

AMERICAN UNIVERSITY OF BEIRUT

SUFFERING AND LIBERALISM: THE CASE OF HUNGER
STRIKES IN PALESTINE

by
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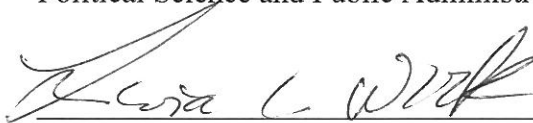
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AN ABSTRACT OF THE THESIS OF

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This thesis explores a series of hunger strikes that took place in 2011 and 2012, involving Palestinian prisoners in Israeli-controlled prisons and detention centres. Hunger strikes are an assertion of rights, namely the right to refuse sustenance. I employ a liberal framework of universal rights, and ask: what type of challenge do Palestinian hunger strikes constitute to liberal conceptions of human rights?

Hunger strikes, I claim, cannot be conceptualized as a solitary undertaking; rather, they communicate with a specific constituency. Moreover, they are a way of reclaiming agency through the use of the body as a tool of resistance. In this way, they subvert the proscribed power structures of the modern prison system. I examine these ideas through the examples of Republican hunger strikers in Northern Ireland in the 1980s and the example of Gandhi's hunger strikes in India in the 1930s and 1940s. These case studies provide examples of different ideologies underlying hunger striking, and provide a backdrop to a close analysis of the Palestinian hunger strikes, their rhetoric and how they were received.

I argue that the Palestinian hunger strikers appeal to liberal conceptions of human rights, therefore constituting a challenge to the international community and its claim to rescue victims of suffering. Conversely, this appeal to a post-Cold War politics of humanitarianism results in the sidelining of the political demands underlying the hunger strikes.

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INTRODUCTION

This thesis explores a series of hunger strikes that took place in 2011 and 2012 involving Palestinian prisoners in Israeli-controlled prisons and detention centers.¹ I focus on the West Bank, which was occupied by Israel in 1967 along with the Gaza Strip, Golan Heights, and East Jerusalem. As a result of the Israeli policy of law enforcement, time in prison has become for many Palestinians in the Occupied Palestinian Territory, particularly males, “a rite of passage and...a critically important autobiographical episode”.² Lisa Hajjar uses the term “carcelarism” – used by Frantz Fanon to describe colonialism³ –to describe the policy adopted by Israel towards the inhabitants of the Occupied Palestinian Territory; Israel treats inhabitants of these areas as guilty, punishable, and ‘unfree’, thereby maintaining their occupation and thwarting resistance to it.

Hunger strikes are a form of corporeal protest in that they deploy the body as a tool for violence. The corporeal arsenal also includes self-immolation - which notably triggered the Arab Spring - and suicide bombing. Corporeal protest is often associated with the Middle East and Israel/Palestine in particular, largely because of the spate of suicide bombings that were carried out by Palestinians in the 1990s and 2000s. Suicide bombings have been the focus of both media and academic attention and there have been notable analyses and studies of this form of corporeal protest.⁴ By contrast,

¹ For the purposes of this paper, I choose to focus only on prisons controlled directly by the Israeli state, as opposed to those such as Jericho prison, which are controlled by the Palestinian Authority.

² Lisa Hajjar, *Courting Conflict: The Israeli Military Court System in the West Bank and Gaza*, (London: University of California Press, 2005), p. 188

³ Frantz Fanon, *The Wretched of the Earth*, (New York: Grove Press Inc., 1963)

⁴ See Talal Asad, *On Suicide Bombing*, (New York: Columbia University Press, 2006)

hunger strikes in the Middle East have garnered little academic attention. Palestinians from the Occupied Palestinian Territory are currently held in a total of 4 interrogation centers, 4 military detention centers and approximately 17 prisons.⁵ During the first intifada (1987-1993) Israel/Palestine had the highest per capita incarceration rate of any state in the world, due to a policy of law enforcement employed to combat the popular uprising in the West Bank and the Gaza Strip. According to a report published in October 2013 by the Israeli Prison Service, there were, at the time of writing, 4,762 Palestinians in detention, including 13 women and 149 children.⁶ One hundred and thirty four of those prisoners are under administrative detention.

By focusing on the Occupied Palestinian Territory, and actions undertaken by Palestinians, I am focusing on a stateless people. States provide for their citizens sovereign rights; however, paradoxically, states are both the principal protectors and the principal violators of human rights. Palestinians cannot claim sovereign rights, because there is no State of Palestine: upon the creation of the state of Israel in 1948, Palestinians were forced into a situation of statelessness. Faisal Devji notes, “refugees and stateless people first bore the legal title of ‘human being’ because they had come to possess only human rights”.⁷ This aligns with the liberal view that claims the notion of inalienable rights, that is to say rights that are possessed simply by the fact of being a human being. In contrast, Hannah Arendt argues the stateless to be rightless. Statements by many of the hunger strikers appeal to a notion of elementary human rights:

⁵ Statistics from Addameer, the Prisoner Support and Human Rights Organisation. www.addameer.org

⁶ Statistics obtained by Addameer from the Israel Prison Service (IPS). Report from September 2013. Accessed November 5th, 2013 <http://www.addameer.org/etemplate.php?id=645>.

⁷ Faisal Devji, *The terrorist in search of humanity: militant Islam and Global Politics*, (New York: Foundation Books, 2008) p. 28

“I hereby assert that I am confronting the occupiers not for my own sake as an individual, but for the sake of thousands of prisoners who are being deprived of their simplest human rights while the world and international community look on. It is time the international community and the UN to support prisoners and force the State of Israel to respect international human rights and stop treating prisoners as if they were not humans.”⁸ - Khader Adnan, 2012

Statelessness necessitates an exploration of rights. This is due to the fact that members of states have sovereign rights, whereas those who are stateless are either rightless (the Arendtian view) or possess universal rights (the liberal view). Due to the explicit appeal to liberal conceptions of human rights found in statements by Adnan and other hunger strikers, I adopt a liberal conceptual framework for this paper.

The facts of the hunger strikes:

This paper focuses on hunger strikes as a form of resistance taking place within the prisons. The hunger strikes – both individual and collective - took place between September 2011 and September 2012. In September 2011, a small group of prisoners carried out a hunger strike from the 27th September 2011 until the 17th October in protest at the system of administrative detention. Their action was followed up by Khader Adnan, a 33-year-old Palestinian from Jenin⁹ who was accused of being involved in the Palestinian Islamic Jihad (PIJ), designated a terrorist group by Israel. Adnan was imprisoned in December 2011 and started his hunger strike shortly thereafter. From the 17th December 2011, for a period of 66 days Adnan refused food and liquids. The demands of Adnan’s hunger strike were clear: an end to the system of administrative detention.

⁸ Khader Adnan, *Hunger Striking Prisoner not Backing Down*, Ma’an News Agency, 11th February 2012, <http://www.maannews.net/eng/ViewDetails.aspx?ID=459445>

⁹ Addameer Prisoner Support and Human Rights Association, *Khader Adnan Profile*. <http://www.addameer.org/etemplate.php?id=428>

Under Israeli military law, a person suspected of being a security threat can be subject to ‘administrative detention’ for periods of up to 6 months, which can be renewed indefinitely. Under administrative detention, detainees are held on the basis of secret evidence, and as such are not told the reasons for their arrest, or charges against them.¹⁰ This contravenes international humanitarian law, which states that an occupying power is obliged to inform detainees of the charges against them and for them to have a fair and public trial. As Adnan approached death, the Israeli prison authorities promised not to renew his administrative detention order if no new evidence came to light. Adnan was finally released on the 17th April 2012 after 66 days on hunger strike.

Adnan’s actions triggered a snowballing individual and collective hunger strike movement that continued until Spring 2013. Although the demands of the hunger strikers varied, the call to end the system of administrative detention was common to all of the strikers. Samer Issawi is perhaps the most well-known of these hunger strikers. Issawi was first arrested in 2002 during the 2nd intifada (2000-2005) and was released in 2011 as part of the Gilad Shalit prisoner exchange. Just months after his release, he was re-arrested and detained without charge under the system of administrative detention. On August 1st 2012 he started an intermittent hunger strike that finally ended on the 22nd April 2013 just as Issawi’s lawyer, Jawwad Boulos, announced that he was nearing death. Issawi agreed to an arrangement whereby he would serve a further 8 months of detention and would then be released to Jerusalem. Issawi was protesting both the system of administrative detention and that Israel had broken the terms of the Gilad Shalit agreement by re-arresting Palestinians freed under the deal.

¹⁰ For more information on administrative detention see Addameer, <http://www.addameer.org/etemplate.php?id=293>

Other prominent hunger strikers were Ayman Sharawna, Bilal Diab, Thaer Halahleh, Hana al-Shalabi, Mahmoud al Sarsak, and Hassan Safadi. Similarly to Issawi, Sharawna was released as part of a 2011 prisoner exchange with Israel but was then re-arrested in 2012 shortly after his release. He undertook an intermittent and open-ended hunger strike, which lasted for 261 days. He was eventually freed in March 2013, on condition that he remain in Gaza for ten years. Diab and Halahleh simultaneously engaged in hunger strikes from the 28th February until the 14th May 2012, a total period of 77 days. Diab had previously undergone a 14-day hunger strike in solidarity with Adnan. Hana al-Shalabi is the only female hunger striker looked at in this study. This is not to say that female detainees do not engage in hunger strikes. Rather this statistic reflects the fact that there are far fewer female than male detainees; of the 4,762 Palestinians in detention as of October 2013, only 13 were women. Al-Shalabi was released by Israel as part of the 2011 prisoner exchange, rearrested in 2012 and never charged for a crime. After 43 days of hunger strike she was freed on condition that she remain in Gaza for three years. Mahmoud al Sarsak was on hunger strike for 94 days, Hassan Safadi for 71 days.

Bilal Diab, Thaer Halahleh, Hassan Safadi, Omar Abu Shalal, Mahmoud Sarsak, Mahmoud Sarsal and Mohammed Taj, all of whom undertook hunger strikes of varying lengths in solidarity with Adnan, were collectively known as the “eight knights”.¹¹ Further collective hunger strikes took place, triggered by Adnan’s actions. For example, on the 16th February 2012 Palestinians across the West Bank undertook a ten-hour hunger strike in solidarity with Adnan. Adnan and others engaged in hunger

¹¹ Richard Falk, Historic Hunger Strikes in Palestine, *Global Justice in the 21st Century*, 8th May 2012, <http://richardfalk.wordpress.com/2012/05/08/historic-hunger-strikes-lightning-in-the-skies-of-palestine/>

strikes urged supporters to “join hands against the occupation’s oppression and take to the streets”.¹² Protests took place in Washington in solidarity with Adnan, as well as in his hometown of Jenin and across the West Bank. Human rights groups, such as Human Rights Watch, B’tselem, and the Palestinian Prisoners Society called for the end of the system of administrative detention and for the release of Adnan and others prisoners who were unlawfully detained. Graffiti referencing Adnan, Issawi and others sprung up around the West Bank. However, the hunger strikes did not manage to mobilize the Palestinian diaspora, nor gain mass support in the Occupied Palestinian Territory. Protests in the West Bank were limited, not exceeding a few hundred participants.¹³ There is no evidence of solidarity hunger strikes or protests taking place amongst the Palestinian diaspora. The UN Special Rapporteur for the Palestinian Territories, internationally renowned scholar Richard Falk, expressed his anger that voices in support of the hunger strikes from the international community were “belated and muted”.¹⁴

Research question:

To be sure, hunger strikes have been used in the context of the Arab-Israeli conflict prior to the events of 2011. Indeed, according to Esmail Nashif, the earliest recorded hunger strike in Israel/Palestine took place in Byt Kyd prison in 1969

¹² Khader Adnan, *Their Fate is in Our Hands, Palestinian Solidarity*, May 2012, <http://palsolidarity.org/2012/05/a-letter-from-khader-adnan-their-fate-is-in-our-hands/>

¹³ *Protesters Rally in Solidarity with Hunger strikers*, Ma’an News agency, 18th February 2013 <http://maannews.net/eng/ViewDetails.aspx?ID=566458>

¹⁴ Richard Falk, *Historic Hunger Strikes in Palestine, Global Justice in the 21st Century*, <http://richardfalk.wordpress.com/2012/05/08/historic-hunger-strikes-lightning-in-the-skies-of-palestine/>

demanding improved living conditions in the prison.¹⁵ Moreover, the approximately year-long hunger strike movement of 2011-2012 seems to have done little to change the status quo in Israel/Palestine. So why do the hunger strikes merit analysis?

Some, such as Richard Falk, saw the hunger strikes as opening a new chapter in the history of Palestinian resistance. He stated, “We cannot now know whether these hunger strikes will spark Palestinian resistance in new and creative ways. What we can already say with confidence is that these hunger strikers are writing a new chapter in the story line of resistance *sumud*, and their steadfastness is for me a Gandhian Moment in the Palestinian struggle”.¹⁶ Alternatively, one could ask: why did the hunger strikes not generate a greater reaction on the national or international level? However, neither resistance strategies nor the success/failure of the hunger strikes are my focus of interest. Rather, I view the hunger strikes through the prism of liberalism, asking: *What type of challenge do Palestinian hunger strikes constitute to liberal conceptions of human rights?*

Problem statement:

Hunger strikes, I claim, cannot be conceptualized as a solitary undertaking. By their very nature they are a dialogue between the striker and the audience to whom he/she addresses his/her strike. In contrast to ascetic or religious fasting, which are often associated with self-isolation and inner reflection, hunger strikes are a method of communication with a chosen constituency. In order to answer my research question I need to first define to whom the hunger strikers are directing their actions. The

¹⁵ Esmail Nashif, *Palestinian Political Prisoners: identity and community*, (London, New York: Routledge, 2008), p. 48

¹⁶ Richard Falk, Historic Hunger Strikes in Palestine, *Global Justice in the 21st Century*, <http://richardfalk.wordpress.com/2012/05/08/historic-hunger-strikes-lightning-in-the-skies-of-palestine/>

Palestinian hunger strikers have a variety of potential constituencies: the occupying Israeli state, fellow Palestinian prisoners, the local community, or the international community. I will attempt to ascertain which constituency the hunger strikers are appealing to through a close-text reading of statements by the hunger strikers. Additionally, I will draw comparisons with other hunger strikes movements, principally those undertaken by Gandhi in the 1930s, and Republican prisoners in Northern Ireland in the 1980s.

Hunger strikes are a form of corporeal protest in that they deploy the body as a weapon; the renunciation of food is explicitly framed as an act of political resistance. Michel Foucault has argued that prisons attempt to produce “docile bodies”¹⁷ namely ones that can be subjected, used, transformed and improved. Although Foucault’s use of the concept of “docility” constitutes part of a larger argument regarding modernization, it is nevertheless relevant in regards to suffering whilst in incarceration. It is a common assumption that if someone is suffering then they are in a passive state. However, as Talal Asad observes, pain can be thought of as agentive; it can be both a cause of action (passive) and a kind of action (agentive).¹⁸ In the case of a hunger strike, I claim that pain is invoked as a means of empowerment. The violence exercised and wielded by the body, rejects the state of ‘docility’ that prisons aim to engender, thereby restoring political agency to the individual. As such, suffering is used as a counter-instrumentation of the proscribed power structures of the prison. This differentiates hunger striking as an act of corporeal protest from other forms of resistance such as demonstrating, petitioning, or armed struggle.

¹⁷ Michel Foucault, *Discipline and Punish*, (New York: Vintage, 1978), p. 138

¹⁸ Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity*, (Stanford: Stanford University Press, 2003), p. 79

Total hunger strikes last for approximately seven weeks. During this time, the striker goes through a series of physical symptoms, which include uncontrollable vomiting, dizziness, loss of hearing, blindness, and eventually death.¹⁹ Why choose a method of resistance that involves such prolonged suffering? Towards the end of his strike, when very near death, Samer Issawi made the following statement:

“Do not worry if my heart stops. I am still alive now and even after death, because Jerusalem runs through my veins. If I die, it is a victory; if we are liberated, it is a victory, because either way I have refused to surrender to the Israeli occupation, its tyranny and arrogance.”²⁰

Is Issawi’s assertion that his death would be a victory, true? Notably, none of the hunger strikers looked at in this study, fasted until death; they either reached a deal with the Israeli authorities or voluntarily ended their strike. Was death not the aim of the hunger strikes? Many issues surrounding martyrdom are beyond my focus. However, it is important to consider the notion of death: were the Palestinians aiming at enshrining themselves as heroes and martyrs to the cause, in the way that Bobby Sands and his fellow strikers succeeded in doing? Or has suffering become a more powerful tool than death in regards to the constituencies that the strikers aimed at mobilizing?

