's period of growth brought to light the role that an ecosystem of multiple ideologically and strategically differentiated organizations—in other words, a political “pipeline” arrayed from “right” to “left”—plays in facilitating the flow of participants away from the pro-Israel mainstream. Finding ways to facilitate and augment this right-to-left relay pipeline would certainly benefit the PRM's standing and its purported values.

When it comes to the LC and PC coalitions, the most relevant cross-cutting cleavage pertains to whether an organization is oriented more towards Palestine/Israel or more towards the American Jewish community. In general, organizations with an American Jewish communal orientation operate under additional constraints that Palestinian rights advocates should understand when formulating their approach. Nevertheless, such organizations could be more open to conversations and advocacy lines that emphasize Palestinian national self-determination.

When it comes to the LC and PC coalitions, the most relevant cross-cutting cleavage pertains to whether an organization is oriented more towards Palestine/Israel or more towards the American Jewish community.

Building on the above, the PRM's strategic take-home action points should include: (i) systematic legal advocacy to counter the IA coalition's efforts to delegitimize Palestinian identity and undercut political action; (ii) devising communication and coordination platforms that exploit the growing pockets of contention between the IA and LC coalitions and embolden the LC stance against the anti-Semitic smearing of the Palestinian struggle; and (iii) capitalizing on broadening the common ideological basis with leftward moving LC-identified groups and strengthening the alliances with members of the PC coalition, especially in the realm of political education.

1.4.2. US Church politics and Palestinian rights

In 1960, half of all Americans identified with mainline Protestant denominations (Congregationalist, Disciples of Christ, Episcopalian, Lutheran, Methodist, and Northern Baptist). By the end of the 1960s, conversion-oriented Evangelical Protestantism was dramatically revived, with an appeal based on individuals making personal decisions to follow Jesus. By 2015, the percentage of Americans who identify with mainline Protestant churches (MPCs) plummeted to ten percent of the US population.

Based on current demographic trends, the number of Americans associated with mega-churches and other non-denominational evangelical bodies equals the number of those considered as mainline Protestants (over ten percent). Moreover, evangelical churchgoers are at least twice as many mainliners (i.e., comprising more than twenty percent of the US population), making it the normative form of “non-Catholic/Protestant” American Christianity. Overall, Evangelicalism has at minimum three times more adherents than mainline Protestantism.

Mainline Protestantism [& Evangelicalism . . . are significantly implicated, to various degrees and effects, in “Holy Land” politics and Palestinian rights.

Mainline Protestantism is certainly not on its deathbed, but neither is it thriving; it remains the spiritual home for millions of politicized and well-off Americans. Evangelicalism, on the other hand, is an unwavering social and religious phenomenon and shows no signs of decline in US society. Both phenomena are significantly implicated, to various degrees and effects, in “Holy Land” politics and Palestinian rights.

It was not until the start of the first *Intifada* (1987-1993) that new conversations on Palestine and the Palestinians within the larger American Christian landscape began taking shape. Several MPCs became particularly concerned with Israel’s treatment of Palestinian Christians. As Israel continued its violations of human rights and severe mistreatment of Palestinians, more mainline protestant churches engaged directly with Israel/Palestine in the early 2000s. Their engagement entailed theological and political criticism of Christian Zionism in US foreign policy and advocacy in favor of Palestinian human rights. In recent years, such advocacy has taken a slightly different shape as MPCs have become more outspoken about Israel’s occupation of Palestine. As such, many have [denounced](#) Israel’s mistreatment of Palestinians, calling for an end to Israeli [apartheid](#), and have agreed to [boycott and divest](#) from Israel, in the hopes that economic pressure will bring about an end to the Israeli occupation.

While the tools used by MPCs have been praised by Palestinians and “pro-Palestinian” groups, their effectiveness is hard to measure. The effects of such tools on Palestinians are not quantifiable and have not been thoroughly studied. Furthermore, emboldened by Israeli and international human rights organizations and Jewish activists’ designation of Israel as an apartheid regime, MPCs have begun to call Israel an apartheid without fear of being labeled anti-Semitic. In a recent move, several of them have joined the [Apartheid Free](#) movement.

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Furthermore, while in recent years MPCs have endorsed and signed several resolutions, particularly championing divestment, and regularly sent eyewitness delegations, the rhythm of resolution-adoption is quite slow (for resolutions to pass, it usually takes approximately 10 years). As a tool, resolutions are effective when coupled with the follow up of the congregations and pension boards. As such, passing a resolution and issuing statements do not guarantee change or political influence. While divestment as a method has successfully brought local and global attention to the plight of Palestinians, analysts have deemed its tangible effects on Israel minimal.

While advocacy efforts have been consistent within MPCs, the tools of advocacy have remained stagnant. Though more MPCs today, such as the ELCA and PC(USA), take virtual and in-person trips to Palestine, most of them maintain traditional advocacy tools. New ways of engaging with Palestine/Israel are lacking, which has demotivated many congregants; they see that current advocacy efforts have failed to affect a sufficient amount of change, which, in passing, is mirrored and reinforced by the insufficient and routinised engagement modes on the Palestinian side. Thinking about new and more effective ways for MPCs to engage in advocacy efforts seems mandatory to counter the growing pro-Israel advocacy among their constituencies.

While the Palestinian struggle for national self-determination and justice contended with the Jewish Zionist movement as the main ideological obstacle to the realization of Palestinian rights and freedom, the past two decades have seen a rise in an equally daunting anti-Palestinian force, carried and propelled by Christian Zionists in the US (which has been recently spreading globally, especially in the Global South). Christian Zionism possesses a formidable voting and lobbying force, which is largely channeled into the unconditional support of Israel, its West Bank settlements, and its policies of colonization and dispossession.

While US Evangelicalism heralds anti-Palestinianism within the Christian Zionist doctrine, the marriage between Christian Zionists and the broader evangelical faith is enduring a deepening crisis in the US. New polls show that young Evangelicals are rapidly shifting their perspective on Palestine/Israel and that, as a whole, the Evangelicals' unreserved support for Israel is dwindling. In recent Evangelical writings, one finds open condemnations of evangelical institutions that rethink their pro-Israel/Christian Zionist stance, especially as regards matters of justice in Palestine/Israel.

A 2017 survey undertaken by Chosen People Ministries (a pro-Israel organization) shows an obvious decline in its support for Israel among millennial followers of Jesus. Among younger Evangelical respondents, 19 percent said that Israel did behave unjustly in 1948 while 47 percent were unsure. [Thirty-two percent](#) of this younger cohort thought that Israel has been unfair to Palestinians. 2018 and 2021 polls by the University of North Carolina at Pembroke asked Evangelicals respondents, aged 18-29, where they place their support in the "Israeli-Palestinian dispute." The 2018 poll showed that 69 percent of young Evangelicals sided with Israel, while only 5.6 percent favored the Palestinians. In stark contrast to these results, the similar 2021 poll showed that only 33.6 percent sided with Israel, while 24.3 percent sided with the Palestinians. In light of these trends, Evangelical leaders are wondering whether younger believers have backburned Christian Zionism.

