

ON ENGAGING PRESBYTERIANS TO WITNESS FOR PALESTINIAN HUMAN RIGHTS AND FOR ENDING THE OCCUPATION OF PALESTINE

From the National Capital Presbytery
(2014)

RECOMMENDATION

The National Capital Presbytery overtures the 221st General Assembly (2014) of the Presbyterian Church (U.S.A.) to do the following:

1. Reaffirm the prophetic witness of Jesus Christ against all forms of racism and powers of oppression with courage, honesty, and love; affirm that through the life, death and resurrection of Jesus, God has called the church into a ministry of repentance, reconciliation and hope, working towards cooperation and peace among all nations; and recognize through these reaffirmations that the love of God for all peoples, includes Israelis and Palestinians, Christians, Jews and Muslims.
2. Respect the human rights of the Israeli people and oppose all forms of anti-Semitism, and deplore the violation of the human rights of Palestinians by the Government of Israel which include but are not limited to:
 - a. systematic expropriation of Palestinian land and water for Jewish-only settlement colonies;
 - b. deportation and forcible transfer of Palestinian populations;
 - c. imprisonment and torture of Palestinians;
 - d. construction of a separation wall/barrier deep into the militarily occupied Palestinian territories;
 - e. building Israeli-only by-pass roads to connect the Jewish-only settlement colonies together and to Israel;
 - f. destruction of Palestinian agricultural lands and homes and expropriation of Palestinian property not justified by military necessity; and
 - g. daily humiliation at numerous checkpoints deep within the Palestinian territories.
3. Recognize that Israeli practices, infrastructure, and the military occupation confine Palestinians to live in isolated enclaves and deny Palestinians freedom of movement, freedom of residence, a right to a nationality, and the right to leave and to return to their country of origin.
4. Acknowledge that Israel's non-compliance with international law and numerous United Nations resolutions is assisted by the Government of the United States through its annual gift of at least three billion dollars and its veto within the United Nations Security Council of resolutions condemning Israel's violations of the human rights of Palestinians, and Israeli violence against its neighboring countries.
5. Acknowledge that the actions of the Israeli government listed above meet and surpass the United Nations definition of apartheid as defined by International Convention on the Suppression and Punishment of the Crime of Apartheid (1973) and as defined by the Rome Statute of the International Criminal Court (2002).

6. Strongly urge the Government of the United States to pursue policies that treat both Israelis and Palestinians with equal regard and end its policies that favor Israel and allow it to continually violate the human rights of Palestinians (Christians and Muslims) within its borders and within the territories it militarily occupies.
7. Direct the Stated Clerk to urge President Obama and our Congress to act courageously in urging the Government of Israel to cease and desist in its discrimination and violence against its Christian and Muslim citizens and to end the military occupation of the Palestinian territories, and the blockade of the Gaza Strip.
8. Direct the Stated Clerk to communicate this action to all other PC (USA) councils and entities and invite and strongly encourage those groups and organizations to engage in constructive, peaceful, and non-violent actions to bring about reconciliation between Christians, Jews and Muslims living within the former Mandate Palestine.

PURPOSE OF THIS OVERTURE

This overture is pursued with the hope it will lead to a peaceful reconciliation between the people of Israel and Palestine. It is only through reconciliation that peace with justice will be realized.

WHY PRESBYTERIANS MUST ACT

As Presbyterians we believe the prophetic mission of the church is to speak the Word of God courageously, honestly and lovingly; following the example of Jesus. The church is called to stand alongside the oppressed to help bring about justice for them, leading to peace and reconciliation with their oppressors. Christians spoke out in the 1950's against racial segregation in the United States and later on against apartheid in South Africa. They must again raise their voices and speak out against Israel's violations of Palestinian human rights.

In the twentieth century, Christians of the West did not speak out loudly enough to stop the profound suffering and discrimination that the Jewish people of Europe experienced during World War II culminating in the Jewish Holocaust. Are we to remain silent in the twenty first century to the suffering of Palestinian people who are living under military occupation, encirclement and blockade by the State of Israel? If we are to heed the prophetic mission of the Church to speak the Word of God, we must speak out and act to end this suffering.

To solve a problem, one has to honestly recognize and acknowledge that the problem exists. The rationale section of this overture will demonstrate how Israel's practices and actions against the Palestinian people, both Christians and Muslims, and Israel's physical changes to the land and infrastructure of the West Bank, including East Jerusalem, and its blockade of the Gaza Strip constitute (as defined by the 2002 Rome Statute of the International Criminal Court (RSICC)¹) elements of crimes against humanity which include apartheid and more. In other words, Israeli policies and practices are worse than just apartheid. Jimmy Carter, Former President of U.S. and Nobel Peace Prize, Winner said: *"Israel does occupy this territory deep within the West Bank, and connects 200-or-so settlements with each other, with a road, and then prohibits the Palestinians from using that road, or in many cases even crossing the road. This perpetrates even worse instances of apartness, or apartheid, than we witnessed even in South Africa"* (2006).