Framework:

Hunger strikes in incarceration are an assertion of rights, namely the right to refuse sustenance. Rights can be conceptualized in a variety of ways. Following liberal political philosophy, rights are intrinsic; that is to say, human beings, by virtue of the fact of being human, are rights holders. As Fernando Teson states, the liberal argument

¹⁹ Visualizing Palestine, Infographic on Khader Adnan, <http://visualizingpalestine.org/infographic/hunger-strike>

²⁰ Samer Issawi, *We are fighting for all Palestinians*, The Guardian, 3rd March 2013, <http://www.theguardian.com/commentisfree/2013/mar/03/hunger-strikers-fighting-for-palestinians-israel>

rests on the notion that “human rights are rights held by individuals by virtue of their personhood, they are independent of history, culture, or national borders”.²¹ In short, the liberal view believes in inalienable rights that are independent from statehood and detached from governmental politics. At the other end of the spectrum, we have the view held by scholars such as Hannah Arendt that human rights are not a given, rather they are the result of political communities; human rights are conventions, forms of recognition produced by collective human consensus.²² Arendt, writing in the 1950s notes that international law “operates in terms of reciprocal agreements between sovereign states; and for the time being a sphere that is above the nation does not exist”.²³

Although Arendt’s assertion holds true in so much as the state is still the principle actor in international politics, much has changed. Since the end of the Cold War, the Global Liberal Project (GLP) has been the defining and rising form of governance institutionalizing various principles including industry, consumerism, free market economies, secularism, and human rights, amongst others. A variety of international organizations - NGOs, human rights organizations, as well as the United Nations - have become important actors in the world order. The increased activity of the United Nations in the 1990s, for example in Somalia, the Balkans, and Rwanda, is evidence of the rise of transnational networks and the decline of state power following the end of the Cold War. Human rights, the focus of this paper, have risen to unprecedented prominence; as Mark Mazower states, “whether reality or rhetoric,

²¹ Fernando R. Teson, *The Liberal Case for Humanitarian Intervention*, FSU College of Law, Public Law Research Paper No. 39, 2001

²² Hannah Arendt, *The Origins of Totalitarianism*, (New York: Harvest Book, 1973)

²³ Hannah Arendt, *The Origins of Totalitarianism*, (New York: Harvest Book, 1973), p.291

human rights are a global phenomenon”.²⁴ The concept of human rights as an aspect of modern liberal governance is inextricably linked to the notion of global justice. As Richard Falk highlights, although human rights in the majority of cases apply to domestic concerns - the relationship between state and society - human rights have become a matter of international concern.²⁵ This is evidenced by the passage of laws and principles such as the United Nation’s *Responsibility to Protect*.²⁶ According to liberal political philosophy a principal duty of states is to protect and secure human rights. As such, tyranny practiced by the state is a serious form of injustice; human rights violations can “override the foundational principle of the Westphalian world order that territorial sovereignty is inviolate”.²⁷

Hunger strikes in Israel/Palestine are a form of violence, in this case self-inflicted violence. Liberal thought, in general, separates the idea of violence from the idea of politics; the modern dedication to eliminating pain and suffering at times contradicts other liberal commitments and values, for example the duty of the state to maintain its security.²⁸ John Seery analyses this in *Political Theory for Mortals* where he suggests that a general lack of scholarly analysis of the relationship between mortality and politics is due to a liberal tendency to “privatize the meanings and rituals surrounding death, to cordon it off, as it were, from the public realm”.²⁹ However, if

²⁴ Mark Mazower, *The strange triumph of human rights*, New Statesman, 4th February 2002, <http://www.newstatesman.com/node/142129>

²⁵ Richard Falk, *Human Rights Horizons: the pursuit of justice in a globalizing world* (New York: Routledge, 2000), p. 39

²⁶ United Nations, Resolution 63/308, http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/63/308

²⁷ Richard Falk, *Human Rights Horizons: the pursuit of justice in a globalizing world* (New York: Routledge, 2000) p. 2

²⁸ Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity*, (Stanford: Stanford University Press, 2003) p. 101

²⁹ Quoted by Roxanne L. Euben, “Killing (for) Politics: Jihad, martyrdom, and political action”, *Political Theory*, Vol. 30, No.1, 2002

liberal thought separates death and politics, the question arises, how does one analyze political suicide in a liberal framework? Seery suggests that most Westerners view political suicide, and here he is referring largely to suicide bombings in the name of *jihad*, as “culturally pathological”.³⁰ That is to say that there is a tendency to explain away political suicide carried out in the name of Islam, through an argument of cultural relativism. I analyse this in relation to the depoliticizing trend found in liberal political ideology.

The modern liberal state does not aim to eliminate pain: the law works through the regulation of violence, not its elimination and indeed modern liberal states inflict pain and even death within the limits of the law. As Talal Asad asserts, “although liberal thought separates the idea of violence from the idea of politics, mortal violence is integral to liberalism as a political formation”.³¹ For example, in America – supposedly a bastion of liberal governance – capital punishment is legal in certain states. However, prisoners on so-called death row are under constant suicide watch; it must be the state that inflicts pain, or in this case death, not the prisoner himself or herself. Israel, a self-avowed liberal-democratic state, shows great concern in calibrating the amount of pain it inflicts on its prisoners,³² precisely so that it can be seen to live up to its liberal democratic values. It is clear that there is suffering and suffering – some forms of suffering are taken seriously by the international community, others are not. In the case of a hunger strike, an individual is choosing to inflict bodily pain, and potentially choosing to die. Although liberalism aims to maximize an individual’s right

³⁰ Quoted by Roxanne L. Euben, “Killing (for) Politics: Jihad, martyrdom, and political action”, *Political Theory*, Vol. 30, No.1, 2002

³¹ Talal Asad, *On Suicide Bombing*, (New York: Colombia University Press, 2006), p.3

³² For example, the Landau commission of 1987 permitted the use of “moderate physical pressure” in Israel’s interrogations of its prisoners . The Landau Commission Report, http://www.hamoked.org/files/2012/115020_eng.pdf

to choose, certain kinds of overt suffering are seen as something that cannot be ignored by the liberal human rights community. In this thesis, I explore the idea that by choosing hunger strikes as a tool of resistance, Palestinian prisoners are appealing to a post-Cold War liberal human rights community, and its compassion for pain.

Literature Review:

Michel Foucault's *Discipline and Punish: the birth of the prison*³³ provides several key insights into punishment, state sovereignty, spectacle, and death. Foucault's work is an exploration of the emergence of disciplinary power in various modern institutions. This understanding of power is uncovered primarily through a genealogy of the penal system, principally prisons, which began to define it during the early 19th century. Foucault sees the penal system in 18th/19th century France as being reflective of hierarchies, ranks and legal systems in wider society. Similarly, Lisa Hajjar's understanding of "carcelarism" adopted here draws a parallel between the detainee and wider incarcerated society. This is reflected by the fact that prisoners have become important political bargaining chips in the peace process, as evidenced by the release of certain prisoners prior to the commencement of the latest round of negotiations organized by John Kerry in 2013.

Foucault tracks the evolution in the late 18th and early 19th century from a corporal to a non-corporal system of punishment. Foucault asserts, "physical pain, the pain of the body itself, is no longer the constituent element of penalty. From being an art of unbearable sensations punishment has become an economy of suspended

³³ Michel Foucault, *Discipline and Punish: the birth of the prison*, (London: Penguin Books, 1975)

rights”.³⁴ Moreover, from being a spectacle, punishment has become the most hidden part of the penal process. As such, according to Foucault, the elimination of pain and the disappearance of spectacle are the two principle elements in the modernization of punishment. Both of these are reversed in the situation of a hunger strike. Punishment of criminals prior to the 18th/19th century constituted direct physical harm upon the body of the condemned. Public execution usually took place in the main square of a town so that as large a crowd as possible could bear witness to the punishment of the criminal. Foucault states, “an execution that was known to be taking place but which did so in secret, would scarcely have had any meaning”.³⁵ Foucault understands the political force of the sovereign to be present in the law, and punishment rituals such as a public execution being a ‘flexing of muscles’ of sovereign power. The crime committed is an affront to sovereign power and the public punishment serves to restore power to the sovereign. However, it also fulfills another purpose: it deters the potentially guilty. Foucault’s assertion that “punishment is directed above all at others” aligns with my claim that hunger strikes are an act of resistance directed at a constituency. Both executions and hunger strikes are acts that require an audience.

If hunger strikes inherently contain an element of performance, then the question arises as to what is being performed. Foucault asserts “public torture and execution must be spectacular...the fact that the guilty man should moan and cry out under the blows is not a shameful side-effect, it is the very ceremonial of justice being expressed in all its force”.³⁶ The image of the suffering hunger striker, I suggest, is both an

³⁴ Michel Foucault, *Discipline and Punish: the birth of the prison*, (London: Penguin Books, 1975) p. 11

³⁵ Michel Foucault, *Discipline and Punish: the birth of the prison*, (Penguin Books: London, 1975) p. 57

³⁶ Michel Foucault, *Discipline and Punish: the birth of the prison*, (Penguin Books: London, 1975) p. 34

inversion and a confirmation of this view. Instead of the state inflicting the marks of justice on the body of the accused, the hunger striker's self-inflicted violence is an affirmation of the *injustice* carried out against him. Foucault asserts that the doctor or prison guard who watches over detainees condemned to death, has come to replace the executioner. This is shown by the example of prisoners on death row in America who are placed on suicide watch. Hunger strikes, by reclaiming the sovereign power of death, challenge the state's monopoly over the death of its citizens.

As Michael Ignatieff succinctly states "prisons raise the issue of the morality of state power in its starkest form".³⁷ In the context of the Middle East, Laleh Khalili and Jillian Schwedler have compiled a comprehensive study of prisons and carceral practices in the region.³⁸ They chart how the policy of law enforcement adopted in the 1980s in Israel/Palestine lead to a concomitant boom in the presence of coercive apparatuses. Khalili/Schwedler assert that the effects of the mass imprisonment of Palestinians since 1948, and more so since 1967, are little known hence making studies of detention practices all the more important. The authors give an overview of the history of prisons in the region and trace how Israeli administrative detention laws were adapted from the predecessor colonial law enacted by the British during the Arab revolt in 1937. These colonial emergency laws were then incorporated into the Israeli state, and are now challenged by those who claim that they contravene international law.

³⁷ Michael Ignatieff, *A Just Measure of Pain: Penitentiaries in the Industrial Revolution, 1780-1850*, (London: Peregrine Books, 1978) p. 4

³⁸ Laleh Khalili, Jillian Schwedler, *Policing and Prisons in the Middle East: formations of coercion*, (London: Hurst and Company, 2010)

When it comes to the law in the Occupied Palestinian Territory, Lisa Hajjar's *Courting Conflict: the Israeli military court system*³⁹ constitutes a key insight into both the issues of law in Israel/Palestine and the centrality of the experience of captivity in the Occupied Palestinian Territory. Hajjar sees rights as legally constructed claims and asserts that Palestinians can look 'upwards' to international law or 'outwards' to the international human rights community. The international arena also arises in Esmail Nashif's work.⁴⁰ Nashif observes that the law enforcement approach to the first intifada had one significant advantage – it allowed Israel to sell itself as a democratic state in the international arena. The issue of the international arena is important to this paper, as it forms one of the possible constituencies to whom the hunger strikers are appealing.

The idea of communities and constituencies forms the basis of the study of hunger strikes in Ireland carried out by JC Dingley and M Mollica.⁴¹ Dingley/Mollica look at suicide bombers and hunger strikers within the framework of terrorism. They emphasize the importance of social attitudes to death and dying in understanding the use of the body as weapon. They assert that "a major factor in terrorist acts is an appeal to the actor's own community" and that this community's stance towards death affects the choice of using corporal violence. The main example used is the 1980/81 hunger strikes in Northern Ireland where Republican hunger strikes – which left ten men dead - appealed only to a local Catholic community whilst leaving Protestants largely unmoved. Dingley/Mollica posit that hunger strikers and other 'terrorists' aim at

³⁹ Lisa Hajjar, *Courting Conflict: The Israeli Military Court System in the West Bank and Gaza*, (London: University of California Press, 2005)

⁴⁰ Esmail Nashif, *Palestinian Political Prisoners: identity and community*, (London, New York: Routledge, 2008)

⁴¹ JC Dingley and M Mollica, "The Human Body as a Terrorist Weapon: Hunger strikes and suicide bombers", *Studies in Conflict and Terrorism*, Volume 30, Issue 6, 459-492

arousing sentiment from within their own community. Faisal Devji⁴² takes a starkly different approach: he charts militant activities and terrorist groups and how they appeal to a global audience. In essence, he traces how notions of humanity are invoked so as to replace the idea of the citizen with the human being, mapping this on to terrorist discourse and action. According to Devji, there has been a shift towards a planetary politics, where the constituency that terrorists target is a global one. In regards to the Palestinian hunger strikes I explore whether Dingley/Mollica's argument emphasizing the importance of local community in hunger strikes is convincing, or whether Devji's global politics prevails.

Dingley/Mollica raise another interesting point. They state, "the target of the terrorist is their own community and keeping the sense of community going via sacrifice".⁴³ Lori Allen's work on sacrifice, martyrdom and death in the Occupied Palestinian Territory forms a key source of analysis.⁴⁴ Allen argues that death, and indeed martyrdom have acquired a mundane quality in the Occupied Palestinian Territory. She states, "Each individual death is subsumed into the common stream of intifada martyrdom, thus producing a tedium of death".⁴⁵ This tedium of death, and stream of martyrs is immortalized only in the layers of posters of martyrs that can be found plastered to walls across the West Bank and Gaza Strip. Allen argues further that pain has come to have greater impact than death. Following this argument, the corpse

⁴² Faisal Devji, *The terrorist in search of humanity: militant Islam and Global Politics*, (New York: Foundation Books, 2008)

⁴³ JC Dingley and M Mollica, "The Human Body as a Terrorist Weapon: Hunger strikes and suicide bombers", *Studies in Conflict and Terrorism*, Volume 30, Issue 6, 459-492

⁴⁴ Lori A. Allen, "Martyr Bodies in the Media: Human rights, aesthetics, and the politics of immediation in the Palestinian intifada", *American Ethnologist*, Vol. 36, no.1, pp161-180

⁴⁵ Lori A. Allen, "Martyr Bodies in the Media: Human rights, aesthetics, and the politics of immediation in the Palestinian intifada", *American Ethnologist*, Vol. 36, no.1, pp161-180

of a hunger striker could be jettisoned as yet one more victim of the violence of the Israeli occupation; sustained physical suffering, however, makes a more poignant plea.

The lack of impact of death in the Occupied Palestinian Territory is in sharp contrast to the situation in Northern Ireland in the 1980s where the hunger strikers who died for the cause of a united Ireland have taken on legendary status. A statement by an unnamed Pentagon official regarding the Guantanamo hunger strikes demonstrates this: “the worst case would be to have someone go from zero to hero. We don’t want a Bobby Sands”.⁴⁶ Allen Feldman’s⁴⁷ oral history of The Maze prison in Belfast in the 1970s and 1980s is exemplary both in looking at prisons as a site of conflict and the use of the body as a weapon. Feldman looks at the use of corporal violence in asserting political agency through analyzing the blanket, dirty protests, and hunger strikes that took place in Northern Ireland. Feldman’s work is complemented by Steve McQueen’s 2008 film, *Hunger*,⁴⁸ which vividly depicts the agony of Bobby Sands’ hunger strike of 1980/1. McQueen’s film features a protracted single-shot scene between Bobby Sands and the priest in which Sands explains his motivations for wanting to start a hunger strike, and the priest accuses him of attempted martyrdom. The case studies of Ireland and India considered in Chapter 1 provide insight into this theme, although many issues regarding martyrdom are beyond my focus in this thesis.