Additionally, decades of advocacy from Palestinian rights activists and other historically marginalized communities are shifting the discourse on justice in growing pockets of Evangelicalism, offering a new lens to understand Palestine and the implications of being "pro-Israel" à la Christian Zionism.¹ The past eight years have witnessed the coupling of these massive generational and ideological trends (which one seasoned commenta-

The past eight years have witnessed the coupling of these massive generational and ideological trends . . . with the ethnic diversification of evangelical communities.

1 A growing evangelical bibliography deals with Palestine/Israel and more websites are devoted to rethinking this entire issue, such as christianzionism.org, palestineportal.org, and fosna.org.

tor described as “[seismic](#)”) with the ethnic diversification of evangelical communities. This has occasioned a substantive opportunity to transform American Evangelical engagement with Palestinian rights from denialism, and unflinching backing of Israel’s policies, to foregrounding Palestinian lives and seeking to establish and defend their rights. It is noteworthy that the passion for justice in Palestine/Israel among younger US Evangelicals is mirrored by younger US Jews.

1.4.3. US Muslim and Arab advocacy and lobbying for Palestinian rights

Arab and Muslim activism, advocacy, and lobbying for Palestinian rights in the US have been longstanding. They started in the 1950s by pro-Palestinian Arab diplomats and intellectuals, who were joined by a few Palestinian scholars, intellectuals, and community organizers in the 1960s. Their form and content were modulated by major events in the 1970s and 1980s, mainly the October 1973 war and the subsequent Camp David accords between Israel and Egypt, the fortification of the US-Israeli strategic alliance during the Regan presidency (1981-1989), and the consolidation of the Israel lobby in the US congress. Another set of impactful events occurred between the late 1980s into the early 2000s. These include the first Palestinian Intifada, the Oslo accords, the 9/11 attacks, and the second Palestinian Intifada. These developments shifted the US domestic foreign policy landscapes in which both pro-Palestinian and the pro-Israel lobbies and advocacy operated. While a pro-Arab-cum-pro-Palestinian advocacy have been often unacknowledged, and countered by the resources, impact, and visibility of the pro-Israel pressure groups, it is important to emphasize that it was [a robust phenomenon](#) and possessed the features of a pressure group/lobby.

The third phase of Arab and Muslim advocacy for Palestine and the Palestinians in the US has been contoured by the failed peace process, the concomitant rise of the Palestinian rights-based movement, the Arab Spring and its convolutions, Israel’s repeated wars on the Gaza strip, its increasing brutalization of Palestinians, and its full swing towards an apartheid “one-state reality.”

The Arab and Muslim American community’s advocacy for Palestinian rights has been growing steadily and robustly in the last two decades, thanks in part to communal direct actions taken in light of the Obama administration years (2009-2017) and to circumstances that accentuated the Palestinian question in the US.

US Arab and Muslim advocacy for Palestine . . . shift from mobilizing to organizing and acting has been gathering momentum since the early 2010s. Despite improvement, this shift, however, has not reached a critical threshold; it has equally lacked proportionate growth in infrastructure and capacity as well as a broadened donor base.

What has historically distinguished US Arab and Muslim advocacy for Palestine from American Jewish advocacy, until recently, is the weak translation of the constituencies’ interest, support, and care into involvement and, ultimately, effective political action. Nevertheless, its shift from mobilizing to organizing and acting has been gathering momentum since the early 2010s. Despite improvement, this shift, however, has not reached a critical threshold; it has equally lacked proportionate growth in infrastructure and capacity as well as a broadened donor base. All in all, the basic ingredients for effective lobbying in the US political system, i.e., money, organization, and expert

knowledge are just beginning to constellate among US Muslim and Arab communities and advocacy organizations. Direct campaign funding, active participation in election campaigns, and strategic media messaging are some of the levers that enable representation and influence.

Despite the fact that the Arabs and Muslims' rank-and-file activism in the Democratic party has contributed to the overall shift in its rank-and-file position on Palestinian rights, whereby Democratic constituencies have embraced Palestinian rights (Bernie, "The Squad", and other progressives), there's little evidence that the party establishment has moved on Palestinian rights. That said, the gap between party rank-and-file and the leadership is undoubtedly vast and growing—this suggests that a future battle around Palestine/Israel within the Democratic party may be inevitable. Put differently, a favorable environment and window of opportunity for Palestinian rights advocacy, at least in terms of "hearts & minds," but perhaps eventually in terms of decision-making as well, awaits capitalization by US Arab and Muslim advocacy and lobbying groups.

In that regard, "hard lobbying" in the form of Political Action Committees (PACs) and influence over Congress has also been crafted by US Muslim and Arab groups (see [Emgage Action](#) and [AJP](#)). These might prove useful for the PRM, especially in terms of playing defense, to counter the growing offensive, to halt its momentum, and to protect allies who might be vulnerable. But thinking in terms of comparative advantage is equally important; the PRM is massively outgunned on the PAC front. It may therefore be more effective in the short-term to double down on building local organizing infrastructure, such as community organizing, coalition building, university activism, and media work.

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1.4.4. US-based legal advocacy for Palestinian rights

Palestinian organizations and rights have been on trial in US courtrooms for decades. Dating back to at least 1991, Palestinians and their allies have employed an ever-increasing variety of litigation strategies in US federal courts to pursue accountability for Israeli crimes. Even more so, Palestinians have been forced to hold the line and defend against lawfare. Since the 1980's, the US government has targeted Palestinian organizations and individuals in the US with criminal and immigration charges—often pertaining to material support for terrorism.

With the aim to restore the shattered political image and ground in the American public sphere following the First Intifada, the pro-Israel lobby resorted to devising and deploying legal tools to batter Palestinians in court. The centerpiece of incriminating Palestinian political agencies was the Antiterrorism Act of 1991 (ATA). The ATA created a new federal right of action—that is, the right to file civil lawsuits—for any U.S. national whose person, property, or business was injured by "an act of international terrorism" (as defined under federal criminal law) taking place anywhere in the world. Not only does the ATA put federal antiterrorism law with its global jurisdiction at the service of private actors, but [Congress crafted the statute to incentivize lawsuits](#) by automatically tripling any monetary damages and forcing losing defendants to pay the winner's legal costs. The law was [drafted](#) with the intention to target the PLO (a later statute would

authorize suits against foreign sovereigns deemed terrorist sponsors), and was heavily lobbied for by the Anti-Defamation League (ADL).

Armed with the ATA and emboldened by US government-led litigation against Palestinian activists, pro-Israel actors turned to courts to undercut Palestinian rights advocacy. From 2001 to 2005 alone, eight lawsuits were filed against the PNA or the PLO arising from acts of Palestinian armed resistance, including suicide attacks. This swirl of lawsuits against the PLO/PNA started to decrease, however, with the rise of the PRM and affiliated organizations in the mid-2010s.

