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Palestinian Rights Are Human Rights

“Get up, stand up, Stand up for your rights.

Get up, stand up, Don’t give up the fight.”

– Bob Marley, Jamaican composer and Reggae pioneer

Human rights are rooted in the ancient ideas of civility, equality and justice. The term is used frequently, but less often reflected upon.

The philosophical belief that certain rights are inherent and inalienable by virtue of human existence becomes harsh reality when they are denied. This is especially salient for the people of Palestine, who have had to struggle for their inalienable rights for 107 years, three months and ten days (and counting).

The violation of their human rights really began on Friday, 2 November 1917 when British foreign secretary and Christian Zionist, James A. Balfour, put his signature to a letter addressed to British Jewish banker, Lionel W. Rothschild, promising the land of Palestine to the Zionist Federation in Europe. With that, the ongoing catastrophe began.

By the end of the 1967 War, Israel had seized the whole of historic Palestine. In addition to the ill-fated dispossession of their homeland, Palestinians also suffered the loss of their political community and the protections it provided.

Twentieth century political theorist, Hannah Arendt (1906-75), understood that there is no guarantee of human rights outside the higher authority of the political community. She characterized statelessness as the very absence of the “right to have rights,” noting that statehood is a precondition for the protection of other human rights. Citizenship, Arendt reasoned, provided the legal protections and rights conferred by a functioning state, making individuals less vulnerable to the abuse of their rights.

Israel, with unlimited support from the United States, has made sure that a Palestinian state, with the legal status to protect its citizens, never becomes a reality. Try as they may, however, they have been unable to steal Palestinian dignity or destroy their resolve to have the “right to have rights.”

Within this context, I felt impelled to give attention to the concept and institutional development of human rights and their meaning for Palestinians.

Human rights have been defined as fundamental freedoms, entitlements and privileges that belong to every person by virtue of being human. They are a recognition of the inherent dignity and worth of every person, allowing people to live free from fear and to flourish.

It took the horrors and abuses of the Second World War to thrust human rights onto the global stage and conscience. It was propelled by a desire to ensure that there would “never again” be another genocide and that no one be denied life, freedom, justice, food, shelter and nationality. For that purpose, the United Nations was founded in October 1945 and the Universal Declaration of Human Rights (UDHR) was adopted in December 1948. It has become the widely-accepted foundation of international human rights law.

Notably, Palestinians have just two of the 30 rights and freedoms identified in the UDHR. The key elements of human rights law are stated in Article 3:

“Everyone has the right to life, liberty and security of person.” Hundreds of thousands of Palestinians have been killed solely for demanding their fundamental “right to life.”

Since the 7 October 2023 insurrection, Israel has massacred a reported 48,964 Gazans, an additional 62,413 have died from forced starvation and 14,000 are missing. During that same time, Israel killed 896 Palestinians in the Occupied West Bank and East Jerusalem. And more than 400 have been slaughtered in Gaza since Israel breached the January ceasefire agreement and resumed its genocide.

Amnesty International, Human Rights Watch, B’Tselem, and numerous U.N. agencies have left little doubt that Palestinians, under Israel’s apartheid military rule, have been deprived of the essential rights described in the Declaration.

Because Palestinians are stateless, Articles 16, 21 through 24 cannot be applied:

- + they are not “born free and equal” (Article 1,2 and 3)
- + they have been “subjected to torture, inhumane and degrading treatment and punishment” (Article 5)
- + they are not “equal before the law” (Articles 6 to 11)
- + they are “subject to interference in privacy, family and home” (Article 12)
- + they have no “freedom of movement” (Article 13)

- + they have been “deprived of their nationality” (Article 15)
- + they are “arbitrarily deprived of property” (Article 17)
- + they do not the “right to freedom of thought, conscience, opinion, expression and religion” (Articles 18 and 19)
- + they are not “free to peacefully assemble and participate in the cultural life of the community” (Article 20 and 27)
- + they are unable to “pursue an adequate standard of living, education and health care” (Article 25 and 26)

Routinely, Palestinians in Gaza and in the occupied territories are subjected to systematic state-organized forced displacement and human rights offenses. They have never been free of arbitrary violence, the most basic of human rights. Following are two recent examples among decades of Israeli malevolences:

The U.N. Independent International Commission of Inquiry on the Occupied Palestinian Territory released a report in March 2025 accusing Israel of the systematic use of sexual, reproductive and other gender-based violence since October 2023 in order to “dominate, oppress and destroy the Palestinian people in whole or in part.”