Citizenship rights, human rights, and the ‘right to rights’ are explored in Hannah Arendt’s *The Origins of Totalitarianism*.⁴⁹ Arendt was writing in the wake of two world

⁴⁶ Lisa Hajjar, *The Agony and the Irony of Guantanamo’s Mass Hunger Strike*, Jadaliyya, 20th June, 2013, <http://www.jadaliyya.com/pages/index/12332/the-agony-and-the-irony-of-guantanamo%E2%80%99s-mass-hunge>

⁴⁷ Allen Feldman, *Formations of Violence: the narrative of the body and political terror in Northern Ireland*, (Chicago and London: The University of Chicago Press, 1991)

⁴⁸ Steve McQueen, *Hunger*, 2008

⁴⁹ Hannah Arendt, *The Origins of Totalitarianism*, (New York: Harvest Book, 1973)

wars, both of which had produced a demographic of stateless people. Following her own experiences in Nazi Germany, Arendt interrogates the notion of political sovereignty and the paradox at the centre of sovereign power, namely that the state is both the principal protector and principal violator of rights. She observes “a pervasive indifference to human suffering outside the confines of the nation”⁵⁰ and argues that those who are stateless, are in fact rightless. Following this claim, Arendt’s work functions as a refutation of liberalism which claims the notion of fundamental rights. She states, “no paradox of contemporary politics is filled with a more poignant irony than the discrepancy between the efforts of well-meaning idealists who stubbornly insist on regarding as ‘inalienable’ those human rights, which are enjoyed only by citizens of the most prosperous and civilised countries, and the situation of the rightless themselves”.⁵¹ Arendt argues against the concept of inalienable rights because it assumes a kind of ‘abstract’ human who is not rooted in any social order or political community.

The so-called ‘solution’ to the Jewish question was the creation of the state of Israel in 1948, which created a new stateless people, the Palestinians. However, Arendt’s basic hypothesis – stateless people are rightless people – is problematic in the case of Palestine, and the Palestinian hunger strikers in particular. A state exercises its sovereign powers through the law and Arendt argues that no law exists for those who do not have a state – how then do we interpret the thousands of stateless Palestinians who are incarcerated under Israeli law? Arendt takes this idea further by suggesting that it might be advantageous for a stateless person to commit a crime because s/he will then be brought within the pale of the law, and therefore within society. She writes, “only as

⁵⁰ Hannah Arendt, *The Origins of Totalitarianism*, (New York: Harvest Book, 1973) p. 292

⁵¹ Hannah Arendt, *The Origins of Totalitarianism*, (New York: Harvest Book, 1973) p. 279

an offender against the law can he gain protection from it".⁵² In the case of Palestine, law enforcement has been a strategy deployed by Israel in order to combat Palestinian self-determination efforts; it is hard to see that the law forms any kind of protection for Palestinians by bringing them into the social order of a state.

Arendt theorises that the loss of a polity expels one from humanity, that is to say that stateless people are individuals whose expressions and actions have no significance in a world order organized around nation states. As such, stateless people have no voice or means of expression. In the case of Palestine, I claim that hunger strikes use suffering and possible death as a means of expression. In spite of, or perhaps precisely because of their statelessness, hunger strikers choose to use their body as a means of expression via self-inflicted violence. This paper explores the idea that this action attempts to make an international liberal human rights community accountable for Palestinian pain, and the Palestinian political plight.

⁵² Hannah Arendt, *The Origins of Totalitarianism*, (New York: Harvest Book, 1973) p. 286

HISTORIES AND TRADITIONS OF HUNGER STRIKES

Hunger strikes have been used throughout history in a diverse range of societies. It is not logistically possible, nor the focus of my interest, to attempt to give a history of hunger strikes or an overview of their use internationally. Although one hunger strike does not legitimise another, value can be drawn by comparing certain hunger strikes in terms of, for example, ideological intentions, shared motifs, or common cultural origins. In this chapter I provide insights into the Palestinian hunger strikes by drawing comparisons with other hunger strike movements. In both India and Ireland, the technique of hunger strikes was used in anti-colonial struggles against the British, most famously by Mahatma Gandhi in India, and Republican prisoners in Northern Ireland. Legends exist of the patron saint of Ireland, Saint Patrick, hunger striking against God,⁵³ and similar stories exist in ancient India. I give an overview of the events leading up to the Republican hunger strikes in Ireland and the reaction to them amongst different constituencies. In regards to India, I analyse the concept underlying Gandhi's use of hunger strikes. Through this comparative study, I aim to gain insight into what tradition, if any, Palestinian hunger strikers are aligning themselves with by choosing this particular method of protest.

Communicative suffering:

Hunger striking is a form of political expression, and therefore a type of communication. The communicative aspect of hunger strikes is a central premise of this thesis. More specifically, I suggest that hunger strikes intend to convey a message

⁵³ David Beresford, *Ten Men Dead*, (London: Grafton Books, 1988)

to a certain audience or constituency with the aim of mobilizing that audience. This differentiates hunger striking from ascetic religious fasting, which is, in general, associated with inner reflection and self-isolation. I argue that hunger strikes are not only communicative but also a way of reclaiming power and restoring a level of political agency. Nashif observes, “captivity aims at annulling the domain of the body as an agent, a subject”,⁵⁴ following the idea put forward by Foucault, that prisons aim to produce ‘docile bodies’. Accordingly, by exerting the limited power they possess – the power to refuse to eat – hunger strikes are a subversive act. By turning their bodies into a tool of violence, hunger strikers can be seen as an act of emancipation; the captured body is returned to its owner, through its transformation into a weapon of suffering. Therefore, this act of refusing to eat serves to re-invest the body with political agency.

Foucault observes that following the reform movement of the 18th century, “punitive practices became more reticent”⁵⁵ referring not only to the elimination of pain in punitive practices but also the change from punishment being a public spectacle to being hidden. The notion of isolation is necessarily an element in this change. In modern prisons, that is to say prisons which follow an “economy of suspended rights”,⁵⁶ communication with the world outside the prison is strictly controlled. For example, communication by letter is mediated through forms provided by the prison authorities or sometimes by the International Committee of the Red Cross (ICRC). Family visits are controlled and can be limited as a means of punishment. As such, communication by detainees outside these officially endorsed means is subversive and an act of resistance. I identify two means of communicating using the body: messages carried *in* the body

⁵⁴ Esmail Nashif, *Palestinian Political Prisoners: identity and community*, (London, New York: Routledge, 2008), page 65

⁵⁵ Michel Foucault, *Discipline and Punish*, (New York: Vintage, 1978), p. 11

⁵⁶ Michel Foucault, *Discipline and Punish*, (New York: Vintage, 1978), p. 11

and messages carried *on* the body.

Messages carried in the body signifies a sheet of greased paper on which the prisoner writes a message, wraps it up and then either swallows it, inserts it in the rectum or holds it under the tongue. The message is then transferred to someone outside the prison, often during visiting hours.⁵⁷ In Israel/Palestine, these messages are known as a ‘cabsulih’, in Ireland they are known as ‘comms’. A ‘cabsulih’ – which comes from the English word ‘capsule’ – will sometimes pass through several bodies before being secretly transferred to someone outside the prison. Irish ‘comms’ – short for ‘communications’ - follows the same procedure and the process of transferring the messages through the body is often known by slang terms such as ‘banging’ or ‘fagining’.⁵⁸ Through such processes the interior of the body is converted into a zone of subversion and a medium of communication with the outside world. As Esmail Nashif asserts, “The cabsulih uses the materials available in the prison, namely the body of the captive, and reallocates the spatial networks of the prison to counter and alter the existing formal structures of power”.⁵⁹ In short, the use of the ‘cabsulih’ and ‘comms’ politicizes the interior of the body.

In a hunger strike, I claim that the message is carried *on* the body resulting in the politicization of the entire body. Talal Asad observes, “when we say that someone is suffering, we commonly suppose that he or she is not an agent. To suffer is, so we usually think, to be in a passive state – to be an object, not a subject”.⁶⁰ However, I

⁵⁷ Esmail Nashif, *Palestinian Political Prisoners: identity and community*, (London, New York: Routledge, 2008), p.59

⁵⁸ Allen Feldman, *Formations of Violence: the narrative of the body and political terror in Northern Ireland*, (Chicago and London: The University of Chicago Press, 1991), page 199

⁵⁹ See Esmail Nashif, *Palestinian Political Prisoners: identity and community*, (London, New York: Routledge, 2008), p. 41

⁶⁰ Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity*, (Stanford: Stanford University Press, 2003) p. 79

argue that it is possible to think of pain as agentive and that by refusing to eat, the prisoners utilize the power invested in their bodies as a way of regaining political agency. This notion of political agency is examined by Faisal Devji who looks at actions undertaken in the name of militant Islam and argues that the replacement of the citizen by the human being has led to a focus on the individual, his/her suffering, his/her pain, and his/her humanity. Devji states, “for many militants today turning humanity from victim into agent provides not the justification so much as the very content of their violence”.⁶¹ In the case of the Palestinian hunger strikes, the marks of self-inflicted violence inscribed on the body, including vomiting, dizziness, a sensation of constant cold, lack of hearing, and blindness,⁶² convert the body into a method of communication. In situations of incarceration, sovereign power has a monopoly over the death of detainees. If a hunger striker dies, this reclaimed political agency translates into a reclaiming of the state’s monopoly over death, and the corpse becomes the method of communication. As Feldman states in regards to the Irish hunger strikes, “the ideological and tactical equivalence between hunger striking and military violence was based on the corpse as a fundamental unit of political communication”.⁶³

The idea of pain or the corpse as a unit of communication is found in Lisa Hajjar’s analysis of the hunger strikes taking place in Guantanamo Bay prison, Cuba. Hajjar argues that the reason that certain prisoners have been on hunger strike for many years is that “to make meaning beyond the prison walls in ways that would benefit the striking prisoners and address their grievances, what is needed is a constituency that

⁶¹ Faisal Devji, *The terrorist in search of humanity: militant Islam and Global Politics*, (New York: Foundation Books, 2008), p. 30

⁶² Visualizing Palestine, Infographic on Khader Adnan, <http://visualizingpalestine.org/infographic/hunger-strike>

⁶³ Allen Feldman, *Formations of Violence: the narrative of the body and political terror in Northern Ireland*, (Chicago and London: The University of Chicago Press, 1991), p. 232

sees the politics of Guantánamo and the fate of its prisoners as *their cause*”.⁶⁴ This supports the idea that hunger strikes are communicative, an assertion that rests on the notion that expressions of pain can be read. Elaine Scarry contradicts this in *The Body in Pain*, by arguing that “physical suffering destroys language”.⁶⁵ Scarry argues that pain is inexpressible and therefore a private experience; “its resistance to language is not simply one of its incidental or accidental attributes but is essential to what it is”.⁶⁶ Scarry’s argument rests on the idea of speech as opposed to a wider concept of communication. If we look at pain and communication, we see that there are various instances of pain being communicable. For example, in certain acts of religious martyrdom, pain has an honoured place.

As such, I argue that in the case of the pain of a hunger strike, self-inflicted violence on the body is both a means of communication and an assertion of power. As Asad observes that although “suffering...is thought of as a human condition that secular agency must eliminate”⁶⁷ violence and the infliction of pain is nevertheless an intrinsic element of liberal societies. Through the staging or performance of that suffering, Palestinian hunger strikers aim to communicate with the world outside the prison, and outside the Occupied Palestinian Territory. As Lori Allen states, “through a focus on bodies and the blood, guts and flesh to which so many are reduced by Israeli violence, the physical common denominators all human beings share are thrust before the world’s

⁶⁴ Lisa Hajjar, *The Agony and the Irony of Guantanamo’s Mass Hunger Strike*, Jadaliyya, 20th June, 2013, <http://www.jadaliyya.com/pages/index/12332/the-agony-and-the-irony-of-guantanamo%E2%80%99s-mass-hunge>

⁶⁵ Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World* (Oxford: Oxford University Press, 1985), p. 201

⁶⁶ Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World* (Oxford: Oxford University Press, 1985), p. 5

⁶⁷ Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity*, (Stanford: Stanford University Press, 2003), p. 68

eyes”.⁶⁸

Legal Precedents:

In the case of both Ireland and India, the use of hunger strikes as a method of protest has been enshrined in ancient legal codes. In Ireland, the Gaelic terms for hunger striking - *cealachan* or *troscad* - signify a concept whereby a grievance would be expressed by starving oneself, potentially to death, on the wrongdoer’s doorstep.⁶⁹ This was often used as a method to force debtors to pay their arrears; the creditor would take up position on the debtor’s doorstep and begin their hunger strike, thereby putting pressure on the debtor to pay his dues. The legal term for the use of *cealachan* was *Senchus Mor*, which was part of the pre-Christian era oral legal codes known as the Brehon laws. Feldman writes, “The hunger strike was a legitimate and moral means for asserting rights, and it had legal precedents dating back to antiquity”.⁷⁰ In India, *cealachan* is paralleled by the near-identical concept of ‘sitting Dhurna’: “the practice of exacting justice or compliance with a just demand by sitting and fasting at the doorstep of an offender until death or until the demand is granted”.⁷¹ Sitting Dhurna was outlawed in the India Penal Code in 1860 by the British who claimed it was a manipulative and coercive technique.⁷² Notably, the technique of *cealachan* or sitting Dhurna involve an element of public shaming; presumably by sitting on the

⁶⁸ Lori A. Allen, “Martyr Bodies in the Media: Human rights, aesthetics, and the politics of immediation in the Palestinian intifada”, *American Ethnologist*, Vol. 36, no.1, pp161-180

⁶⁹ Allen Feldman, *Formations of Violence: the narrative of the body and political terror in Northern Ireland*, (Chicago and London: The University of Chicago Press, 1991)

⁷⁰ Allen Feldman, *Formations of Violence: the narrative of the body and political terror in Northern Ireland*, (Chicago and London: The University of Chicago Press, 1991), p. 214

⁷¹ *Random House Dictionary*, 2013, Random House Inc.

⁷² Tim Pratt and James Vernon, “Appeal from this fiery bed...”: The Colonial Politics of Gandhi’s fasts and their metropolitan reception”, 2005, *Journal of British Studies*, Vol. 44, No. 1, pp. 92-114

wrongdoer's doorstep the creditor showed to the surrounding community, the injustice that had been committed against him, and by whom. George Sweeney notes that the concept of *cealachan* demonstrates that hunger strikes are usually a technique used by the powerless against the powerful. He states, "for commoners in particular, lacking any other resources or strategic options, going on hunger strike presented the only course of action available to them".⁷³ However, I argue that hunger strikes in Ireland/India are used for reasons more complex than simply constituting a 'last resort' technique.

Ireland, The Troubles:

The tradition of *cealachan* had largely died out by the end of the 17th century but was revived by Republican activists in the early decades of the twentieth century in the conflict between Republicans and Loyalists, known as "The Troubles". Between 1913 and 1923 there are records of approximately 50 hunger strikes by Republican prisoners in Ireland, which resulted in at least 7 deaths.⁷⁴ In 1916, Republicans challenged British rule in a rebellion known as the Easter Rising. The leaders of the Easter Rising were executed turning them into heroic figures, further galvanising the militant Republican movement and the hunger strikes undertaken in its name. Ireland witnessed one of the largest collective hunger strikes of all time in 1923, when 8000 political prisoners protested the 1921 Anglo-Irish treaty for 41 days until 23rd November 1923.⁷⁵ Terence MacSwiney, Mayor of Cork and an IRA commander,

⁷³ George Sweeney, "Irish hunger strikes and the cult of self-sacrifice", 1993, *Journal of Contemporary History*, Vol. 28, pp 421-437

⁷⁴ George Sweeney, "Irish hunger strikes and the cult of self-sacrifice", 1993, *Journal of Contemporary History*, Vol. 28, pp 421-437

⁷⁵ George Sweeney, "Irish hunger strikes and the cult of self-sacrifice", 1993, *Journal of Contemporary History*, Vol. 28, pp 421-437

undertook one of the most famous Republican hunger strikes of this time. The Times newspaper at the time read: “despite the government, the Lord Mayor of Cork has stirred imagination and pity...Alderman MacSwiney, a man whose name was unknown outside his own city will, if he dies, take rank with Fitzgerald, with Emmet, and with Tone in the martyrology of Ireland”.⁷⁶ MacSwiney died in Brixton prison in 1920 after 74 days on hunger strike.