The mounting public lawfare against Palestinian rights is taking the form of an ongoing and expanding campaign that exploits the US laws, regulations, government agencies, courts, and financial systems as tools to target pro-Palestinian US groups and individuals and to suppress international support for and solidarity with them.

The mounting public lawfare against Palestinian rights is taking the form of an ongoing and expanding campaign that exploits the US laws, regulations, government agencies, courts, and financial systems as tools to target pro-Palestinian US groups and individuals and to suppress international support for and solidarity with them. These tactics include censorship of speech in support of Palestine, disciplinary in-

vestigations and dismissals, de-platforming, false accusations of anti-Semitism and terrorism, intimidation and smear campaigns, discrimination, media and social media bias and censorship, legal threats and administrative sanctions, and criminalizing support for the BDS movement through legislation, and punishing advocacy for Palestinian rights at the local, state, and federal levels. All in all, we should be aware that these malicious tactics are being tested, anti-Palestinian rights strategies honed, and legal and regulatory precedents shaped in ways that threaten the PRM agencies and actions in the US and beyond.

In parallel, US-based legal advocacy for Palestinian rights has developed remarkably in the past decades. New and highly professional legal organizations were established to exclusively serve this purpose and other well established American institutions joined the effort.

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As PRM gathered momentum in the past decade, two major new lines of attack on Palestinian rights advocates have emerged. The first is a shift in targets as the PLO/PNA's diminishing relevance and deficient legitimacy became harder to ignore and civil society and grassroots organizing grew. While lawsuits against the PLO/PNA and associated banks have not been abandoned, the broader trend is that NGOs defending Palestinian rights are a new and growing front for Israel/Zionist advocacy lawfare. The second new line of attack has been laws [attacking the First Amendment-protected right to boycott](#). Largely promulgated by clandestine pro-Israel and right-wing lobbying groups, more than [200 bills targeting boycotts](#) for Palestinian rights have been introduced across the US. According to [Palestine Legal](#), while many of the bills have been defeated by organizing, more

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than 30 states currently have anti-boycott laws in place. Well-resourced civil rights and liberties groups, namely the American Civil Liberties Union (ACLU) and Council on American-Islamic Relations (CAIR), began challenging anti-boycott laws in several states. These efforts have been widely supported by PRM organizations in the form of strategy support, coordination, and *amici curiae*. Alarming, [the anti-boycott laws piloted](#) against supporters of Palestinian rights are being reproduced to target environmental justice, gun control, and other progressive causes.

Advocates in the US utilize a variety of legal advocacy approaches in support of Palestinian rights. Principally, legal strategies are divided into *litigation*- and *non-litigation*-based approaches, though there is no real neat divide between them. Litigation and non-litigation strategies often—and, for our purposes, should—intentionally complement one another.

The non-litigation legal advocacy is broad and crucial for protecting Palestinians' right to self-determination. It generally falls into the two categories of PRM support/defense work and policy.

The PRM defense work includes: (i) Legal advising, student support, advocacy, campaigns, etc.; and (ii) documentation and reporting on repression. In the policy arena, efforts from the PRM converge on: (i) Ending US military funding for Israel; and (ii) imposing sanctions on arming Israel as a consequence for the crime of apartheid.

Other policy-establishment actors that support the PRM's non-litigation efforts are the Carnegie Endowment for International Peace, the Foundation for Middle East Peace, and the Middle East Institute. Those tend to focus their efforts on: (i) advocacy at the United Nations Human Rights Treaty Bodies and Committees; (ii) reinstating the Washington DC PLO Mission office closed by the Trump administration; (iii) reinstating full UNRWA funding from the US government; and (iv) establishing immunity for the PLO under the ATA.

As regards litigation strategies, the PRM deals with US federal courts that have been a traditionally hostile venue to Palestinians and their supporters. Since 1991, attempts to seek accountability for Israeli war crimes have faced obstacles in US courts. Nevertheless, the PRM has recently won two important litigations. The first is the DC Superior Court's March 2023 [dismissal](#) of a Strategic Lawsuits Against Public Participation (SLAPP) lawsuit against the American Studies Association (ASA) and some of its former leaders for a 2013 resolution endorsing the academic boycott against Israel. The second was a [Jewish National Fund vs. US Campaign for Palestinian Rights](#) lawsuit, where the DC Circuit Court of Appeals rejected a lawsuit filed by the Jewish National Fund (JNF) claiming that the US Campaign for Palestinian Rights (USCPR) had provided "material support for terrorism" by engaging in advocacy. The court's decision [rejected the premise and the bases](#) of the JNF suit and described its liability as "failing at every turn" and that it was "nothing more than guilt by association."

Proactive and reactive/defensive litigation-based approaches include international and domestic lawsuits for accountability and land restitution. Among the main organizations that litigate Palestinian rights are: The Center for Constitutional Rights (CCR), whose work challenges Israeli impunity and defends organizations and individuals targeted for their Palestine advocacy; Palestine Legal, which works to protect the civil and constitutional rights of Palestinian freedom advocacy; and the American Civil Liberties Union (ACLU), which litigates to protect the right to boycott for Palestinian rights and challenges anti-boycott laws on a State level.

In this regard, it is important to note that, unlike continental European courts, US courts do not adjudicate the right to self-determination, be it individual, collective or national, according to international human rights law but rather in accordance with domestic legislation and US Supreme Court rulings/legal rules.

Our overall findings of the strategy research of the US-based legal advocacy for Palestinian rights have shown that the political and legal aspects are inextricably interconnected, and thus have to be juxtaposed and evaluated as part of the planning and implementation of interventions, especially the litigatory ones. In that vein, defensive and proactive legal advocacy should be seen as concurrent and complementary. Another crucial dimension of legal advocacy for Palestinian rights pertains to the implications of the US domestic legal actions in the international arena and the continuous need to assess its relevance to advocacy needs in Palestine. Lastly, The success of US-based legal advocacy relies on cross-movement coordination and intersectional approaches.

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Our research has also revealed untapped opportunities for PRM legal activism (such as underexplored channels of advocacy and claims vis-à-vis administrative agencies), gaps (such as under-preparedness for litigation and education around the [IHRA definition of anti-Semitism](#)), and grave repercussions for the PRM's activity and proliferation.

In sum, our research indicates two main strategic concerns in the realm of US-based legal advocacy for Palestinian rights: (i) the need for a comprehensive method for screening and evaluating the utility of available legal, especially litigatory, strategies for the advancement of Palestinian rights; and (ii) furthering the capacity-building of PRM advocacy by funding and organizing training programs, seminars, and placements to build legal expertise in relevant areas.