First, consider the testimony of the "Russell Tribunal on Palestine" which was composed of eminent people from various countries, including Israel".² The legitimacy of the *Russell Tribunal on Palestine* comes "from the prestige, professional interests and commitment to fundamental rights of the Members that constitute this Tribunal." Members of the Jury included *Alice Walker, author and poet, USA; John Dugard, Professor of International Law, Former Special rapporteur for both UN Commission on Human Rights and International Law Commission; Mairead Corrigan Maguire, Nobel Peace laureate 1976, Northern Ireland; and many other distinguished persons. A complete list of the Jury is available in the end notes.*³

- **Russell Tribunal:** *"In its Cape Town session, the Tribunal found that Israel subjects the Palestinian people to an Institutionalized regime of domination amounting to apartheid as defined under international law. This discriminatory regime manifests in varying intensity and forms against different categories of Palestinians depending on their location. The Palestinians living under colonial military rule in the Occupied Palestinian Territory are subject to a particularly aggravated form of apartheid. Palestinian citizens of Israel, while entitled to vote, are not part of the Jewish nation as defined by Israeli law and are therefore excluded from the benefits of Jewish nationality and subject to systematic discrimination across the broad spectrum of recognized human rights. Irrespective of such differences, the Tribunal concluded that Israel's rule over the Palestinian people, wherever they reside, collectively amounts to a single integrated regime of apartheid".* (2013)

- **Ramzy Baroud**, editor of the Palestine Chronicle, in his article, *Fighting Apartheid in Palestine: South Africa's Unfinished Business* said: “the recent approval by South Africa's cabinet to distinguish between products made in Israel and those made in illegal Jewish settlements in the West Bank. It was also a natural progression of South Africa's policies, which have reflected impatience with Israel through the years. Israel's policies have long been geared towards decimating Palestinian society, along with any chances for a just peace. It was clear that Israel has chosen the Apartheid option, not just as a de facto outcome of its policies, but through a decided legal and political pattern”. (2012)
- **Ronald Kasrils**, a member of the Russell Tribunal on Palestine Jury and of the National Executive Committee (NEC) of the African National Congress (ANC) (1987- 2007) said: “Travelling into Palestine's West Bank and Gaza Strip, which I visited recently, is like a surreal trip back into an apartheid state of emergency. It is chilling to pass through the myriad checkpoints – more than 500 in the West Bank. They are controlled by heavily armed soldiers, youthful but grim, tensely watching every movement, fingers on the trigger... The West Bank, once 22% of historic Palestine, has shrunk to perhaps 10% to 12% of living space for its inhabitants, and is split into several fragments, including the fertile Jordan Valley, which is a security preserve for Jewish settlers and the Israeli Defense Force. Like the Gaza Strip, the West Bank is effectively a hermetically sealed prison. It is shocking to discover that certain roads are barred to Palestinians and reserved for Jewish settlers. I try in vain to recall anything quite as obscene in apartheid South Africa.”⁴ (2007).
- **Yossi Sarid**, former Israeli Minister of Education, said: “What acts like apartheid, is run like apartheid and harasses like apartheid, is not a duck – it is apartheid... What should frighten us, however, is not the description of reality, but reality itself.” (2008)
- **Michael Ben-Yair**, former Israeli attorney general, said: “Passionately desiring to keep the occupied territories, we developed two judicial systems: one – progressive, liberal – in Israel; and the other – cruel, injurious – in the occupied territories. In effect, we established an apartheid regime in the occupied territories immediately following their capture. That oppressive regime exists to this day.” (2002)
- **Shulamit Aloni**, former Israeli Minister of Education, said: “Jewish self-righteousness is taken for granted among ourselves to such an extent that we fail to see what's right in front of our eyes. It's simply inconceivable that the ultimate victims, the Jews, can carry out evil deeds. Nevertheless, the state of Israel practices its own, quite violent, form of Apartheid with the native Palestinian population.” (2007)
- **Henry Siegman**, former director of the American Jewish Congress & Synagogue Council of America, said, “Successive Israeli governments have long sought to preclude the two-state solution. Israel has crossed the threshold from ‘the only democracy in the Middle East’ to ‘the only apartheid regime in the Western world.’” (2007)
- **Ilan Pappé**, Israeli and former Haifa University history professor said, “Israel is now one of worst apartheid regimes in the world. It controls almost all of Palestine (apart from Gaza which it imprisoned hermetically since 2005. It has the largest number of apartheid laws and regulations than any country in the world and the longest imposition of emergency laws and regulations that rob citizens of their most basic human and civil rights. (2011)
- **Nelson Mandela** said “We know too well that our freedom is incomplete without the freedom of the Palestinians”. (1997)