The 1980-81 hunger strikes in Long Kesh prison in Northern Ireland are among the most famous hunger strikes of modern times. Members of the Irish Republican Army (IRA) imprisoned in Long Kesh had, until 1977, a special category status and accompanying privileges. However, towards the end of the 1970s the United Kingdom government developed a criminalisation policy; Margaret Thatcher, Prime Minister of the UK in the 1980s, asserted “there is no such thing as political murder, political bombing or political violence; there is only criminal murder, criminal bombing and criminal violence”.⁷⁷ Accordingly, in 1977 IRA prisoners had their special category status removed and were treated as ordinary criminals. The “blanket” protests, “dirty” protests and hunger strikes ensued as Republican prisoners demanded recognition as prisoners of war. Initially, prisoners in Long Kesh refused to wear prison uniform and therefore were naked or wrapped in only their prison blanket, and consequently became known as Blanketmen. After 4 years of blanket protests, Republican prisoners undertook the so-called ‘dirty’ protests, whereby they refused to shower or to leave their cells to go to the bathroom, and so lived surrounded by their own faeces, which they often smeared on the walls of their cells. When this tactic did not succeed in realising

⁷⁶ George Sweeney, “Irish hunger strikes and the cult of self-sacrifice”, 1993, *Journal of Contemporary History*, Vol. 28, pp 421-437

⁷⁷ Margaret Thatcher, *Speech in Belfast*, March 5th 1981, <http://www.margaretthatcher.org/document/104589>

concessions from Westminster, a hunger strike was started. Bobby Sands led the hunger strike, starting on the 21st December 1980. By the end of 1981, Sands and 9 other Republican prisoners had died on hunger strike.

It is worth noting that the hunger strike was only undertaken after several years spent naked and in filthy conditions. This, I claim, is not only because fear of death made hunger strikes a 'last resort' technique, but also because of the special status hunger strikes have in Ireland, both because of their use in the Republican struggle in the early 20th century, and because of Catholic attitudes to deprivation and suffering. Figures such as Terence MacSwiney, and James Connelly, both of whom undertook hunger strikes in the name of a united Ireland, have gone down in Irish history as legendary. Indeed, their actions are perceived as an integral part of Irish history. As Susan Sontag perceives, violence can exalt someone subjected to it into a hero.⁷⁸ Republican prisoners opened up the potential for iconic status by their use of violence in the name of a larger cause, namely independence from Britain for Northern Ireland. Moreover, by choosing to hunger strike Republican prisoners were simultaneously aligning themselves with the pantheon of Irish heroes who had previously used the technique. This is neatly summarised by Dingley/Mollica, who claim that the hunger strike was, "a tactic that recalled the power of what [the Republican prisoners] saw as a noble tradition. It played to Republicans own past in symbolic and sentimental terms".⁷⁹ In short, hunger striking was a protest technique with a unique power in Ireland; it was associated with heroic nationalism.

⁷⁸ Susan Sontag, *Regarding the Pain of Others*, (New York: Picador, 2003) p. 13

⁷⁹JC Dingley and M Mollica, "The Human Body as a Terrorist Weapon: Hunger strikes and suicide bombers", *Studies in Conflict and Terrorism*, Volume 30, Issue 6, 459-492

Statements by former IRA prisoners are keen to emphasise the non-religious element to the hunger strikes. John Nixon, a former prisoner and IRA commander stated, “there is nothing theological about hunger strike in Ireland as far as I know. It is supremely political”.⁸⁰ This is supported by Allen Feldman’s analysis in his oral history of the hunger strikes in The Maze prison in Northern Ireland, who downplays the relevance of Christological models, considering them to assume an equivalence between the IRA hunger strike and the type of protest associated with Gandhi. Feldman perceives a fundamental difference between the IRA hunger strikes and those undertaken by Gandhi in that the IRA hunger strikes explicitly aimed to incite violence outside the prisons, whilst Gandhi’s strikes were associated with a doctrine of non-violence, as explored later in this chapter. Despite IRA prisoners claims that the hunger strikes were purely political and were a form of insurrectionary violence similar to a military campaign, Catholicism undoubtedly played a role, as evidenced by the vastly different reactions to the hunger strikes from Catholic constituencies and from Protestant ones. Moreover, Ireland possessed a strong ascetic tradition linked to Catholicism, which promoted deprivation and suffering, described by Sweeney as a “cult of self-sacrifice”.⁸¹

The hunger strikes in Ireland placed the Catholic church in a difficult position. According to Catholic doctrine, self-inflicted bodily harm is a sin as it harms a creation of God. Consequently, suicide - which assumes God’s powers over life and death - is condemned by the Catholic church as a sin. This struggle between nationalism and religious doctrine is vividly depicted in Steve McQueen’s film, *Hunger*, which includes

⁸⁰ JC Dingley and M Mollica, “The Human Body as a Terrorist Weapon: Hunger strikes and suicide bombers”, *Studies in Conflict and Terrorism*, Volume 30, Issue 6, 459-492

⁸¹George Sweeney, “Irish hunger strikes and the cult of self-sacrifice”, 1993, *Journal of Contemporary History*, Vol. 28, pp 421-437

a 17- minute unbroken shot of Sands discussing his proposed hunger strike with a priest,⁸² who accuses Sands of immorality and attempted martyrdom. Although there was a lack of consensus amongst the clergy in the 1980s as to the morality of the hunger strike, an unspoken agreement developed between the clergy and the people as the church did not want to alienate itself from its people by condemning hunger strikes and the nationalist aspirations that went with them. Dingley/Mollica provide another angle to the role of religion in the Irish hunger strikes, by arguing that hunger strikes are principally an appeal to the hunger striker's own community.⁸³ In the case of Republican activists in Ireland, this refers to the Catholic community. They argue that whilst the outpouring of support for the hunger strikers from the Catholic community was huge and eventually led to the creation of Sinn Fein, the political wing of the IRA, the, "Protestants of Ireland were unmoved...indeed it probably had exactly the opposite effect on them to that which it had on the Catholics".⁸⁴ According to Dingley/Mollica this was due to the notion of sacrifice having resonance and symbolism in their own community whilst leaving the Protestant community, Thatcher's government, and other non-Catholic constituencies unaffected.

India, Mohandas K. Gandhi:

Richard Falk, the UN special Rapporteur on the Occupied Palestinian Territories, described the Palestinian hunger strikes as follows: "We cannot now know whether these hunger strikes will spark Palestinian resistance in new and creative ways. What we can already say with confidence is that these hunger strikers are writing a new

⁸² Steve McQueen, *Hunger*, 2008

⁸³ JC Dingley and M Mollica, "The Human Body as a Terrorist Weapon: Hunger strikes and suicide bombers", *Studies in Conflict and Terrorism*, Volume 30, Issue 6, 459-492

⁸⁴ JC Dingley and M Mollica, "The Human Body as a Terrorist Weapon: Hunger strikes and suicide bombers", *Studies in Conflict and Terrorism*, Volume 30, Issue 6, 459-492

chapter in the story line of resistance *sumud*, and their steadfastness is for me a Gandhian Moment in the Palestinian struggle”.⁸⁵ What is the significance of a “Gandhian moment”? Following World War One, and until approximately the 1940s, India witnessed numerous hunger strikes against colonial rule. Such was the popularity of hunger strikes, that the 1930s were nicknamed by some, “the hungry thirties”.⁸⁶ The most famous proponent of this technique was Mohandas K. Gandhi.

Gandhi, originally trained as a lawyer but came to be an activist and leader of a movement of civil disobedience aimed at achieving Indian independence from British rule. Hunger strikes were a key technique in Gandhi’s campaign, and he undertook approximately 17 hunger strikes in his lifetime, most famously in 1932, 1943, and in 1947. Although the specific demands of Gandhi’s hunger strikes were diverse, his use of hunger strikes was based on the notion of *swaraj*, which is often translated as self-rule. However, *swaraj* signifies far more than simply freedom from colonial government. Rather, in Gandhi’s conception of *swaraj*, only through individuals achieving purification of the self, could India be truly free: “India would only be free as a nation when its individuals had succumbed to the search for truth and reformed their souls”.⁸⁷ The politics of hunger striking was at the centre of this pursuit of self-control and purity, and a key element of the larger philosophy of *satyagraha* or non-violent resistance. By articulating this notion of *swaraj*, and by undertaking hunger strikes in its name, Gandhi was equating his own body with the body of the nation. As such,

⁸⁵ Richard Falk, Historic Hunger Strikes in Palestine, *Global Justice in the 21st Century*, 8th May 2012, <http://richardfalk.wordpress.com/2012/05/08/historic-hunger-strikes-lightning-in-the-skies-of-palestine/>

⁸⁶Tim Pratt and James Vernon, “Appeal from this fiery bed...”: The Colonial Politics of Gandhi’s fasts and their metropolitan reception”, 2005, *Journal of British Studies*, Vol. 44, No. 1, pp 92-114

⁸⁷ Tim Pratt and James Vernon, “Appeal from this fiery bed...”: The Colonial Politics of Gandhi’s fasts and their metropolitan reception”, 2005, *Journal of British Studies*, Vol. 44, No. 1, pp 92-114

Gandhi's frail figure could be seen as "suffering on behalf of not just his own, but the nation's moral health".⁸⁸

Gandhi was aware that his use of hunger striking was met with skepticism amongst many, and yet deemed it to be the most effective weapon of *satyagraha*, stating, "the weapon which has hitherto proved infallible for me is fasting... what my word in person cannot do, my fast may".⁸⁹ Gandhi endowed the idea of hunger striking with a certain mysticism, for example by referring to his hunger strikes as 'fasts' and thereby associating himself and his actions with religious asceticism and with certain mystic strains of Christianity, Judaism and other religions. Although the philosophy of *satyagraha* was intended above all to unite Indians be they Muslim, Hindu or other, it was nevertheless steeped in Hindu faith. Gandhi stated, "it is faith that sustains me and it is faith that must sustain the other *satyagrahis*".⁹⁰ Hinduism makes a connection between purity and fasting; there are numerous instances in Hinduism of fasting for purification or penance. However, Gandhi also regularly employed the Islamic word for martyrdom, *shuhadat*, to describe his sacrifice on behalf on his people.⁹¹ Consequently, we see that Gandhi astutely made sure to appeal to various religious creeds, not just Hinduism, in his use of fasting. Gandhi developed two categories of hunger strike: coercive, and non-coercive. He defined coercive fasts as selfish fasts aimed at benefitting oneself, and non-coercive fasts as selfless fasts aimed at benefitting

⁸⁸ Tim Pratt and James Vernon, "Appeal from this fiery bed...": The Colonial Politics of Gandhi's fasts and their metropolitan reception", 2005, *Journal of British Studies*, Vol. 44, No. 1, pp 92-114

⁸⁹ Dennis Dalton, *Mahatma Gandhi: Non-violent power in action*, (New York: Colombia University Press, 1993), p. 155

⁹⁰ Norman G Finkelstein, *What Gandhi Says about non-violence, resistance and courage*, (New York, London: OR Books, 2012), p. 21

⁹¹ Faisal Devji, *The terrorist in search of humanity: militant Islam and Global Politics*, (New York: Foundation Books, 2008), p. 19

others.⁹² It is for this reason that Gandhi opposed the legal concept of sitting Dhurna, believing it to be a coercive technique and an “ancient form of barbarity”,⁹³ an attitude also held by the British. However, problems arise in this classification of coercive and non-coercive as it presumes a certain consensus on the faster’s goal.

Gandhi was aware that his hunger strikes were viewed by many with skepticism. In Britain, Gandhi’s use of hunger strikes was received with “a mixture of detachment, skepticism, bewilderment, concern, and hostility”.⁹⁴ There was a tendency to ridicule Gandhi for willful suicide, and a studied refusal to bestow on him any kind of heroic dimension. Headlines in British newspapers at the time - “The death sentence: Gandhi pronounces his own doom”, “Inner voice impelled me to fast”, “A political stunt”⁹⁵ - are revealing of British attitudes to Gandhi’s hunger strikes. However, despite this dismissive attitude to Gandhi’s hunger strikes, British papers pointedly and tellingly refused to publish pictures of Gandhi’s frail body opposing the power of the colonial state. Gandhi was disappointed by the reactions to his 1932 strike, stating, “This distrust of and misrepresentation of a man who loves British people is an enigma to me... I had hoped that appeal from this fiery bed would somewhat wake up the British public as it seems to have marvellously roused India”.⁹⁶ Pratt/Vernon add another dimension to the British reaction to the hunger strikes by arguing that “Gandhi’s dietary

⁹² Norman G Finkelstein, *What Gandhi Says about non-violence, resistance and courage*, (New York, London: OR Books, 2012)

⁹³ Mohandas K. Gandhi, *Hind Swaraj and Other Writings*, Ed. By Anthony J. Parel, (Cambridge: Cambridge University Press, 1997) p. 94

⁹⁴ Tim Pratt and James Vernon, “Appeal from this fiery bed...”: The Colonial Politics of Gandhi’s fasts and their metropolitan reception”, 2005, *Journal of British Studies*, Vol. 44, No. 1, pp 92-114

⁹⁵ Tim Pratt and James Vernon, “Appeal from this fiery bed...”: The Colonial Politics of Gandhi’s fasts and their metropolitan reception”, 2005, *Journal of British Studies*, Vol. 44, No. 1, pp 92-114

⁹⁶ Tim Pratt and James Vernon, “Appeal from this fiery bed...”: The Colonial Politics of Gandhi’s fasts and their metropolitan reception”, 2005, *Journal of British Studies*, Vol. 44, No. 1, pp 92-114

practice and fasting articulated a nationalist politics, which for all its “Indianness” still drew upon a symbolic repertoire India’s colonial governors could comprehend.”

Indeed, Britain was no stranger to hunger strikes as a form of political protest having witnessed the suffragettes hunger strikes in 1909, the conscientious objectors during World War One, as well as the Irish nationalists throughout the early decades of the twentieth century. Therefore, although the technique was linked to Gandhi’s conception of the idea of *swaraj*, it is hard to see that the British could see hunger strikes as a culturally specific phenomenon, that is to say, as a uniquely Indian form of protest, nor Gandhi as a lone madman.

In modern day India, hunger strikes have a particular resonance because of the revered status in which Gandhi is held; he is often simply referred to as the Mahatma, or “great soul”. Norman G Finkelstein considers Gandhi’s actions to have been oversimplified by a Western audience. He notes that the vast literature which Gandhi wrote - over 100 works on his vision of *satyagraha* - are rarely referred to, and instead Gandhi’s name has become a mantra for non-violent action. Finkelstein asserts, “The Gandhi bequeathed by history is a watered-down, saccharine version of the original”.⁹⁷ Finkelstein suggests that the effectiveness of Gandhi’s hunger strikes were due to the cult of personality surrounding Gandhi, rather than to any reverence or value associated with hunger strikes as a technique. For example, regarding Gandhi’s 1947 fast in Calcutta which put an end to communal rioting that had killed thousands in the city, Finkelstein remarks, “Only a fast initiated by Gandhi, and him alone, could have cooled fratricidal hatred whipped into a fury...the tactic has no generalised value”.⁹⁸ The scene

⁹⁷ Norman G Finkelstein, *What Gandhi Says about non-violence, resistance and courage*, (New York, London: OR Books, 2012), p. 11

⁹⁸ Norman G Finkelstein, *What Gandhi Says about non-violence, resistance and courage*, (New York, London: OR Books, 2012), p. 57

of Gandhi pacifying a rioting Calcutta through a hunger strike is vividly depicted in Richard Attenborough's 1982 film, *Gandhi*. Salman Rushdie supports Finkelstein's analysis that Gandhi has been deified. He writes, "*Gandhi* [the film] shows us a saint who vanquished an empire. This is fiction".⁹⁹

Finkelstein and Rushdie critique not Gandhi himself, but the popular perception of his legacy. Dennis Dalton asserts that the Calcutta fast was "an intense method of conflict-resolution through non-violent action"¹⁰⁰ and that Gandhi had, through his hunger strike shocked society into ending its inter-communal violence and rioting. He depicts Gandhi as politically astute, at times contradictory, but with a rare faithfulness to principle and a rousing idealism. However, Dalton does not elaborate further as to why the method of hunger strikes was as effective as it was. Hunger striking is a technique which continues to be used in modern day India in protesting injustice. However, the perception of hunger strikes is mixed, as seen by the case of Anna Hazare, the Indian activist and anti-corruption campaigner. Hazare pointedly puts himself in the same line as Gandhi, with his trademark simple white cotton attire and white cap. Hazare has frequently used hunger strikes in his activism, most prominently in April 2011 when he started an open-ended hunger strike in order to force the government to pass the Jan Lokpal bill aimed at limiting corruption.¹⁰¹ Hazare's actions including the hunger strike earned him many supporters but also detractors. The scholar Pratap Bhanu Mehta for example, saw Hazare's use of hunger striking as a form of moral blackmail and suggested that this kind of 'traditional' method of protest did not have a place in a modern democracy. Mehta considers, "[Hazare] has elided the distinction

⁹⁹ Salman Rushdie, *Imaginary Homelands: Essays and Criticisms*, (London: Penguin Books 1992), page 102

¹⁰⁰ Dennis Dalton, *Mahatma Gandhi: Non-violent power in action*, (New York: Columbia University Press, 1993), p. 153

¹⁰¹ See www.annahazare.org

between protest and fast-unto-death. The former is legitimate. The latter is blackmail”.¹⁰² Consequently we see that Gandhi’s hallowed legacy does not necessarily extend to the techniques he employed.