2. Power relations in the field of Palestinian rights in the US: Challenges, threats, and opportunities

2.1. Denationalization-driven Palestinian rights policy

From 1988 to 2018, all US administrations have proposed initiatives and plans for a peace process that eventually resulted in two states for two peoples: one Israeli, fulfilling the national self-determination of (Israeli) Jews, and another Palestinian, fulfilling national self-determination for Palestinians. The “peace process”, designed to deliver those goals, was the cornerstone of the US-sponsored Middle East order, whose foundations were laid in the Camp David Accords between Israel and Egypt in 1978 (which inaugurated the reputed US-sponsored “Middle East peace process”).

Despite the longstanding volatility of the regional geo-strategic configuration, the Palestinian-Israeli peace process commitments and arrangements were reinforced after the end of the Second Intifada and the collapse of a [“final status” settlement](#), as was outlined in the 2008 PSG report. [Security coordination arrangements and neoliberal economic containment policies](#) maintained an ever-deteriorating status quo and have been de-facto contouring and reproducing a “process” talk that averted “peace” and deepened settler colonial apartheid on the ground.

President Donald Trump’s closure of the PLO representation in Washington DC, the shutting down of the US Consulate in Jerusalem, the transfer of the American embassy to Israel to Jerusalem, the introduction of “Peace to Prosperity” plan, and the “Abraham Accords” framework (peace-for-peace formula) have practically eliminated prospects for a *viable* two-state solution. Rather, they now serve as a drifting board for the US to shun its longstanding commitment to Palestinian national self-determination by way of statehood.

Though the Biden administration has reiterated US support for the two-state solution and reversed only some of Trump’s financial punitive measures against the UNRWA and the PNA, it left all of Trump Administration’s political-strategic moves in place, ergo accepting its change in the rules of the game and the US noncommitment to the Palestinians as a collective entitled to exercise the right to national self-determination. The Biden administration acquiescence with downgrading official US-Palestinian relations, its yielding to Israel’s refusal to reopen the 180-year-old US Consulate in Jerusalem, alongside re-licensing “Palestinian affairs” as a portfolio that actually falls [under the jurisdiction](#) of the US ambassador to Israel

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in West Jerusalem (though formally reports to the State Department on select issues), indicates a certain tacit US complicity with Israel's policy of rolling annexation and creeping apartheid.

Six months into the Biden administration term, the State Department published a reworked [fact sheet](#) on "U.S. Relations With Palestinian Territories", which frames their relations under three headings: (i) "U.S.-Palestinian Relations," (ii) "U.S. Assistance to the Palestinians," and (iii) "Bilateral Economic Relations."

The first paragraph of the fact sheet states the following: "The United States is **strongly committed** to the development of a secure, free, democratic, and stable **Palestinian society and governance**. The U.S. Government **remains committed** to a **negotiated solution to the Israeli-Palestinian conflict** and believes that Israelis and Palestinians alike deserve **equal measures** of freedom, security and prosperity. The United States will continue to work with the Palestinian Authority (PA) and the Palestinian people – including civil society – to advance these objectives" [emphases added]. Ergo, US-Palestinian relations have been equally downgraded on a declarative policy level. Where in the previous two decades the US treated the PLO-PNA as a state-in-the-making, as the collective-national entity that is realizing self-determination for its people within the 1967 borders, the relation is now redefined to one between a state and a society in-need-of-governing-bodies. Moreover, while in previous times the US (and major European countries for that matter) were declaring their support for the two-state solution, nowadays they stress that the two-state solution has to be "negotiated," which means that they are no longer affirmative when it comes to Palestinian statehood. Rhetorically speaking, we may say that the US has been retreating from its commitment to Palestinian statehood, which, as previously mentioned, was seen as the key to realizing the Palestinians' right to national self-determination.

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To that end, the US government shifts the framework of "Palestinian rights" and hands its provision to the PNA: "[T]he U.S. Government aims **to promote and protect human rights** for the Palestinian people, and encourages the Palestinian Authority to promote and protect the rights of the Palestinians as it works to fulfil the aspirations of the Palestinian people and enjoy lasting peace with Israel. **Supporting a negotiated two-state solution** will continue to be a core U.S. policy objective" [emphases added].

This clear shift in US strategic policy is why some veteran Palestinian diplomats, such as Dr. Nasser al-Kudwa, have been making the key distinction that Palestinian statehood must be detached from Palestine's future relation with Israel.

The Biden administration consistently claims in all its public statements that its mission lies in "ensuring that the Palestinians and Israelis enjoy **equal measures** of freedom, security and prosperity." It also states that the "two-state solution" is the bounty that comes at the end of a process of lowering tensions and building confidence between the parties, and that the major and immediate task of the US government is preserving the vision of "two states-for-two peoples."

Beyond the fact that the “two-state solution” has long become a [mere apology](#) and a smoke screen that undermines Palestinian statehood and normalizes Israel’s apartheid, it is now articulated in the language of “equal measures” between two symmetrical parties that supposedly possess the means to ensure freedom, security, and prosperity for their own populations. While symmetrical both-sidesism always benefited Israel and imbued Israeli politics with certain immunity and innocence, the US has appropriated this tactic for itself in order to save face, as it were. As such, the “two states” talk has been weaponized by the US government to silence the Palestinian narrative and deny the Palestinian people national sovereignty in their homeland. Fast backward: The Balfour Declaration.

The introduction of the Abraham Accords in the summer of 2018 sketched a US regional framework around which a new Iran-exempt Middle East-wide geostrategic and political order can be built. And yet, Saudi Arabia, which is a major anchor of such willed US order, has been banking on diplomatic avenues other than the Abraham Accords. Saudi Arabia’s move in March 2023 to ease tensions with Iran under the auspices of China and the active regional diplomacy of several other Arab states, irrespective of the Abraham Accords normalization-centered logic, indicates that the Abraham Accords’ appeal and expansion face considerable challenges. Nevertheless, the [Biden administration has been marshalling incredible resources](#) to integrate Saudi Arabia in the Palestine-by-pass Abraham Accords.

It is also telling that, for the first time in over forty years, the Biden administration decided not to appoint a US special envoy for the “Middle East peace process.” Nevertheless, this June, it appointed the former US ambassador to Israel, Dan Shapiro, as [senior adviser for regional integration](#) with a mandate to deepen and broaden the Abraham Accords, and consolidate its “Negev Forum.”

A plausible impetus to this US shift is surely informed by the historic political polarization in US domestic politics. In other words, Israel and its supporters, such as AIPAC, have the US domestic political scene in a stranglehold so firm that even a US administration that would want to correct where the US stands on the issue is guaranteed to pay an electoral price, at minimum.

A sober reflection on the abovementioned shows that the US government-led de-nationalization policy has altered the strategic terrain of Palestinian rights in the US (and that of the Middle East and Palestine/Israel) and inserted weighty considerations into the equations that matter in the pursuit of Palestinian liberation and justice. Therefore, it is our contention that this vehement attempt to liquidate Palestinian national self-determination and disaggregate the unity of the rights framework of the Palestinian body politic must be closely monitored and analyzed, let alone unremittingly countered.