- **Archbishop Desmond Tutu**, the South African Nobel Peace Prize Winner said *“I have been to the Occupied Palestinian Territory, and I have witnessed the racially segregated roads and housing that reminded me so much of the conditions we experienced in South Africa under the racist system of Apartheid. I have witnessed the humiliation of Palestinian men, women, and children made to wait hours at Israeli military checkpoints routinely when trying to make the most basic of trips to visit relatives or attend school or college, and this humiliation is familiar to me and the many black South Africans who were corralled and regularly insulted by the security forces of the Apartheid government. It is not with rancor that we criticize the Israeli government, but with hope, a hope that a better future can be made for both Israelis and Palestinians.”* (2010)
- **Israeli human rights group B’Tselem** said: *“Israel has created in the Occupied Territories a regime of separation based on discrimination, applying two separate systems of law in the same area and basing the rights of individuals on their nationality. This regime . . .is reminiscent of distasteful regimes from the past such as the Apartheid regime in South Africa.”* (2002)
- **The Human Sciences Research Council of South Africa**, after two years of studying Israeli practices towards the Palestinians, concluded that Israel practices the “three pillars” of apartheid in the occupied territories in a manner calculated to prevent Palestinians from participation in the political, social, and cultural life of their country. (20

WHY CHRISTIANS CANNOT BE SILENT

The Israeli policies in the West Bank and the infrastructure of the illegal Israeli settlements, by-pass roads, checkpoints, and separation wall/barrier that constitute an apartheid system in the Occupied Palestinian Territories are in plain view for all to see. However, even for Christians and Americans that personally recognize this apartheid system, it is difficult for some of them to speak out and acknowledge it publicly. One reason may be fear of disturbing our relationships with some of our Jewish or Christian brothers and sisters. It is difficult for many Christians to publicly criticize the policies of Israel's government for fear that even legitimate criticism may be seen as anti-Israel or anti-Semitic or characterized as "picking on Israel" among many countries in the Middle East with human rights violations. Some Christians believe they must silence their criticism of Israel's policies because of the history of the Holocaust and the failure of many Christians to speak out at the time. Some believe that using the word "apartheid" has a harsh or jarring effect that can hamper constructive dialog.

Our call as Christians means we must sometimes get out of our comfort zone and risk controversy and criticism from people or organizations with which we are in relationship. It is because of this call that we must recognize what we witness in occupied Palestine, which is that Israel's laws, practices, and policies constitute apartheid against the Palestinian people.

In 2011 a 90-year old Israeli Holocaust survivor did a speaking tour of the U.S. entitled the "Never Again to Anybody" tour. He said what some Jews learned from the Holocaust was "never again to us." But what other Jews learned was "never again to anybody." After World War II, Christians too vowed that never again would they be silent if a government passed laws establishing and maintaining the domination by one ethnic group over another ethnic group through systematic separation, oppression, and denial of basic human rights. Silence in the face of evil was wrong then, and it is wrong now.

THIS OVERTURE IS NOT ANTI-SEMITIC

Anti-Semitism is discrimination against or prejudice or hostility toward Jews. This overture is not critical of Jews as people or of Jewish religion or culture. It intentionally states it is Israel's laws, policies, and practices towards the Palestinian people that constitute apartheid. Many Jewish individuals and human rights organizations in Israel and the U.S. recognize that Israeli actions in the West Bank and Gaza constitute apartheid. Christians must, with confidence, reject any politically motivated charges of anti-Semitism that are made to silence legitimate criticism of Israel's apartheid practices. This kind of hyperbolic language is untrue, harms civil discourse, and serves to hamper efforts to monitor, and prevent Israeli human rights violations. Not engaging in morally responsible action when faced with the clear findings of human rights organizations and the international community is morally indefensible.

THIS OVERTURE IS PART OF AN HONEST INTER-FAITH DIALOG BETWEEN JEWS AND CHRISTIANS

Building strong interfaith relationships with our Jewish brothers and sisters is important for many Christians and churches. They are built on mutual interest, honesty, and integrity. Interfaith conversations encompass social justice issues such as hunger, homelessness, poverty, discrimination, human rights, war, and peace. Israel's policies in occupied Palestine are but one issue. The Jewish community itself is divided on it. An honest dialog ultimately builds stronger relationships while silence erodes them. Through honest dialog we may find some Jewish people who support the occupation and some who agree it must end. We must have confidence that the interfaith relationships we have built on many social justice issues are strong enough to sustain a disagreement on the wisdom of Israel's continued occupation of the West Bank and Gaza. Some relationships may be strengthened and some may be strained, but they are unlikely to break if they are based on honoring each other's call to be faithful to their interpretation of scripture.

IS IT APPROPRIATE TO CRITICIZE ISRAEL'S HUMAN RIGHTS VIOLATIONS?

There are human rights violations and injustices in many countries in the Middle East besides Israel, and all such violations should be equally condemned. However, one reason to focus on Israel is that it receives more than one-third of all U.S. foreign aid. Americans therefore have a special responsibility to make sure that money is used to prevent social injustice, not to perpetuate it. Israel is the sixteenth richest country in the world, has the fourth largest army, is the third largest arms producer, the fourth largest nuclear power, refuses to sign the nuclear nonproliferation treaty, and has defied 70 United Nations Security Council resolutions seeking peaceful reconciliation between Israelis and Palestinians. U.S. complicity with Israel obligates us to speak out.