Conclusion:

In this chapter, I have aimed to show that hunger strikes are more than just a ‘last resort’ technique used by the powerless as a form of protesting injustice. Rather, they are a reclaiming of political agency and a form of communicative suffering which aim to engage a particular audience. These studies of hunger striking in Ireland and in India provide a comparative framework for discussing the case of the Palestinian hunger strikes. It is striking that the commonalities of the three contexts – Ireland, India, and Palestine – is that in each context, hunger strikes are used as a means of protesting foreign rule. In each case, the state that governs the hunger strikers does not guarantee their rights, particularly the right to self-determination. In the next chapter, I look at the history and rhetoric of the hunger strikes that took place in Israel/Palestine in 2011 and 2012 and attempt to ascertain to whom the hunger strikers are communicating, and how their hunger strikes were resolved. I examine the reactions of various constituencies: the Israeli state, the Palestinian Authority, the public in the Occupied Palestinian Territory, and the local and international media. This gives a necessary background in order to examine the relationship between the hunger strikes and liberal conceptions of human rights.

¹⁰² Sanjay Kumar, “Anna Hazare Going Too Far”, *The Diplomat*, 18th August 2011, <http://thediplomat.com/2011/08/anna-hazare-going-too-far/>

THE PALESTINIAN HUNGER STRIKES

This chapter looks at the role of prisons in Israel/Palestine and the history of hunger strikes and resistance in the prisons. Similarly, it looks at the rhetoric of the Palestinian hunger strikers through a close reading of their statements whilst on hunger strike. Barbara Gronau states, “hunger strikers have one central goal; to transform their bodies into a symbol that can be seen and understood by all”.¹⁰³ As elaborated in the previous chapter, I perceive hunger strikes as communicative. However, I disagree with Gronau in that I argue that hunger strikes communicate with a *specific* constituency. In the second half of this chapter, I interrogate various sources - the Israeli media, the Palestinian media, statements from international and local human rights organisations – in order to reveal the reactions of the different constituencies to the hunger strikes. Through this analysis, I aim to provide the necessary background information for ascertaining the relationship between the hunger strikes and liberal conceptions of human rights. The final chapter focuses exclusively on liberalism, and liberal attitudes to pain, suffering and mortality.

Prisons in Israel/Palestine:

Prisons take on a particular importance in Israel/Palestine due to the carceral nature of the Israeli occupation. Israel reacted to the first intifada using a tactic of law enforcement. That is to say, the response to Palestinian resistance activity was arrest and imprisonment. This is in stark contrast to the second intifada in which the Israelis responded to Palestinian resistance using armed operations and military force. The law

¹⁰³ Barbara Gronau, “Asceticism poses a threat: the enactment of voluntary hunger”, *Critical Studies* 36, 2012, pp. 99-109

enforcement tactic employed in combatting the first intifada has led to exceptionally high incarceration rates in the Occupied Palestinian Territory. As Lisa Hajjar highlights, high incarceration rates have a disputed political currency as they can be indicative of either pervasive criminal activity or legal repression on the part of the state.¹⁰⁴ However, what is certain is that captivity and time spent in prison have come to take on a central position in Palestinian society. According to the UN, 750,000 Palestinians — including 23,000 women and 25,000 children — have been imprisoned by Israel since 1967.¹⁰⁵ According to Btselem human rights organization, as of January 2014, 4,881 Palestinians were detained in Israeli prisons.¹⁰⁶ These figures exclude those held under administrative detention, as they are not included in the Israeli Prison Service statistics. Activities leading to imprisonment include membership of political groups, participation in non-violent demonstrations, possession of weapons, infringement of movement regulations, amongst many others. As Lisa Hajjar notes, “a military occupation, by its very nature, perpetuates conflict because it negates the population’s right to self-determination”.¹⁰⁷ In short, the criminalization of forms of political and cultural expression have led to a situation where Palestinian national existence is criminalized.¹⁰⁸

¹⁰⁴ Lisa Hajjar, *Courting Conflict*, (London: University of California Press, 2005), p. 3

¹⁰⁵ United Nations, *UN human Rights Expert Appalled by ongoing violations in Israeli prisons*, 2nd May 2012, <http://www.un.org/apps/news/story.asp/story.asp?NewsID=41901>

¹⁰⁶ Btselem, *Statistics on Palestinians in the custody of the Israeli Security forces*, Updated 23rd February 2014 http://www.btselem.org/statistics/detainees_and_prisoners

¹⁰⁷ Lisa Hajjar, *Courting Conflict*, (London: University of California Press, 2005), p. 2

¹⁰⁸ Lori Allen, *Martyr Bodies in the Media: human rights, aesthetics, and the politics of immediation in the Palestinian Intifada*, *American Ethnologist*, Volume 36, February 2009

The “carceral archipelago”¹⁰⁹ of Israel/Palestine has meant that captivity has become a central rite of passage for many Palestinians, particularly men. The Israeli journalist Amira Hass asserts in regards to Palestinian society, “serving time has played much the same role as the Palmach, the Jewish combat corps of pre-statehood days, did in Israeli society: a gruelling shared rite of passage that forged lifelong bonds among a sizeable number of Palestinians”.¹¹⁰ Moreover, prisons have come to play an integral role in terms of education. Lisa Taraki describes the role Israeli prisons play in the education – political and other - of young Palestinians:

“Israeli jails, a powerful symbol in the political folklore of the occupied territories, are often considered by their ‘graduates’ as the ideal place for acquiring a political education. There, isolated from the routine of normal life, prisoners organize seminars and study circles, conduct Hebrew and English lessons, and teach the illiterate among them how to read and write. The impact of this collective experience is no doubt a lasting one.”¹¹¹

Accordingly, an inadvertent consequence of this policy of mass imprisonment has been to contribute to the social mobilization of Palestinian society; prisons have come to be one of the major sites of Palestinian resistance activity. Following Lisa Hajjar’s use of the term “carcellarism”¹¹² adopted here, Palestinian society is a larger and more diffuse ‘prison’ of which the actual detention centers/prisons are only one part. Moreover, and due to the exceptionally high incarceration rates, prisons in Israel/Palestine have become a key site of the larger conflict.

Comparing the Palestinian hunger strikes:

¹⁰⁹ Nigel Parsons, *Israeli Biopolitics,, Palestinian Policing*, in *Policing and Prisons in the Middle East: formations of Coercion*, ed Laleh Khalili and Jillian Schwedler (London: Hurst and Company, 2010), p. 57

¹¹⁰ Amira Hass, *Drinking the Sea at Gaza*, (New York: Holt Paperbacks, 1996) p. 210

¹¹¹ Lisa Taraki, *The Development of Political Consciousness among Palestinians in the Occupied Territories, 1967-1987*, edited by J. Nassar and R. Heacock (New York: Praeger, 1990) p. 68

¹¹² Lisa Hajjar, *Courting Conflict*, (London: University of California Press, 2005), p. 186

The hunger strikes looked at in this paper, namely those undertaken by Adnan, Issawi and the so-called '8 knights' in 2011 and 2012, all took place in situations of incarceration. This forms a contrast with Gandhi's hunger strikes, which were largely, although not exclusively, undertaken whilst not in detention. Gandhi considered that the purification of the self through the means of fasting would allow for the purification and therefore liberation of the nation. The Palestinian hunger strikes undertaken in incarceration do not explicitly have the element of the purification of the self as a step towards liberation; rather there is a greater emphasis on freedom from prison symbolizing political freedom. However, there is a parallel to be found in that both Gandhi and the Palestinian hunger strikers equate their own suffering bodies with the bodies of their respective nations. Samer Issawi, who engaged in an intermittent hunger strike of 266 days stated, "My battle is not just for my own freedom. My fellow hunger strikers, Ayman, Tarik, Ja'afar, and I are fighting a battle for all Palestinians against the Israeli occupation and its prisons".¹¹³

Issawi explicitly disavows the self in order to represent a larger constituency, namely Palestinian society, thereby showing a willingness to die for a larger cause. This finds a parallel in the example of Republican prisoners in Northern Ireland, who saw themselves as representing the Republican cause and community outside the prison. As Pratt/Vernon highlight, "The protagonists sought to represent the injustices of the colonial encounter as a corporeal drama, at once individual and heroic, yet representative of the suffering of the wider nation"¹¹⁴. Issawi's willingness to sacrifice

¹¹³ Samer Issawi, *We are fighting for all Palestinians*, The Guardian, 3rd March 2013, <http://www.theguardian.com/commentisfree/2013/mar/03/hunger-strikers-fighting-for-palestinians-israel>

¹¹⁴ Samer Issawi, *We are fighting for all Palestinians*, The Guardian, 3rd March 2013, <http://www.theguardian.com/commentisfree/2013/mar/03/hunger-strikers-fighting-for-palestinians-israel>

his own political agency, for the sake of the larger body politic, invokes the notion of martyrdom and sacrifice. Devji, discussing Gandhi's use of hunger strikes, observes that sacrificial action necessarily leads to a focus on the individual rather than the larger cause.¹¹⁵ Devji suggests however much individual action claims to embody collective politics, the eventual death or sacrifice renders the action an individual one. He asserts, "the martyr, after all, is technically a defeated person".¹¹⁶ In the case of the hunger strikes, we see an attempt to equate the political agency reclaimed in a hunger strike into a reclaiming of political agency on a larger scale.

The example of the IRA hunger strikes in Long Kesh, Northern Ireland, constitute more of a direct parallel with Israel/Palestine than the case of Gandhi; in both Ireland and Israel/Palestine, the prison is a key battleground in the wider conflict. As one former IRA prisoner who was detained in Long Kesh stated, "we realized that with the Blanket a new phase of the campaign had begun – that the centre of the republican movement was in the jails".¹¹⁷ Crime is the object of penal processes and Israel's criminalization of Palestinian nationalism can be seen to mirror Margaret Thatcher's 1978 criminalization of Republican militant activity in Northern Ireland. Allen Feldman observes regarding the prisoners in Northern Ireland in the 1980s, that, similarly to Gandhi equating his suffering body with suffering of the nation, there is a semantic and historical parallel to be drawn between the colonisation of Ireland and the colonisation of the prisoners' bodies. As such, an equivalence can be drawn between the coercion and occupation of the prisoner's body and the coercion and occupation of the

¹¹⁵ Faisal Devji, *The terrorist in search of humanity: militant Islam and Global Politics*, (New York: Foundation Books, 2008) p. 19

¹¹⁶ Faisal Devji, *The terrorist in search of humanity: militant Islam and Global Politics*, (New York: Foundation Books, 2008) p. 38

¹¹⁷ Allen Feldman, *Formations of Violence: the narrative of the body and political terror in Northern Ireland*, (Chicago and London: The University of Chicago Press, 1991), p. 222

nation, and resistance activities taking place within the prisons, and those taking place outside them. “The body of the individual captive...can be understood only if positioned in the social space of the body of the community of captives.”¹¹⁸

Resistance in the prisons:

The hunger strikes undertaken by Adnan and others were by no means the first time this technique of corporeal violence had been used in the context of the Arab-Israeli conflict. The date of the first significant hunger strike in Israeli prisons by Palestinian prisoners varies, although all authors looked at in this study date it after the 1967 war. Esmail Nashif claims that the first notable hunger strike took place in Byt Kyd prison in 1969 which protested against poor living conditions.¹¹⁹ The Israeli authorities dispersed the strikers into different prisons so as to break the strike. Amira Hass dates the first notable hunger strike to 1971 in Ashkelon prison¹²⁰ demanding an end to calling the guards Sid – a term of respect similar to ‘sir’ - longer family visits, and improved hygiene and exercise conditions. Yezid Sayigh discusses a hunger strike occurring in 1976 in Ashkelon prison, significant in its duration, level of organization, and rigour.¹²¹ Since the late 1960s/early 1970s hunger strikes in Israeli prisons have been frequent: in 1975 there was a 45-day collective strike, in 1995 more hunger strikes took place, protesting the lack of release of prisoners following the Oslo accords, and in 1998, the so-called ‘prisoner’s intifada’ started whereby many prisoners went on hunger

¹¹⁸ Esmail Nashif, *Palestinian Political Prisoners: identity and community*, (London: Routledge, 2010), p. 67

¹¹⁹ Esmail Nashif, *Palestinian Political Prisoners: identity and community*, (London: Routledge, 2010), p. 48

¹²⁰ Amira Hass, *Drinking the Sea at Gaza*, (New York: Holt Paperbacks, 1996) p. 222

¹²¹ Yezid Sayigh, *Armed Struggle and the Search for the State*, (Oxford: Clarendon Press, 1997), p. 626

strike thereby triggering large solidarity demonstrations outside the prison.

However, there is little evidence of ancient legal traditions of hunger striking along the lines of *cealachan* or sitting Dhurna, either in Israel/Palestine or in the wider Middle East region. Addameer prisoners rights organization asserts that Bahrain and Israel/Palestine are the only two countries in the Middle East which have witnessed significant hunger strikes.¹²² As such, it does not seem that the choice of the method of hunger strikes has the resonance within society that it does in, for example, Ireland, where hunger striking is seen as an integral part of Irish history and is associated with legendary figures such as Terence MacSwiney. As one former Palestinian hunger striker, Abu Jiab, states regarding his hunger strike, “the authorities always talked as if the strikes were imported from abroad... as if we were getting orders from outside”.¹²³

Resistance activities in incarceration raise the issue of collective versus individual struggle. Since the start of the second intifada in 2000, Israel has taken long-term measures to combat Palestinian resistance by physically and bureaucratically dividing up and segmenting Palestinian land and society. This is achieved by use of a vast and complex system of checkpoints, walls, and barriers.¹²⁴ Scholars such as Saree Makdisi have argued that there is a conscious strategy of erasure taking place.¹²⁵ In the context of prisons, prisoners are often moved from prison to prison as a way of further dividing up and severing social relations and potential resistance activities.¹²⁶ In the 1970s and 1980s groups of prisoners affiliated with Fatah, the DFLP, PFLP, the *Jami'a al*

¹²² Bahrain witnessed a series of hunger strikes in 2011 and 2012 led by Ahmad al-Khawaja.