Israel’s targeted attacks on the health care system in Gaza are a blatant violation of international humanitarian and human rights laws. As of September 2024, according to the World Health Organization, 22,500 Gazans had sustained life altering injuries due to Israel’s indiscriminate use of explosive weapons. In addition to severe limb injuries, they noted amputations, spinal cord trauma, traumatic brain injuries and major burns. The United Nations noted that Gaza has the highest number of child amputees in the world.

It is worth noting that the United States has begun to feel the impact of its uncritical support for Israel’s numerous violations of international and

humanitarian law and its horrific violence against the Palestinians. Clarence Darrow, famed ACLU attorney, noted for his defense in the 1925 Scopes Trial, was correct to point out that, “You can only protect your liberties in this world by protecting the other man’s freedom. You can only be free if I am free.”

The safeguards that have long protected Americans’ right to speech, assembly and liberty are being eroded on behalf of Israel.

Using trumped-up accusations of anti-Semitism and terrorism—straight from the Israeli playbook—the Trump administration has begun its witch-hunt against pro-Palestinian activists and its campaign to crush legitimate criticism of Israel.

The kidnapping of Columbia student and permanent U.S. resident, Mahmoud Kahlil, is representative of that erosion. On the evening of 8 March 2025, he was arbitrarily arrested (without a warrant) by Immigration and Customs Enforcement agents in New York, detained in New Jersey, then secretly moved to a detention facility in Louisiana, denied contact with family and lawyers, and threatened with deportation. He continues to be incarcerated even though he has not been charged with a crime. Since his unlawful arrest, Leqaa Kordia, another Palestinian student attending Columbia, has also been detained and faces deportation.

Kahlil's "offense" and that of others facing deportation, university expulsion or suspension was to criticize and protest Israel's genocide in Gaza. President Donald Trump has threatened to arrest all international students who participate in pro-Palestine protests, disregarding their First Amendment rights.

The arbitrary arrests and absence of due process currently taking place in the United States glaringly resemble what Palestinians have known under Israeli military occupation for eight decades. Amnesty International found that Israel has systematically used administrative detention, often prolonged and without charge or trial, as a tool to persecute Palestinians.

Washington's heavy-handed response to U.S. critics of Israel and Tel Aviv's contempt for Palestinian human rights have revealed how similarly aligned the two regimes are. The so-called "peace" accords and "normalization agreements" have merely solidified Israel's stranglehold over Palestine and intensified its systematic determination to completely extinguish Palestinian freedom and self-determination.

The United States has strayed far afield since President Jimmy Carter declared America's dedication to human rights; stating in his 20 January 1977 inaugural address: "Because we are free, we can never be indifferent to the fate of freedom elsewhere. Our moral sense dictates a clear-cut preference for those societies which share with us an abiding respect for human rights."

Interestingly, the Carter administration's "moral sense" led it to criticize the human rights abuses of the former Soviet Union, Uganda and the like, but not Israel; granting "exceptionalism" to one of the worst abusers. It was only after leaving office, and less fearful of the Israeli lobby, that he spoke freely about Israel's "abiding disrespect for human rights," explicated in his 2006 book, "Palestine Peace Not Apartheid".

It is the irony of our times that the oldest written sources to address human rights emerged from West Asia—the Cyrus Cylinder (539 B.C.) from Persia, the Avesta of Zoroastrianism

(the first link to monotheistic religions), the Babylonian Code of Hammurabi, the Bible and Quran—while today it is the site of some of its worst offenses.

The goal of the Universal Declaration of Human Rights was to establish a more humane world; consequently, there is an inherent responsibility within it to protect the oppressed. Currently that means protecting Palestinians' right to have rights, thereby safeguarding our own liberties.

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