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2.2. The PLO-PNA & Palestinian rights advocacy

The tension between national liberation and national (*qua* statist) independence has been ingrained in Palestinian political thinking and praxis since the proposal to partition Palestine gained prominence in the 1940s. The PLO's 1974 "Ten Points Program" posited the establishment of provisional state structure in any sub-territory of historic Palestine as means to realizing Palestinian liberation and decolonization. Down the road, however, the "Ten Point Program" was deployed to justify Palestinian statehood over the 1967 occupied territories as the material realization of Palestinian liberation. While hopes were high that the Oslo process would materialize the PLO's campaign for independent statehood (albeit in an ethnic and truncated territorial fashion according to the "two states-for-two peoples" formula), it turned out that the process reconfigured and entrenched settler colonization, apartheid, and occupation rather than delivering tangible statehood, let alone liberation.

The PLO's 1974 turn to national independence signaled the departure from the approach to Palestinian rights it had previously adopted, which was [anchored](#) in decolonization, inclusive Palestinian nationhood, and a single democratic state. The shift from the vehement rejection of the 1967 UNSC Resolution 242 (which did not mention the Palestinians or stipulated their right to self-determination) in 1974 to its complete adoption as the vehicle for peaceful resolution in 1988-1991 had consequences for what "[Palestinian rights](#)" signified for the Palestinian national movement and for the international community.

The "legalification" of Palestinian rights by the Resolution 242 rationale eventually affirmed an international recognition of the PLO as the collective political representative of the Palestinian people and their rights, erected a nominal/formal Palestinian nationality, and acknowledged the latter's right to external/territorial self-determination in the WBGs.

Nevertheless, one could argue that, with regards to the hegemonic corpus of international resolutions on Palestine, the legal standing of Palestinian rights hinges on a wide international acknowledgment of the Palestinians' entitlement to exercise national self-determination. Without this recognition, the Palestinian quest for liberation and justice would lose its anchor in the international system and would run the risk of placing the political-existential fate of the fragmented Palestinian communities and locales to the whims and interest of influential non-Palestinian actors.

Hence, in the current denationalization efforts to eliminate national self-determination as a framing principle of Palestinian rights and disassociate it from what counts as "Palestinian rights," what is at stake are the very unity and integrity of Palestinian nationhood/body politic and the hard-earned recognition-cum-entitlement to exercise collective self-determination as such (which is still encased in an exclusive nation-state along the 1967 borders).

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Thirty years into the Oslo peace process, the PLO-PNA keeps defending the project of a Palestinian nation-state within the 1967 borders as the only feasible and “realistic” path to actualize the Palestinians’ most fundamental rights and realize liberation. Yet, the PLO’s strategic reorientation toward national(-statist) independence has yielded neither an uncompromised “nationhood” nor a sovereign “state.” In fact, the contrary has happened. Moreover, the PLO’s bet on the international system and UN resolutions (what we called “legalification” of Palestinian rights) as a pillar of the realization of national self-determination has dismally failed thus far.

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The unsuccessful Palestinian attempts (2011-2014) to gain international political recognition at the UN Security Council revealed the dead-end of the “peace process” as the instrument which should yield a viable Palestinian “state.” The UN General Assembly vote (Resolution 67/19), on 29 November 2012, which acknowledged Palestinian statehood (within the framework of two states) as a “non-member state,” was an important Palestinian psychological and diplomatic-political win and provided the PLO access to international fora, organizations, and treaties. Yet, it has changed almost nothing in the material and social-political certainty of colonization and apartheid in Palestine/Israel. While the “observer” status in international bodies has enhanced the anchoring of Palestinian cultural, social, and economic rights in the international law-setting fora and thus, brought Palestinians’ individual rights into sharper focus, this traction has not translated into advances in terms of collective-national self-determination in those very fora. Though the PLO-PNA purported goal is realizing Palestinian national self-determination through statehood, its accession to international bodies and the ratification of treaties ended up foregrounding Palestinian human rights in the Palestinian rights discourse.

Through its purported state-building project, the PLO-PNA has de-facto accepted to enact Palestinian “sovereignty” as a severely limited form of self-governance, stripped from levers to resist the incessant Israeli colonization. In the course of anchoring state sovereignty, the PLO-PNA has led the Palestinian national movement into a [“sovereignty trap,”](#) a limbo through which sovereignty must still be imagined, against all odds of settler colonization and the fragmented reality of the OPT, through an exclusive nation-state on the 1967 borders.

2.3. Implications of abandoning national self-determination as a framing principle of Palestinian rights

The discursive incongruence between the political and the national dimensions of the idea of Palestinian self-determination in the US has never been as pronounced as today. This is largely due to the coupling of the political disarray in the shadow of the deteriorating discourse of the two-state solution with the considerable weakening of the credibility of the PLO-PNA and the wider class of Palestinian leadership.

Palestinian civil society’s adoption of a “rights-based” strategy to counter the Oslo impasse aimed, among others, to organize a collective representation that voices

the elementary concerns of the Palestinian plight while circumventing the PLO-PNA's calcified "two states" program. Rights-based advocacy avoids stepping on political toes, leaving the PLO-PNA to pick the campaigns that fit its narrative as the caretaker of Palestinian collective-national concerns, while keeping its feet firmly planted in the pragmatic anti-principles of ethno-territorial partition and of a peace process-to-come.

Yet, as Sam Bahour [put](#) it: "For better or worse, Palestinian national rights have been defined in the international arena and accepted by the Palestinian leadership." Likewise, we must not forget that the Oslo Process was launched with the PLO's explicit recognition of the State of Israel, which was restated in 2002 when the PLO accepted the Arab Peace Initiative. Therefore, as Bahour argues: "[t]he choice of two states cannot be simply reversed now without an international political fallout, which Palestinians are neither politically nor practically prepared for."

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Though it is true that the shelf life of the internationally-endorsed and the PLO-PNA-approved achievements already gained towards national independence have lost momentum, they are still on display and have not been replaced by new valid goods that could feed into Palestinian liberation. Thus, belittling or disavowing these achievements might not be strategically wise and could possibly underestimate the efforts required to shift undesirable yet sticky "conflict management" strategies.

While taking the individual subject as its unit of analysis, human rights-based approaches do not on the level of substance undermine national rights and the right to national self-determination or brush away state-centric approaches to national self-determination. Nevertheless, one should take note of the characteristics of the rights-based discourse of Palestinian liberation and justice among younger generations of Palestinians and pro-Palestinians activists in the US (who form the activist bulk of the PRM): the insistence on rights; ending apartheid; the disapproval of the existing official Palestinian leadership; the celebration of unity; [the generational shift](#) towards youth movements; a diminished regard to existing diplomacy; and disengagement from the two-state framework (and from the stress on statehood in general). The gap between these trends among the PRM's younger strata and the hitherto inescapable statehood as the enabler of (national) self-determination requires intricate strategic navigation.