¹²³ Amira Hass, *Drinking the Sea at Gaza*, (New York: Holt Paperbacks, 1996) p. 223

¹²⁴ See Eyal Weizman, *Hollow Land: Israel's Architecture of Occupation* (London: Verso, 2009)

¹²⁵ Saree Makdisi, *Architecture of Erasure*, *Critical Inquiry*, Vol. 36, no.3, Spring 2010

¹²⁶ Esmail Nashif, *Palestinian Political Prisoners: identity and community*, (London: Routledge, 2010), p. 40

Islamiyya and others organised and undertook hunger strikes within the prisons. The hunger strikes looked at in this paper, although started by a group of prisoners associated with the PFLP, were undertaken by individuals without the larger framework of a political party or organisation behind them. As such, a principal criticism of the hunger strikes is that they are symptomatic of the loss of collective resistance activity from within the prisons, an idea explored further in Chapter 3.

The rhetoric of the hunger strikers:

Khader Adnan explained his reasons for engaging in this form of corporeal violence:

“The reasons behind my hunger strike were the frequent arrests and treatment received when arrested and the barbaric methods of interrogation in prison—they humiliated me. They put dust of their shoes on my moustache, they picked hairs out of my beard, they tied my hand behind my back and to the chair which was tied to the floor. They put my picture on the floor and stepped on it. They cursed my wife, and my daughter who was less than a year and four months old with the most offensive words they could use.”¹²⁷

The tone of Adnan’s statement is noticeably matter-of-fact. He speaks of his humiliation and the interrogation techniques he suffered. Adnan was arrested for so-called terrorist activity as part of his membership of Palestinian Islamic Jihad (PIJ).¹²⁸

The right-wing Zionist website NGO Monitor, accused various NGOs and Amnesty International of creating a “good versus evil” narrative regarding Adnan, by referring to him as a baker and political activist rather than as a senior member of Islamic Jihad.¹²⁹

However, he notably employs no religious rhetoric when speaking of his decision to

¹²⁷ Quoted by Richard Falk, US Military Suicides and Palestinian Hunger Strikes, *Global Justice in the 21st Century*, 12th June 2013, <http://richardfalk.wordpress.com/tag/palestine-national-football-team/>

¹²⁸ Addameer Prisoner Support and Human Rights Association, *Khader Adnan Profile*. <http://www.addameer.org/etemplate.php?id=428>

¹²⁹ NGO Monitor, *Background Information on NGO Reporting of Khader Adnan*, February 20th 2012, http://www.ngo-monitor.org/article/background_information_on_ngo_reporting_of_khader_adnan

engage in a hunger strike. In none of his statements do we find mention of the concept of *jihad*, or holy war. Rather, he protests the frequency of his detention and his treatment whilst in incarceration.

Adnan's matter of fact tone, and lack of religious rhetoric, is mirrored by statements by other hunger strikers. For example, Ja'afar Azzeldine, wrote regarding his hunger strike:

“Our detention is unjust and illegal just like the occupation is illegal, thus I will not retract from the battle for freedom until administrative detention is abolished ... Because our demands are legitimate and just... Because administrative detention is void and prohibited by international humanitarian law, we are determined to resist it and to reject it... it is either victory and freedom or martyrdom”¹³⁰

Azzeldine refers to law and legality as a framework for justice, and a justification for his actions. He employs neither a religious rhetoric, nor a nationalist one. Rather, Azzeldine uses a rights-based framework in order to explain his use of a hunger strike. This tallies with Lisa Hajjar's opinion that, “the conflict is, at its core, a struggle over rights, pitting the prerogatives of the Israeli state against the national and human rights of the Palestinian population”.¹³¹ Hajjar goes on to define two kinds of rights in the Occupied Palestinian Territory, the rights to the land, and the rights in the land. Azzeldine, frames his struggle within the notion of his rights bestowed on him by international law whilst in the land; there is no mention of the right to self-determination or the quest for a state. However, although he appeals for rights in the land rather than to the land, he appeals for *international* law to be applied. This suggests that he is appealing to an international community for help. By invoking the

¹³⁰ Jaafar Azidine, Statement from Jaafar Azidine, *We Are All Hana Shalabi*, 10th September 2013, <http://weareallhanashalabi.wordpress.com/statement-from-palestinian-prisoners/statement-from-jafar-azzidine/>

¹³¹ Lisa Hajjar, “Human Rights in Israel/Palestine: the history and politics of the movement”, *Journal of Palestine Studies* 30, 2001, p. 21

notion of the inalienable rights merited by every human being, rather than his rights as a citizen, Azzeldine transcends the nationalist discourse of the Arab-Israeli conflict being the problem of “two peoples, one land”.

A letter from Thaer Halahleh, who engaged in a 77-day hunger strike, to his two-year-old daughter, reads as follows:

“When you grow up you will understand how injustice was brought upon your father and upon thousands of Palestinians whom the occupation has put in prisons and jail cells, shattering their lives and future for no guilt but their pursuit of freedom, dignity and independence, you will know that your father did not tolerate injustice and submission, that he will never accept insult and compromise, and that he is going through a hunger strike to protest against the Jewish state that wants to turn us into humiliated slaves without any rights or patriotic dignity.”¹³²

Similarly to Azzeldine and Adnan, Halahleh employs the notions of rights and dignity in his call for justice. The mention of slavery, invokes one of the most fundamental of human rights, the right not to be enslaved. Adnan’s statement could be said to invoke another fundamental right, the right not to be tortured.

The cumulative effect of these statements is that a concerted effort is being made to appeal to a secular human rights community rather than to any religious constituency. Hamas suicide bombers also use self-inflicted corporeal violence in order to further their rights. However, they employ an entirely different rhetoric, namely one that uses the concept of *jihad* or Islamic holy war. Roxanne Euben explores the theme of mortality and political action using concepts of *jihad* as a case study. She identifies a gap in scholarship regarding issues of mortality and politics, and the notion of dying for politics. Euben observes, “*jihad* is yet another occasion to evade the interplay of mortality and politics because it operates as a category through which many students of

¹³² Thaer Halahleh, A Letter from Thaer Halahleh to his daughter, *We Are All Hana Shalabi*, <http://weareallhanashalabi.wordpress.com/statement-from-palestinian-prisoners/a-letter-from-thair-halahleh-to-his-daughter/>

politics within the so-called West mystify or displace, rather than confront, the politics of death”.¹³³ Thus, by using a non-religious rhetoric, the hunger strikers avoid having their actions dismissed by an argument of cultural exceptionalism, or being described in the language of a clash of civilisations.

In the same way in which Gandhi’s hunger strikes could not be dismissed as a culturally-specific Indian phenomenon, the Palestinian hunger strikers use rhetoric that is notably non-religious and employs universal themes of dignity, and freedom. Simultaneously the hunger strikers reference human rights – the right not to be enslaved, the right not to be tortured – which are enshrined in international legal codes. As such, an important distinction is made between self-inflicted corporeal violence in the name of Islamic *jihad* on the one hand, and corporeal violence in the name of human rights on the other. This distinction is ignored by Mark Regev, Benjamin Netanyahu’s personal spokesperson. Regev stated in an interview regarding the hunger strikes, “its difficult when you deal with someone who wants to commit suicide. It’s a problem with suicide bombers who want to blow themselves up when they want to kill innocent people, and in this tactic, if they think that for their Islamist cause they should kill themselves, it is a challenge”.¹³⁴

Samer al-Issawi, of all the hunger strikers, most clearly addresses the international community, and holds them responsible for his suffering. In an article in the Guardian newspaper, a British centre-left daily newspaper, Issawi calls for support from the international community:

“Israel could not continue its oppression without the support of western governments.

¹³³ Roxanne L. Euben, *Killing (for) Politics: Jihad, martyrdom and political action*, Political Theory, Volume 30, No.1, February 2002

¹³⁴ Kevin Connolly, *Palestinian Rally for Hunger Strikers*, 11th May 2012, <http://www.bbc.com/news/world-middle-east-18043758>

These governments, particularly the British, which has a historic responsibility for the tragedy of my people, should impose sanctions on the Israeli regime until it ends the occupation, recognises Palestinian rights, and frees all Palestinian political prisoners”.¹³⁵

Issawi’s statement appeals to those outside the prison; he tries to make the Palestinian cause resonate as the international community’s cause as well. In summary, the hunger strikers employ a rhetoric of universal themes, international law, and secular human rights. Accordingly, I ascertain that they principally appeal to an international community which explicitly vows to support these values.

Israel’s release of the hunger strikers:

The Irish hunger strikes in the 1980s notably provoked little reaction either from Protestant loyalist communities, or from Westminster, but succeeded in mobilizing the Catholic Republican community, which eventually led to the creation of Sinn Fein, the political wing of the IRA. However, an important difference between the Irish hunger strikes and those which took place in Israel/Palestine is that the Irish hunger strikes left ten men dead; none of the hunger strikers in Israel/Palestine died, having all negotiated deals regarding their release. The official stance of Israel towards hunger strikes was outlined in a paper by the Israeli Medical Association in February 2005, which stated amongst other matters that hunger striking prisoners should not be force fed with liquids or food against their will. This leads to the prospect of prisoners dying on hunger strike. Indeed, hunger strikers who refuse vitamin and nutrient supplements normally die within 50 to 75 days of being on hunger strike. Adnan was on hunger strike for 66

¹³⁵ Samer Issawi, *We are fighting for all Palestinians*, The Guardian, 3rd March 2013, <http://www.theguardian.com/commentisfree/2013/mar/03/hunger-strikers-fighting-for-palestinians-israel>

days, Bilal Diab and Thaer Halehleh for 77 days. Each of these hunger strikers struck a deal with the Israelis at this critical stage, and therefore there were no deaths. This raises the question, why did Israel release the hunger strikers?

The cause for which the majority of the hunger strikers were undertaking their hunger strike was an end to the system of administrative detention. Administrative detention is detainment without trial and without knowledge of the evidence held against the detainee for a period of six months, which can then be renewed indefinitely. Human Rights Watch states regarding this, “Israel’s regular use of administrative detention, at the least, inverts international law and turns the exception into the norm, at the cost of the fundamental right to due process”.¹³⁶ The hunger strikers looked at in this paper, ended their hunger strikes and were released not because of any indication on Israel’s part that they would end their frequent use of administrative detention. Rather, the hunger strikers, for example Issawi, ended their hunger strikes on the assurance that their *own* period of administrative detention would not be renewed.

Examples of deals under which hunger strikers were released include Samer al Issawi, Bilal Diab, and Hana al-Shalabi. Issawi agreed to end his 266-day hunger strike in exchange for an Israeli pledge not to renew his administrative detention order. Israel fulfilled its promise and Issawi was released in December 2013 to jubilant crowds in his home of Issawiyeh, a suburb of Jerusalem. Similarly, Bilal Diab ended his hunger strike on the 15th May 2013 following a deal between the Israeli Prison Service and the Higher Committee of Prisoners which stipulated that his administrative detention order would not be renewed. He was released on the 29th June 2012. Hana al-Shalabi, the only female prisoner looked at in this study, undertook a hunger strike of 43 days after which

¹³⁶ Sarah Leah Whitson, *Israel: End Abusive Detention Practices*, Human Rights Watch, 23rd February 2013, <http://www.hrw.org/news/2013/02/23/israel-end-abusive-detention-practices>

she was released following a deal between the Israeli Prison Service, and her lawyer, Jawwad Boulos, which stipulated that she could be released immediately as long as she stayed in Gaza for three years.

From the Israeli perspective, fear of violence seems to have been a principal reason for the release of the prisoners. As one member of the Israeli Knesset, Jamal Zahalka stated, “If one of the striking prisoners dies, a third intifada will break out”.¹³⁷ This sentiment was echoed by Mahmoud Abbas, President of the Palestinian Authority, who described the situation as “very dangerous. If anyone dies...it would be a disaster and no one could control the situation”.¹³⁸ This statement could be interpreted as a plea to Israel to come to a deal with the hunger strikers, so that Abbas, the PA and others do not face an outbreak of widespread violence and civil disobedience. Richard Falk, the UN special Rapporteur for the Palestinian Territories, similarly interpreted Israel’s actions in releasing the hunger strikers as “an apparent Israeli effort to avoid having hunger strikers die, either because of their memory of the strong impact of Bobby Sands’ death on public opinion in Northern Ireland back in 1981 or as an aspect of the Israeli brand of ‘subsistence humanitarianism’ that has been most explicitly implemented in Gaza for the past decade.”¹³⁹

Alternatively, the hunger strikes could be understood as being indicative of the success of Israel’s policy of physically and bureaucratically dividing Palestinian society; each hunger striker looked out for his own interests, rather than the interests of

¹³⁷ Harriet Sherwood, *Israel warned of volatile situation as Palestinian hunger strikers near death*, The Guardian, May 13th 2012, <http://www.theguardian.com/world/2012/may/13/palestinian-hunger-strikers-close-to-death>

¹³⁸ *Israel is warned as Palestinian hunger strikers near death*, General Delegation of Palestine 14th May 2012, <http://www.palestine-australia.com/event.php/view/id/239/title/israel-is-warned-as-palestinian-hunger-strikers-near-death>

¹³⁹ Richard Falk, Samer Issawi, *Hunger strikes and the Palestinian struggle*, *Global Justice in the 21st Century*, 28th December 2013, <http://richardfalk.wordpress.com/2013/12/28/samer-issawi-hunger-strikes-and-the-palestinian-struggle/>

the greater cause. Considering Israel's policy of security being the number one priority of the state, it seems likely that it released the hunger strikers due to concerns for its own stability and security. However, it is possible that these concerns were also combined with pressure from the international or local community. Tony Blair, the representative of the Middle East Peace Quartet, urged Israel to "take all necessary measures to prevent a tragic outcome that could have serious implications for stability and security conditions on the ground".¹⁴⁰ The reaction of the Israeli, Palestinian and international media to the hunger strikes, as well as the activities of human rights organisations is indicative of the pressure that was placed on Israel regarding the hunger strikes.

The Israeli media and state:

Israel Hayom depicted the hunger strikes as a ruse aimed at receiving a 'get out of jail free' card.¹⁴¹ This opinion was reiterated by Avigdor Lieberman, Minister of Foreign Affairs, who made the following statement regarding the release of Samer al-Issawi:

"every normal democratic country that strives to defend itself, like the great democracy of Britain which I mentioned earlier, would have already returned Issawi to prison. A prisoner released conditionally who calls, on the same day, to kidnap the soldiers of the country that released him,¹⁴² needs to complete his sentence in prison with no concessions, and if he wants to hunger strike, let him do as he pleases, or, as the British minister Humphrey Atkins said of the Irish hunger strike, 'If he persisted in his wish to

¹⁴⁰ Harriet Sherwood, *Israel warned of volatile situation as Palestinian hunger strikers near death*, The Guardian, May 13th 2012,

<http://www.theguardian.com/world/2012/may/13/palestinian-hunger-strikers-close-to-death>

¹⁴¹ *Israel Frees Palestinian Prisoner after Hunger Strike*, Israel Hayom February 20th 2014, http://www.israelhayom.com/site/newsletter_article.php?id=14261

¹⁴² In an interview with al-Aqsa television channel following his release al-Issawi encouraged Palestinians to take serious steps to put pressure on the Israeli authorities. This is interpreted by Lieberman as a call to kidnap Israeli soldiers.

commit suicide, that was his choice.”¹⁴³

Lieberman’s statement is revealing in several ways. Firstly, he reiterates and emphasizes Israel’s commitment to democracy. Moreover, he mentions Britain thereby putting Israel on the same footing as a Western country explicitly committed to liberal democratic values. The tone of Lieberman’s comment suggests that the Palestinian hunger strikes are little more than a cheap trick. He emphasizes the individual choice, thereby denying that the hunger strikes involve more than one prisoner, or that the cause for which the hunger strikes have been undertaken is against a system rather than an individual’s detention.