In conclusion, one might say that, as seen from the US, Palestinian self-determination could be articulated in a post-national form and fashion, be it individually or communally, and yet still be effective for affirming and enforcing Palestinian rights. Viewed from Palestine/Israel, one might say that self-determination cannot overstep the national predicament because the defining feature of Israeli colonial apartheid is the elimination/subordination of Palestinian

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nationhood (along racial-religious lines). While the two perspectives might appear contradictory at first glance, we argue that it is not necessarily the case; they should be juxtaposed and balanced at the level of principle and of operational effectiveness. In other words, the success of the US-based PRM in the current conjecture is intimately related to embedding national self-determination in its overall understanding and advocacy of Palestinian rights.

3. National self-determination, decolonization, and the Palestinian Rights Movement

3.1. Self-determination, national and otherwise, as vehicles to Palestinian liberation in the US

This section explores the prevalent Palestinian rights frameworks utilized in the US, specifically intersectionality and indigeneity. It emphasizes the importance of national self-determination to the framing of Palestinian rights and establishing an organizing framework for the significant actions taking place in the US within a clear political vision.

There is no doubt that the protection and promotion of human rights around the globe is blessed, encouraged, and poses challenges that should not be underestimated. Yet, it is essential to emphasize that rights-based approaches act as a process which allows mobilization but does not determine a direction. A political vision/project is therefore imperative.

The normalization of the humanitarian aid approach in the US and international political spheres and the domination of the rights-based approach in the Palestinian activism field raise some serious concerns.

The international law and human rights framework cannot in itself transform the power imbalance that sustains colonialism and injustice. It acts as a strategic tool and should be accompanied and directed by a political project that aims for decolonization and liberation. Otherwise, the dedicated efforts and struggle in human rights defense will be subject to a permanent ebb and flow between rules, laws, and legal counter activism.

The experience of the past years shows that national independence cannot coexist with ongoing Zionist colonization, even among those who support a two-state solution, which relies on the principle of partition. The outcomes/implications that the Oslo process created for the Palestinian national cause have led to a renewed call for a return to erstwhile views of the Palestinian political struggle: the commitment to liberation from settler-colonialism where [“liberation beyond the not yet fully realized and yet already mutilated project of the nation-state”](#) is at stake.

... it must be maintained that the human rights discourse is a tool that operates within certain norms and rules in a field fraught with brute power. Therefore, one has to limit expectations when the rights-based discourse is invoked and be careful not to let decision-makers off the hook as they embrace rights to avoid Palestinian statehood.

This does not mean abandoning the rights-based approach. Rather, it is necessary to pinpoint the limits of its rhetorical and substantive contents and to be realistic about its actual capabilities. Therefore, it is important to consciously use these devices in a way that serves Palestinian national rights, and to determine when to use or avoid a particular discourse. Most importantly, however, it must be maintained that the human rights discourse is a tool that operates within certain norms and rules in a field fraught with brute power. Therefore, one has to limit expectations when the rights-based discourse is invoked and be careful not to let decisionmakers off the hook as they embrace rights to avoid Palestinian statehood.

Acknowledging the significance of incorporating the indigeneity and intersectionality frameworks is vital when establishing coalitions to expand the Palestinian solidarity movement and enhance the American conversation on Palestine. Despite some advances, it remains crucial to recognize the intricacies involved in scrutinizing these strategic frameworks and their impact on national self-determination.

Palestinians in the US share with America's historically oppressed groups a wide array of concerns and rights, which, when juridically denied, legally contested, and politically repressed, make the American intersectional civil rights framework an influential vehicle for a joint political struggle.

However, the struggle for Palestinian rights cannot be easily or completely reconciled with the intersectional US social/racial justice framework for a simple yet fundamental reason: the Palestinian question is first and foremost a political struggle aiming to achieve national self-determination (to repeat: political sovereignty and the right of return of refugees) in Palestine/Israel, and is not a legal struggle for a greater or perfected individual, civic, and cultural autonomy, nor is it a campaign for a more inclusive historical or political identity. The right to national self-determination is the cornerstone that makes Palestinians "rights holders" in the first place. It is thus an indispensable precondition to "Palestinian rights" because Palestinians have been consistently denied de-facto recognition to exercise political sovereignty as an indigenous collectivity.

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Indigeneity is another promising organizing framework applied in constructing coalitions to advance Palestinian rights. The Indigenous framework defines similarities between the US and Israel, defining these countries as European settler-colonial projects, created through colonization and the ethnic cleansing of indigenous peoples.

The Indigeneity framework presents a contemporary view of settler colonialism, emphasizing the ongoing control measures employed to maintain colonial power, such as surveillance, military checkpoints, police brutality, displacement, theft of natural resources, and cultural erasure and appropriation. This framework also provides a variety of resistance tools to counter the colonial agenda, including the sharing of knowledge, assistance, solidarity, strategies, and mutual understanding of systems of oppression.

In 2007, the UN adopted the Declaration on the Rights of Indigenous Peoples ([UNDRIP](#)) in an attempt to promote the rights of global indigenous peoples within an international law framework. While many celebrated UNDRIP, it also faced criticism; indigenous communities point to the limited description of indigenous peoples, but that it also prevented indigenous sovereignty given the importance it posed on maintaining the territorial “integrity” of existing nation states as noted in [Article 46 \(1\)](#).

While the UN Declaration recognizes the importance of self-government, it falls short of granting independent national self-determination and sovereignty, which is a key objective for the Palestinian people. Rather, the Declaration emphasizes indigenous self-government or autonomy as a means of [preserving cultural identity](#) within a given country. While this definition of indigeneity can be useful for mobilizing and organizing activists/Palestinians within the US, it does not align with the political aspirations of the Palestinian people on the international level. The rights-based approach is essential to advancing Palestinian rights, but to protect the Palestinians collective and individual rights, it should be implemented within a framework that scopes national self-determination as well.

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It is essential to reclaim Palestinian national self-determination as a pivot of the rights-based approach to Palestinian liberation and justice. Of course, this political path must negotiate its conduct and tools vis-à-vis the undeniable restrictions of international human rights law and discourse.

3.2. The de-colonial framework of liberation, apartheid & national self-determination

The de-colonial framework relies on settler-colonialism as a conceptual-analytical paradigm for analyzing the Palestinian predicament. It seeks to go beyond an ethnic and territorial understanding of self-determination, that is, beyond the framework of the exclusive nation-state, and to propose a political alternative that protects the individual and collective rights of citizens. This framework is gaining international attention, including in the US and within the PRM, particularly among academics and activists as an interpretive framework that (re)locates the Palestinian cause on its original diagnosis.