The relatively left-leaning daily Ha’aretz reported news of Issawi’s release under the headline, “For Palestinian prisoners in Israel, hunger strikes have become a winning strategy”.¹⁴⁴ Jack Khoury, the Ha’aretz journalist, saw the hunger strikes as a victory for the Palestinians for two reasons: firstly Issawi managed to secure himself an early release, and secondly, Issawi “has helped put the plight of the Palestinian prisoner back in the headlines and into the consciousness of the Palestinian, Arab, and Israeli publics”.¹⁴⁵ Khoury’s view regarding Issawi’s early release finds support from Norman Finkelstein, who wrote the following statement on his blog:

“It’s a pity that neither Hezbollah nor anyone else has grasped the significance of Issawi’s release. When is the last time Israel actually held to the terms of a deal that it made? It was forced by Issawi’s extraordinary display of nonviolent moral resolve to release him exactly as it promised. In any other situation, Israel would just have renewed his incarceration when release time came due. But Israel knew that if it tried

¹⁴³ Marissa Newman, *Lieberman: Rearrest Palestinian who called for soldier kidnappings*, The Times of Israel, 25th December 2013, <http://www.timesofisrael.com/liberman-calls-for-re-incarceration-of-freed-palestinian/>

¹⁴⁴ Jack Khoury, *For Palestinian prisoners in Israel, hunger strikes have become a winning strategy*, Haaretz, 24th April 2013, <http://www.haaretz.com/news/diplomacy-defense/for-palestinian-prisoners-in-israel-hunger-strikes-have-become-a-winning-strategy-1.517263>

¹⁴⁵ Jack Khoury, *For Palestinian prisoners in Israel, hunger strikes have become a winning strategy*, Haaretz, 24th April 2013, <http://www.haaretz.com/news/diplomacy-defense/for-palestinian-prisoners-in-israel-hunger-strikes-have-become-a-winning-strategy-1.517263>

that ruse this time, Issawi would just resume the hunger strike and cause an international scandal for Israel. Isn't there a lesson here on how to get Israel to budge?"¹⁴⁶

Finkelstein suggests that displays of what he deems to be 'non-violent moral resolve' are a way of forcing Israel's hand in order to achieve a goal. Finkelstein clearly perceives Issawi's hunger strike to have been a success. This interpretation requires a certain consensus on what the aim of the hunger strikes was in the first place. If the aim was to secure an individual's release, then the hunger strikers succeeded. Samer al Barq, Hassan Safadi, Samer Issawi, Khader Adnan, Ayman Sharawna, Bilal Diab, and Thaer Halahleh were all released following their hunger strikes. However, according to their own public statements the hunger strikers aimed for more than simply their own release. As Ja'afar Azzeldine stated, "I will not retract from the battle for freedom until administrative detention is abolished".¹⁴⁷ Considering that Israel neither reconsidered its use of administrative detention, nor has altered detention practices in Israel/Palestine, Finkelstein's comment seems inadvertently to tally with those who saw the hunger strikes simply as a 'get out of jail' free card.

According to Electronic Intifada, a pro-Palestinian media source, the hunger strikes featured in Friday prayers in mosques, and sympathy hunger strikes were started by former prisoners and activists. Solidarity marches took place in Adnan's hometown of Jenin, although these marches did not exceed a few hundred participants.¹⁴⁸ Ofer prison, the only Israeli prison to be physically situated within the West Bank, witnessed daily demonstrations in support of Issawi, Diab and others. Many Palestinian media

¹⁴⁶ <http://normanfinkelstein.com/2013/11293/>

¹⁴⁷ Jaafar Azidine, Statement from Jaafar Azidine, *We Are All Hana Shalabi*, 10th September 2013, <http://weareallhanashalabi.wordpress.com/statement-from-palestinian-prisoners/statement-from-jafar-azzidine/>

¹⁴⁸ Nehad Khader, *Standing in Solidarity with Khader Adnan*, The Electronic Intifada, 16th February 2012, <http://electronicintifada.net/content/standing-solidarity-khader-adnan/10942>

sources focused on the lack of coverage of the hunger strikes by international media sources. Again, this suggests that the hunger strikes particularly aimed to communicate with and mobilise an international constituency.

Richard Falk strongly criticized the Western media for their belated and muted response to the Palestinian hunger strikes, asking “Can anyone doubt that if there were more than 1300 hunger strikers¹⁴⁹ in any country in the world other than Palestine, the media in the West would be obsessed with the story?”¹⁵⁰ Indeed, the BBC produced just one media report on the hunger strikes, in which the journalist, Kevin Connolly, referred to the hunger strikes as a “health crisis”, thereby denying the political motivations of the hunger strikes.¹⁵¹ Helen Boaden, head of BBC news, defended the lack of coverage of the Palestinian hunger strikes. She wrote, “[Hunger strikes] tend to be reported when the hunger strikers are on the point of death or in a grave state of medical crisis; when the hunger strike presents a critical political challenge to the imprisoning authority; and when the strikes inside prison provoke widespread hunger strikes on the outside”.¹⁵² This statement seems to be indicative of a distinct lack of objectivity in the BBC reporting considering that many of the hunger strikers were on the point of death, and the hunger strikes could be interpreted as a critical political challenge to the imprisoning authority. In conclusion, the media coverage of the hunger strikes tends to be cynical and to downplay the significance of the hunger strikes except

¹⁴⁹ Falk refers here to the many prisoners who undertook 48-hour long hunger strikes in solidarity with Adnan, Issawi and others.

¹⁵⁰ Richard Falk, *The Massive Palestinian Hunger Strike: travelling below the Western radar*, *Global Justice in the 21st Century*, 2nd May 2012
<http://richardfalk.wordpress.com/2012/05/02/the-massive-palestinian-hunger-strike-traveling-below-the-western-radar/>

¹⁵¹ Kevin Connolly, *Palestinian Rally for Hunger Strikers*, 11th May 2012,
<http://www.bbc.com/news/world-middle-east-18043758>

¹⁵² Amena Saleem, *BBC's cruel excuses for ignoring Palestinian Hunger Strikes*, *The Electronic Intifada*, 10th January 2013, <http://electronicintifada.net/content/bbcs-cruel-excuses-ignoring-palestinian-hunger-strikes/12072>

in terms of securing an early release from detention.

The human rights community:

As we can see from the analysis of the hunger strikers statements, there is a strong emphasis on inalienable human rights, that is to say liberal conceptions of human rights bestowed on all humans by virtue of being human. The analysis so far has suggested that Israel released the hunger strikers due to fears for its own security and stability were one of them to die in custody. However, is it possible that Israel responded to pressure from human rights organizations? A liberal conception of human rights denies the relevance of politics to basic human rights. However, it is one of the paradoxes contained within liberal thinking on human rights, that human rights abuses necessarily involve state politics as the state is both the principal guarantor and the principal violator of human rights. As such, human rights organizations are forced to take a stance on governmental politics, and those who work in Israel or the Occupied Palestinian Territory are “continuously scorned and rebuked for ‘taking sides’ in the Arab-Israeli conflict”.¹⁵³

Amnesty International, documented and publicized the hunger strikes and suggested to supporters of the hunger strikers to write letters to Netanyahu, expressing their concern for the health of the hunger strikers, and for Israel’s violations of international law. Amnesty International published and circulated a suggested template letter, stating, “I urge you to end the cruel, inhuman and degrading treatment of administrative detainees, such as shackling detainees on prolonged hunger strike, that

¹⁵³ Lori Allen, *Martyr Bodies in the Media: human rights, aesthetics, and the politics of immediation in the Palestinian Intifada*, *American Ethnologist*, Volume 36, February 2009

the human rights organizations and NGO's are reporting Israel is engaging in".¹⁵⁴ This statement was mirrored by Human Rights Watch (HRW) whose director asserted, "It is outrageous that Israel has locked these men up for months without charging them with crimes or allowing them to see the evidence it has against them. The detainees evidently feel they have to put their lives in jeopardy through hunger strikes so that Israel will end these unlawful practices".¹⁵⁵ The International Committee of the Red Cross (ICRC) provided extra field delegates to check on the health of the hunger striking detainees, and expressed its concern for their health.¹⁵⁶ In terms of local human rights organizations, Addameer, al-Haq, and Physicians for Human Rights, Israel, released a joint statement condemning Israel's use of administrative detention and expressing concern for the health of the hunger strikers.¹⁵⁷

It is impossible to precisely ascertain to what extent the pressure from these organisations contributed to Israel's decision to release the hunger striking prisoners. However, the relationship between the human rights community and the Occupied Palestinian Territory is pivotal. As Lori Allen highlights, Palestinians have been in dialogue with an international audience of decades, be it in the Arab world or elsewhere, and this paper focuses on that relationship. The analysis of the hunger strikers statements and rhetoric suggests that the hunger strikes were aimed at an international community committed to upholding liberal conceptions of human rights.

¹⁵⁴ Amnesty International, *Starved of Justice*, 6th June 2012, <http://www.amnesty.org/en/library/info/MDE15/026/2012/en>

¹⁵⁵ Human Rights Watch, *Israel: Hunger Striker's Life at Risk*, 11th February 2012, <http://www.hrw.org/print/news/2012/02/11/israel-hunger-striker-s-life-risk>

¹⁵⁶ ICRC, *ICRC concerned about health of Palestinian Hunger strikers*, 10th May 2012, <http://www.icrc.org/eng/resources/documents/interview/2012/palestine-israel-detention-interview-2012-05-10.htm>

¹⁵⁷ Physicians for Human Rights Israel, *Immediate Action needed to ensure Israel respects Hunger Striker's Rights*, 20th February 2013, www.phr.org.il/default.asp?PageID=116&ItemID=1707

In the next chapter I define whom I refer to in my use of the term ‘the human rights community’ and explore the theoretical foundations of this community and the liberal conceptions that underlie it. Principally I look at liberal attitudes to pain, suffering and mortality and how the hunger strikes constitute a challenge to these liberal conceptions of human rights.

CHAPTER 3: HUNGER STRIKES AND LIBERAL CONCEPTIONS OF HUMAN RIGHTS

The political theorist Sheldon Wolin, writing in 1960, observed that liberalism has come to be associated with a host of misconceptions. He writes, “liberalism has been repeatedly characterized as ‘optimistic’ to the point of naiveté; arrogant in its conviction that human reason ought to stand as the sole authority for knowledge and action; bewitched by a vision of history as an escalator endlessly moving upwards towards greater progress; and blasphemous in endowing the human mind and will with a godlike power of refashioning man and society in entirety”.¹⁵⁸ Wolin sets out to debunk these misconceptions and in so doing depicts a theory where anxiety plays a greater role than is often assumed, and one in which pain and suffering hold an important place”.¹⁵⁹ In particular, Wolin highlights how the liberal belief in the importance of pursuing happiness and pleasure conversely means that there is the ever-present possibility of unhappiness and displeasure, in short, the possibility of suffering. Wolin writes, “liberal man moved in a world where pain and deprivation threatened him from all sides”.¹⁶⁰ As such, suffering and pain are thought of as a human condition which liberal societies must eliminate.

Palestinian hunger strikers choose pain as a tool to convey their condition and further their political demands. The subject of pain can be divided into two interlinked

¹⁵⁸ Sheldon Wolin, *Politics and Vision: continuity and innovation in Western political thought*, (Princeton: Princeton University Press, 2004), p. 263

¹⁵⁹ Sheldon Wolin, *Politics and Vision: continuity and innovation in Western political thought*, (Princeton: Princeton University Press, 2004), p. 298

¹⁶⁰ Sheldon Wolin, *Politics and Vision: continuity and innovation in Western political thought*, (Princeton: Princeton University Press, 2004), p. 295

parts: expressing pain, and eliminating pain. As Elaine Scarry notes, “the act of verbally expressing pain is a necessary prelude to the collective task of diminishing pain”.¹⁶¹ In Chapters 1 and 2, I explored hunger strikes as an expression of pain through the case studies of hunger strikes that took place in Ireland and India and by analysing the rhetoric employed by the Palestinian hunger strikers. In this chapter, I look at eliminating pain. I define my use of the term “liberal conceptions of human rights” and chart the development of liberal human rights discourse in Israel and the Occupied Palestinian Territory. The argument of this chapter is two-fold: firstly, I explore the idea that the image of a suffering hunger striker constitutes a challenge to liberal attitudes to pain, suffering and mortality. By overtly displaying their physical pain, I argue that Palestinian hunger strikers challenge the international community to live up to their claim to rescue victims of suffering. Secondly, I show how this challenge conversely leads to the side-lining of the political cause underlying the hunger strikes. By attempting to utilize the international community’s commitment to stopping suffering where and when it occurs, Palestinian hunger strikers emphasise the moral nature of their struggle over its deeper political cause.

Definition of liberal conceptions of human rights:

The liberal framework of this thesis, as detailed in previous chapters, considers human rights as universal, possessed by all human beings irrespective of political communities. In an Arendtian view, Palestinians as a stateless people are rightless. However, in a liberal conception of rights, Palestinians’ - stripped of sovereign rights – are, in theory, held in the arms of international norms regarding universal human rights.

¹⁶¹ Elaine Scarry, *The Body in Pain*, (Oxford: Oxford University Press, 1985) p. 9

These norms have changed over time. The signing of the Universal Declaration of Human rights in 1948 fundamentally shifted the balance between the right of national sovereignty and individual rights and this shift became more dramatic following the end of the Cold War. As Michael Ignatieff states, “with each passing year, we get closer to a new dispensation in which the sovereign rights of states are conditional upon there being adequate protections for the basic human rights of citizens”.¹⁶² The culmination of this changing balance has been the passage of the United Nations Responsibility to Protect¹⁶³, which has come to be seen as the pinnacle of a politics of humanitarianism as it codifies the enforcement of human rights standards. The oft-used term, the ‘international community’, can refer to a multiplicity of international actors who adopt a liberal conception of rights and assume the responsibility for implementing them, for example NGOs, human rights organizations, international organizations, the United Nations, amongst others. Here I use the term ‘the international community’ in reference to those actors who aim to implement a collection of liberal assumptions and principles regarding the politics of humanitarianism.

The Universal Declaration of Human Rights (UDHR) was enshrined in the UN charter in 1948, following the horrors of the Second World War.¹⁶⁴ However, the international community I focus on here has only come to prominence since the end of the Cold War in 1989. After the fall of communism, human rights discourse started exerting an increasingly powerful impact on world politics. This can be seen by the various UN peacekeeping missions in the 1990s, such as those in Rwanda, Somalia and the Balkans, which aimed not only at safe-guarding a ceasefire between warring parties

¹⁶² Michael Ignatieff, *The Rights Revolution*, (Toronto: House of Anansi Press, 2000) page 49
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¹⁶⁴ United Nations, *Universal Declaration of Human Rights*,
<http://www.un.org/en/documents/udhr>

but also at preventing the suffering of civilians caught up in conflicts. Robert Meister, whose work *After Evil: a Politics of Human Rights*, informs many of the ideas in this chapter, charts the rise of what he terms “sentimental humanitarianism”¹⁶⁵ from the end of the Cold War in 1989 until the economic collapse of 2008/2009. Meister argues that during the Cold War there was no international community committed to human rights as neither super power could risk intervening in the case of large-scale human rights abuses by the other, for fear of nuclear retaliation. However, following the fall of communism, a liberal discourse described by Didier Fassin as a “politics of compassion”, became a distinct force in the international order.¹⁶⁶

Liberalism is known for being a political theory that involves moral understandings of the world order, and moreover that considers these moral understandings to be motivations for political action. This is in contrast to realism which believes that states have moral aspirations, but that they pursue power and their own national interest to achieve those aspirations, rather than being motivated by them.¹⁶⁷ The prominent liberal Woodrow Wilson, for example, believed in “the subordination of immediate goals and material interests to superior ethical standards and the exaltation of moral and spiritual purposes”.¹⁶⁸ The “siren call of moral feeling”¹⁶⁹ which arose after the end of the Cold War constitutes part of the American-led Global Liberal Project (GLP). The GLP encompasses economic dimensions – free

¹⁶⁵ Robert Meister, *After Evil: a Politics of Human Rights*, (New York: Colombia University Press, 2011)

¹⁶⁶ Didier Fassin, *Humanitarian Reason, a moral history of the present*, (Berkeley, Los Angeles: University of California press, 2012)

¹⁶⁷ Henry Hau, *Identity and Democracy Promotion*, ed. By M. Cox, G.J. Ikenberry, and T Inoguchi, (Oxford: Oxford University Press, 2000), p. 129

¹⁶⁸ Quoted by G. J. Ikenberry, *America’s Liberal Grand Strategy*, ed. By M. Cox, G.J. Ikenberry, and T Inoguchi, (Oxford: Oxford University Press, 2000), p. 105

¹⁶⁹ Mark Mazower, *The strange triumph of human rights*, *New Statesman*, 4th February 2002, <http://www.newstatesman.com/node/142129>

trade, private enterprise etc. – as well as moral and political ones – secularism, human rights etc. The GLP is based on a liberal notion of public and private morality, which has come to feed much contemporary political discourse and legitimize many political practices. It has led to the rise of transnational networks of NGOs and international organizations working on a humanitarian remit and committed to documenting, monitoring and punishing human rights violations. The passage of the UN’s 2004 *Responsibility to Protect*, resolution 63/308,¹⁷⁰ has been seen as the culmination of the rise of liberal human rights sentiment. The *Responsibility to Protect* explicitly makes it the international community’s responsibility to “use appropriate diplomatic, humanitarian and other peaceful means to protect populations”.¹⁷¹ In short, the international community committed to the GLP and the defense of human rights aims to eliminate cruelty and suffering where and when it occurs.