Palestinians have considered and framed Zionism as a European settler-colonial project and resisted it from the moment that Britain recognized it, granting the Jewish national movement the right to national self-determination in Palestine in 1917 while denying the indigenous Palestinian Arabs this very right. Palestinians, therefore, view

the existence of the Zionist settler-colonial project in Palestine as the violation of their inalienable right to collective/national self-determination, which remains the core of the Palestinian question. Thus, (re)defining Palestinian national self-determination in an ongoing settler-colonial context through a de-colonial lens seems an inescapable task.

There have been ongoing Palestinian civil society discussions on how to best attain self-determination and freedom in the context of ending colonialism. These discussions have been influenced by both time and changing circumstances, thus necessitating careful deliberation. Many Palestinians argue that establishing a state in the WBGS, based on the international consensus of a two-state solution, has resulted in the compromise of their rights, fragmentation of their people, and a weakened national movement. Others maintain that a Palestinian state is a necessary step towards achieving liberation, even within these limits. Nevertheless, the two-state solution is now intellectually being challenged by alternate models, such as a binational state or a liberal one-state solution, which transcend the ethnically exclusive, territorially truncated, nation-state.

The crucial question lies, however, not in the essence or form of the political solution that would end the Zionist colonial apartheid, but in the framework or the process within which that solution is situated and enacted. The open-ended answer to well-entrenched settler colonial conditions is decolonization, not a different political-constitutional-institutional arrangement in the form of a state. Decolonization is the overarching and ultimate process, and it should dictate what structures or institutions are requisite in each epoch in order to continuously deliver a colonialism-free reality.

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Here, the question of what strategy the Palestinian people and their representative agencies would adopt in order to decolonize Palestine/Israel becomes unavoidable.

Regardless of these suggested solutions and given the political circumstances, it is important to continue emphasizing that the right to self-determination for the Palestinians is a non-negotiable and inalienable right. Accordingly, the discussion would give room to justice and liberation, alongside the autonomy over collective existential resources (land, water, ending the occupation, settlements, and Palestinian labor).

Therefore, before determining the most appropriate structure/form for achieving national self-determination, it is essential and crucial to recall and frame the deep-rooted processes that deny and prevent Palestinians from fulfilling their self-determination. This requires centering the question of dismantling the colonization of Palestine and Palestinians—and reclaiming national self-determination as a political framework that answers this demand.

Without dismantling and challenging the Zionist settler-colonial ideology and structures which privilege Israeli Jews as nationals and citizens entitled to exclusive self-determination in Palestine/Israel, the continued erasure of and domination over the Palestinian people everywhere will be inevitable and irreversible. Even the mere creation of a

state (regardless of its modality and form), would not ensure national self-determination and can reproduce injustice and erasure.

The focus, therefore, should be on the substance and the core that would guarantee all Palestinians the possibility to national self-determination, liberation, and justice. This begins with reclaiming the framework and terminology of national self-determination to the Palestinian project. The role of the PRM in the US in determining this tone is important.

This becomes possible when the Palestinian leadership strategically pursues a political project towards decolonization. It would entail calling for dismantling the Zionist settler-colonial apartheid regime and its discriminatory institutions, laws, policies, and practices of forcible transfer, property appropriation, dispossession and domination; emphasizing the right of return of Palestinian refugees, which are key prerequisites for the substance of Palestinian self-determination and liberation; and endorsing a rights-based approach for employing international law within a political project. This would establish clarity and premise it on a political framework, which are needed in a reality of political and geographical fragmentation. Regardless of the sense of unity and backing of a political project, the self-determination framework challenges the “problem-solving” approach that dominates the peacemaking discourse, media, and public opinion in the US and the international approach towards the Palestinian-Israeli conflict.

While in Palestine the prospect of an anti-apartheid movement has been facing growing repression as it directly threatens the hegemonic rules of the game, the anti-apartheid consciousness and movement have been steadily growing internationally, especially in the US and among the PRM. The increasing depiction of Israel’s rule over Palestinians between the Jordan River and the Mediterranean Sea as an apartheid regime, violating the [Rome Statute](#) of the International Criminal Court, embodies a radically different normative and ethical adjudication standpoint compared to the reigning doxa of temporary military occupation in the WBGs. Whereas territorial separation and demographic segregation are inscribed into the vision of the two-state solution, de-segregated equal rights to all and the non-domination of one group over another are the backbones of any anti-apartheid vision, regardless of the regime’s “state modality.”

As the PRM seeks to redress the striking power imbalance between Palestinians and the pro-Israel forces in the US, the ongoing mainstreaming of the apartheid paradigm provides a more comprehensive perspective for understanding Israel’s colonization, oppression and domination of Palestine and the Palestinians. It also offers new opportunities, particularly in advocacy and accountability, owing in part to the fundamental illegality of apartheid regimes. Moreover, it enables Palestinians a unifying basis from which they can combat their forced fragmentation and contest Israeli subjugation on the ground and, thus, challenges the strictures of the ethnic-territorial partition of Palestine.

Wholesale adoption of the (anti-)apartheid framework, however, is not without considerable challenges and risks. For it to be politically effective, Palestinians must be able to reorient and harmonize their struggle around its aforementioned core tenets. This is exceedingly challenging in the absence of political unity among factions in Palestine and a cohesive national movement that holds a collective vision for national self-determination.

Palestinian rights advocates are also facing challenges in mobilizing sympathetic Americans, especially American Jews, to endorse the anti-apartheid agenda of equal rights for all and the decolonization of Palestine/Israel—as the Palestinian national horizon lacks a clear vision of the post-apartheid juridical-political order and modality of rule and status of Israeli Jews within. This suggests a zero-sum situation that could provoke additional, sweeping violence against a vulnerable Palestinian population and does not accelerate the process of reneging on Jewish privileges in Palestine/Israel among, for instance, liberal-minded American Jews, for whom the question of Jewish self-determination in Palestine/Israel is imperative, but also relational—i.e., it has to correspond with Palestinian self-determination.

Recent years have witnessed a massive deployment of language of rights by Israel and Zionist advocacy forces in the US in an attempt to neutralize the advances achieved by the discourses of Palestinian rights and apartheid. A major emphasis of this discourse has been consigned to the concept of “Jewish self-determination,” which is frequently interposed in the discussions around the equation of anti-Zionism with anti-Semitism. This weaponization of “Jewish self-determination” aims implicitly engender the precept that Palestinians and pro-Palestinian crowds are inherently susceptible to anti-Semitism. The purpose of this insinuation is the priming of the American public that Jews in Palestine/Israel are forced to take pre-emptive measures against Palestinians and live apart in order to ensure their own safety, notwithstanding the costs. The overall goal of this discourse-polluting tactic, nevertheless, is to deny the moral-political power and validity of Palestinian liberation and justice by means of demoting and denying Palestinians the right to national self-determination—as it allegedly presents an imminent danger to the safety of Jews with Palestinians allegedly prone to anti-Semitic behavior by virtue of their intrinsic anti-Zionism.

Furthermore, in a 2022 position piece, the pro-Israel [Anti-Defamation League \(ADL\) claimed](#) that “anti-Zionism rejects Israel as a legitimate member of the community of nations and denies the right for Jews to self-determination and to establish a state in the land of Israel,” and that Zionism is “the movement for self-determination and statehood of the Jewish people in their ancestral homeland, the land of Israel.” The superimposition of the right to self-determination on the supreme political institution of “state” and on “the land of Israel” as the kernel of Zionism means an exclusive, absolute, and sweeping Jewish ownership of, authority on, and sovereignty over Palestine and the populations residing therein, as stipulated in the notorious 2018 *Basic Law: Israel—The Nation State of the Jewish People*. Hence, any contestation or negation of any the superimposed components of ADL’s definition of anti-Zionism qualifies its claimant as anti-Semite.

Therefore, it is our contention that the consideration of the status of the post-hoc nationhood of Israeli Jews in Palestine and their right to national self-determination must start from the fact of Zionist settler colonization and should be discussed only under the aegis of impending decolonization of Palestine/Israel.

Addressing the matter of national self-determination of the two collectives in the apartheid framework allows the reprehensible realities of segregation and separation to stand out as a complex and intricate task. While it is true that tangible commonalities such as equality for all and unity of the geo-political frame within which apartheid occurs are the conditions that enable any coherent anti-apartheid stance, contemporary Palestine/Israel challenges the sufficiency of this South Africa-inspired account. The parity in Palestinian and Israeli Jewish demographics between the River and the Sea

and the persisting question of the return of refugees, which comprise half of the Palestinian nation, is enforced by a lack of common political and theological ground and the “[Law of Return](#)” (which entitles any person who can prove his/her “Jewishness” to become a privileged citizen of the State of Israel). These factors enfeeble the adjudicative and prescriptive power of the (liberal) human rights-based approach, which lies at the basis of the South African anti-apartheid stance.

Thus, both the form and content of the prospective conception of “equality for all” in Palestine/Israel and the parameters of decolonizing the Israeli Jewish presence and the Palestinian-Israeli Jewish relations in Palestine/Israel require a collective Palestinian discussion and consensus building. Put differently, Palestinian (national) self-determination would have to be wholly rethought and rearticulated in order not to get captured by the wretched material and spatial dynamics underwritten by Israel’s settlement-driven, apartheid-run “one state reality.”

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3.3. Reframing Palestinian rights advocacy: The PRM advocacy strategy and the principle of national self-determination

This subsection part aims to provide some insights to the question of why the PRM should adopt national self-determination as the organizing principle and an operational guideline of Palestinian rights.

In addition to the centrality of national self-determination to Palestinians, which is the core of the Palestinian cause, (re-)embodying the Palestinian rights discourse with the principle of national self-determination is both **timely** given the momentum of the PRM and **needed** given the rise and consolidation of the denationalizing Palestinian rights policy.

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Among younger, more progressive citizens and advocates for racial justice who have found and founded a common ground for the struggle, activists organize themselves; establish new intersectional coalitions, spaces, and technologies to convey their messages and formulate their opinions; and, most importantly, create a tangible opportunity to win. Palestinian human rights are now part of the policy debate in presidential primaries and are reaching key positions in American politics, where their voice is heard and considered alongside pro-Palestinian activists and politicians. However, despite the ongoing mainstreaming and dominance of the rights-based approach, questions on the efficacy and sustainability of its outcomes should concern the Palestinians and the PRM in the US.

The PRM advocacy strategy draws on the social movement activism toolkit, which is commonsensical and helpful in many cases, as the PRM is operating within a civic/civil/post-national framework in a state-centric context. That, however may not be sufficient when the

goal, certainly as seen from Palestine/Israel, lies in advancing national liberation and justice, using the right to national self-determination. This observation does not underestimate or prioritize one way of activism over another, but rather aims to link the framework of activism and its capacity to contribute to Palestinian liberation. This type of activism bears mostly specific results with short-term effects and is limited by fragile positions that might change according to political socioeconomic modes and administrations.

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Reframing Palestinian rights in the US to include the right to national self-determination as the organizing principle and operational guideline would provide a broader action horizon and set of tools for the PRM to cope with the official US policy of denationalizing Palestinian rights. Furthermore, it would perhaps provide the PRM, its allies, and the PLO, with a route to steer away from the false symmetry implied in the denationalized Palestinian rights policy, which considers the colonized and the colonizer as equal parties. Regardless of its intentions, setting equality as an ordering value for the rights-based approach does not allow for a

comprehensive consideration of the power imbalances in Palestine/Israel; those imbalances are inherent in a Zionist-sanctioned reality, whose hallmark is national supremacy for Jews and national subordination and elimination for Palestinians.

The significance of Palestinian unity is underscored by the principle of national self-determination and is indeed reflected in the PRM commitment towards the Palestinian question, even if implicitly. The possible positive impact of embodying the overarching national framework of Palestinian rights in lieu of the PLO cannot be denied, especially as the US administration criminalizes activities of, and relations with, the latter.

In 1964, the PLO was established to advocate for the Palestinian people's right to self-determination, i.e., the right to political sovereignty and the return of Palestinian refugees to their homes. The PLO became widely acknowledged as the only legitimate representative of the Palestinian people. It played a critical role in leading the national liberation movement, providing a political umbrella for various Palestinian groups and a legitimate platform for the people's will.

To rebuild the PLO's credibility, it is essential to reaffirm Palestinian national rights, regain trust in broad democratic collective representation, and ultimately re-establish international credibility as the voice of the Palestinian people. This renewed vision of self-determination and restructured political strategies would also provide a guiding force for the work and activism of the PRM in the US and for the international solidarity movement everywhere.

As regards timing, a close observation of American politics reveals an opportunity for the PRM to double down on the discourse of national self-determination and advance the terminology of liberation and justice in clear and visionary terms, beyond the confines of the consensual international law of the conflict.

To make this argument obvious, a clear majority of the Democratic party's voters demand a US approach to Palestine and Israel that is coherent with progressive American values. Leading progressive Democrats are [calling for the administration](#) to “ground its engagement on Palestine and Israel in international law and human rights” while Black Lives Matter (BLM) is recognizing the interconnectedness and transnational nature of structures of oppression. BLM includes in its policy platform [a call for redirecting funds](#) spent on weapons transfers to Israel for domestic priorities—addressing Israel's ongoing human rights violations against Palestinians. The circumstances, therefore, invite us to politicize Palestinian rights and the human rights-based approach; they open a window for centering the discourse of the right to self-determination within the American public discourse in general and the Palestinian communities in particular.

It is essential to recognize that the conflict in Palestine is not a mere human crisis caused by natural disasters, but rather a matter of national self-determination. The ongoing colonization of Palestine, which denies Palestinians their right to national self-determination, is rooted in the Zionist settler-colonial enterprise. It enables the subjugation of Palestinians through various means, including apartheid, a military occupation, and civil law. By denying Palestinians national self-determination, this oppressive system shall persist.



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