Although human rights focus on domestic life – the relationship between state and society within each country – they have come to take on an important role in international politics due to the concept of humanitarian intervention. The international community committed to the defense of human rights considers that it has a “moral duty to use power to rescue the vulnerable”¹⁷² which can override the principle of the inviolability of Westphalian territorial sovereignty. Meister notes that this responsibility or duty to intervene in cases of suffering has led to a new set of priorities in global politics. For example, American political activists pressurized the White House to withdraw troops from Iraq – a conflict perceived by these activists to be an

¹⁷⁰ United Nations, Resolution 63/308

http://www.responsibilitytoprotect.org/index.php/about-rtop#un_res

¹⁷¹ United Nations, Resolution 63/308

http://www.responsibilitytoprotect.org/index.php/about-rtop#un_res

¹⁷² Robert Meister, *After Evil: a Politics of Human Rights*, (New York: Colombia University Press, 2011), p. 3

expression of realpolitik – and intervene in Darfur – a conflict where human suffering took center stage.¹⁷³

Israel as a liberal-democratic state:

The 25th session of the United Nations Human Rights Council took place in March 2014. Controversially, it passed a motion whereby it was decided that Israel and its human rights record was to be debated at every session.¹⁷⁴ The USA was the only state to vote against this motion and its representative, Paula Schriefer, decried the motion, stating, “None of the world’s worst human rights violators, some of whom are the objects of resolutions at this session have their own stand alone agenda item at this council. Only Israel, a vibrant and open democracy, received such treatment”.¹⁷⁵ Israel is a self-avowedly liberal-democratic state,¹⁷⁶ as seen by its Basic Laws, which form the foundation of the state’s constitution. For example, the basic law regarding human dignity and liberty states “the basic human rights in Israel are based on recognition of the value of man, the sanctity of his life and the fact that he is free”.¹⁷⁷ Indeed, America’s unwavering support for Israel is often justified with the argument that it is the only democracy in the Middle East, as shown by Schriefer’s statement. A pillar of

¹⁷³ Robert Meister, *After Evil: a Politics of Human Rights*, (New York: Colombia University Press, 2011), p. 48

¹⁷⁴ Tovah Lazaroff, US Issues Scathing Attack against UNHRC for Singling Out Israel, *The Jerusalem Post*, 28th March 2014, www.jpost.com/Diplomacy-and-Politics/US-issues-scathing-attack-against-UNHRC-for-singling-out-Israel-346821

¹⁷⁵ Tovah Lazaroff, US Issues Scathing Attack against UNHRC for Singling Out Israel, *The Jerusalem Post*, 28th March 2014, www.jpost.com/Diplomacy-and-Politics/US-issues-scathing-attack-against-UNHRC-for-singling-out-Israel-346821

¹⁷⁶ A large amount of the literature regarding liberalism and Israel focuses on whether Israel can be both a liberal democracy and a Jewish state (see for example, Steven Mazie’s *Israel’s Higher Law*). However, the question of the compatibility of liberal democratic principles and religious doctrine is beyond my focus.

¹⁷⁷ The Knesset, *The Existing Basic Laws: Summary*, http://www.knesset.gov.il/description/eng/eng_mimshal_yesod2.htm#9

liberal political theory is the value of democracy and the importance of spreading values of democratic governance. However, in the case of Israel, its human rights record, occupation of the West Bank, Gaza Strip and Golan Heights, and violations of international humanitarian law place its liberal-democratic values in question.

Israel's occupation of the West Bank, East Jerusalem, Gaza Strip and Golan Heights, notably does not aim to incorporate Palestinians into the Israeli body politic by instilling its liberal democratic values. Israel's occupation and expansionism – often accused of being a colonial project - is not colonial in the sense of being a “civilizing mission”. As Lori Allen observes, “Israel's colonial expansion is markedly unconcerned with instilling in Palestinians a new sense of morality, for example, or in imposing an appreciation for free market capitalism”.¹⁷⁸ However, Israel pays scrupulous attention to being *perceived* as following liberal norms in regards to its occupation, as seen by the example of the Landau Commission, which legalized the use of “moderate physical and psychological pressure”¹⁷⁹ in the interrogation of prisoners. It is notable that this “moderate physical and psychological pressure” always takes place in secret; this is presumably because it contradicts with liberal discourse on the acceptable amount of pain that can be inflicted on a prisoner. However, the perception of Israel as a liberal-democratic state is vital in maintaining its international, and particularly American, support.

The relationship between Palestinians living in the Occupied Palestinian Territory and the international community is one that has been through various stages. The human rights movement in the Occupied Palestinian Territory can roughly be said

¹⁷⁸ Lori Allen, “Getting by the Occupation: how violence became normal during the second Palestinian Intifada”, *Cultural Anthropology*, Vol. 23, Issue 3, pp 453-487

¹⁷⁹ The Landau Commission Report, see http://www.hamoked.org/files/2012/115020_eng.pdf

to date from the opening of the first human rights organization in the West Bank. In 1979, Jonathan Kuttab, Charles Shamma and Raja Shehadeh opened Law in the Service of Man,¹⁸⁰ an organization that aimed to use the law to combat the Israeli occupation. Lawyers, both Palestinian and Israeli, began to defend Palestinians in the Israeli military courts, and attempt to publicize Israeli infringement of aspects of International Humanitarian Law.¹⁸¹ Law in the Service of Man changed its name to al-Haq ('haq-haqq' meaning rights) in the 1980s indicating its shift in focus from law to human rights. As efforts to frame Palestinian political demands in terms of human rights intensified, and following the violence of the first intifada, there was a burgeoning of human rights organizations in the Occupied Palestinian Territory. These organizations explicitly appealed to liberal conceptions of human rights; as Lori Allen explains, "after the first intifada began in 1987, Palestinians 'discovered' human rights as the ideal language through which to make their voices heard internationally".¹⁸² The effect of framing and legitimating the Palestinian cause in human rights terms was to demand the attention and involvement of the international community.

By depicting their struggle by using the "universalizing idiom of violated human rights",¹⁸³ the international community was challenged to respond and to take action. However, the establishment of the Palestinian Authority (PA) in 1994 after the signing of the Oslo Accords was a significant blow to those who sought a response from the international community for human rights violations in Israel/Palestine, as it was now

¹⁸⁰ www.alhaq.org

¹⁸¹ Lisa Hajjar, "Human Rights in Israel/Palestine: the history and politics of the movement", *Journal of Palestine Studies* 30, 2001, p. 24

¹⁸² Lori Allen, "Martyr Bodies in the Media: human rights, aesthetics, and the politics of immediation in the Palestinian Intifada", *American Ethnologist*, Volume 36, February 2009

¹⁸³ Lori Allen, "Martyr Bodies in the Media: human rights, aesthetics, and the politics of immediation in the Palestinian Intifada", *American Ethnologist*, Volume 36, February 2009

the PA who was to be held accountable. The PA's primary tactic in response to challenges by the human rights community working in or on the Occupied Palestinian Territory, was to dismiss human rights organizations as biased and their standards as foreign.¹⁸⁴ In the decades that have passed since the signing of the Oslo Accords, the PA, originally conceived as an interim body in the expectation of final status negotiations, has become increasingly irrelevant. In 2006, Hamas was elected in the Gaza Strip and the PA's control was de facto limited only to the West Bank. The PA has complete control only over Area A of the West Bank, which encompasses the large cities such as Ramallah, Nablus, Jenin, and parts of Hebron and Bethlehem. Area C, which makes up over 60% of the West Bank and in which 180,000 Palestinians live, remains under total Israeli control.¹⁸⁵ Moreover, negotiations regarding final status issues and transfer of complete sovereignty over the Occupied Palestinian Territory to the PA show no sign of happening, two decades after the signing of the original accords. Largely considered a rubber stamp for Israeli decisions, the decline of the PA has led to the international community once again becoming prominent in regard to human rights violations.

Expressing pain:

Elaine Scarry asserts that the first step to eliminating pain is expressing pain. She uses the example of Amnesty International's advocacy on behalf of victims of torture. Scarry writes, "Amnesty International's ability to bring about the cessation of torture depends centrally on its ability to communicate the reality of physical pain to

¹⁸⁴ Lisa Hajjar, "Human Rights in Israel/Palestine: the history and politics of the movement", *Journal of Palestine Studies* 30, 2001, p. 24

¹⁸⁵ *Acting the Landlord: Israel's Policy in Area C, the West Bank*, Btselem, June 2013, http://www.btselem.org/publications/201306_area_c

those who are not themselves in pain. When, for example, one receives a letter from Amnesty in the mail, the words of that letter must somehow convey to the reader the aversiveness being experienced inside the body of someone whose country may be far away, whose name can barely be pronounced and whose ordinary life is unknown.”¹⁸⁶

The hunger strikers attempt to convey the suffering of their collective condition through the medium of physical pain in the form of self-starvation. Lisa Hajjar and Lori Allen provide different views on the place of pain and death in the Occupied Palestinian Territory. Lisa Hajjar describes the death of Mustafa Akawi, a Palestinian interrogated in the Israeli military courts during the first intifada. She writes, “Had Mustafa Akawi not died his experience would have been indistinguishable from that of the hundreds of thousands of other Palestinians who have passed through the Israeli court and prison systems. But in death, he became a public symbol of Palestinians plight, their vulnerability, their mortality”.¹⁸⁷ Elsewhere, Hajjar charts the frequency and intensity of pain inflicted during interrogation. She suggests that death creates a break in the routine of suffering in Israel/Palestine and therefore has greater impact in conveying the Palestinian plight to others. Lori Allen takes the opposite view. She argues that death is so omnipresent in the Occupied Palestinian Territory that it has become banal. Writing at the time of the second intifada, Allen observes “a tedium of death”,¹⁸⁸ whereby violence and martyrdom have become unremarkable. Allen finds evidence of this in the posters of martyrs plastered to walls in public spaces in the Occupied Palestinian Territory. She considers that each layer is evidence of another episode of violence, and therefore that “space and life are filled with the density of remembered

¹⁸⁶ Elaine Scarry, *The Body in Pain*, (Oxford: Oxford University Press, 1985) p. 9

¹⁸⁷ Lisa Hajjar, *Courting Conflict*, (London: University of California Press, 2005), p. xxiii

¹⁸⁸ Lori Allen, “Getting by the Occupation: how violence became normal during the second Palestinian Intifada”, *Cultural Anthropology*, Vol. 23, Issue 3, pp 453-487

death”.¹⁸⁹ In contrast, she argues that “the immediacy of pain – and sympathy for it – has become a weak core of politics” and that suffering and overt pain has come to be a more effective weapon in mobilizing sympathy for the Palestinians plight.

As mentioned in the introduction to this thesis, liberal democratic states use violence mediated through the law, to uphold order in society. This extends to the idea of death; prisoners on death row are put under suicide watch so that the state can retain its monopoly over the power of death. China Mieville, an essayist and literary critic, visited the Occupied Palestinian Territory in 2011 and astutely observed, “in the occupied West Bank, undesirable life is ended, and unauthorized death is banned”.¹⁹⁰ Accordingly, hunger strikes are a way of restoring political agency by reclaiming the sovereign power over death. The suffering and potential for death involved in a hunger strike shows to the international community that Israel and its occupation has control not only over Palestinian lives but also over Palestinian deaths.

Considering the divided political alliances between Hamas and Fatah in the Occupied Territories, and Israel’s explicit aim of physically and bureaucratically segmenting and dividing up Palestinian society, pain and suffering have come to unify Palestinians across geographical and political divides. For this reason the notion of suffering has come to permeate Palestinian discourse.¹⁹¹ I adopt Allen’s view that “suffering has become a weak core of politics” and therefore that Palestinians present their wounded bodies in an attempt to seek relief.¹⁹² Additionally, I argue that the

¹⁸⁹ Lori Allen, “Martyr Bodies in the Media: human rights, aesthetics, and the politics of immediation in the Palestinian Intifada”, *American Ethnologist*, Volume 36, February 2009

¹⁹⁰ China Mieville, *Exit Strategy*, Guernica Magazine, November 1st 2013, <http://www.guernicamag.com/features/exit-strategy/>

¹⁹¹ Lori Allen, “Martyr Bodies in the Media: human rights, aesthetics, and the politics of immediation in the Palestinian Intifada”, *American Ethnologist*, Volume 36, February 2009

¹⁹² Lori Allen, “Martyr Bodies in the Media: human rights, aesthetics, and the politics of immediation in the Palestinian Intifada”, *American Ethnologist*, Volume 36, February 2009

potential for an “unauthorized death” presents a powerful challenge to Israel as a liberal-democratic state hence Israel arranging deals with the hunger strikers and releasing them before they died.

Eliminating Pain:

A man dying of hunger is a shocking image, as is powerfully demonstrated in Steve McQueen’s portrayal of Bobby Sands hunger strike in Northern Ireland.¹⁹³ The reason it is shocking is partly because of the horrendous suffering involved, but also because of a modern liberal consensus that acute social problems can be changed, rectified, and remedied, and that terrible suffering should be deplored and stopped. In a world where liberalism is the dominant political ideology, it seems incongruous that a person might *choose* to die because of human being’s most basic need, the need for sustenance. Choice, along with the notion of consensus, is a fundamental element of liberal ideology. Liberalism is concerned with the pursuit of happiness and as such, the choice of pain, suffering and potential death seems irrational within the framework of liberal thinking. Hunger strikers, I argue, choose pain, and potential death, as a way of forging a link between suffering and political entitlement. As Lori Allen states, “gruesome images of suffering are mobilized to shock political systems into change, to incite civil intercessions, and to justify plangent demands for cosmopolitan sympathy, diplomatic attention, or military intervention”.¹⁹⁴ Wolin demonstrates the centrality of pain to Liberalism by using the example of Jeremy Bentham. Bentham defines

¹⁹³ Steve McQueen, *Hunger*, 2008

¹⁹⁴ Lori Allen, “Martyr Bodies in the Media: human rights, aesthetics, and the politics of immediation in the Palestinian Intifada”, *American Ethnologist*, Volume 36, February 2009

happiness as “the possession of pleasure with the exemption from pain”.¹⁹⁵ According to Wolin’s analysis, the central question for Bentham in regards to human behaviour was not whether humans could reason but whether they could *suffer*.¹⁹⁶ It is for this reason that Bentham was preoccupied with penal reform indeed the abolition of public rituals of torture was largely due to the influence of thinkers such as Bentham.

Liberalism, and in particular the brand of liberalism that has risen to prominence as part of the GLP, aims at eliminating cruelty. Rohit Goel, describes the rise of the concept Meister has termed “sentimental humanitarianism” as follows:

“The *raison d'être* of the international community since '89 has been to prevent evil rather than pursue good, to rescue bodies from pain rather than cultivate the conditions of possibility for fulfilling their desires. In other words, the world community after '89 justifies itself—the international community after '89 derives its self-worth, its goodness, from the compassionate witnessing and elimination of human suffering.”¹⁹⁷

The interplay of politics, pain and mortality invoked by a sustained hunger strike like the ones undertaken by Adnan, Issawi and the ‘8 knights’ constitute a challenge to the international community and their commitment to the “compassionate witnessing and elimination of human suffering”.¹⁹⁸

Depoliticisation:

As demonstrated in Chapter 2, the hunger strikers use a discourse that strongly appeals to universal rights, that is to say to liberal conceptions of human rights. The liberal premise that rights are universal necessarily means that they are not matters of

¹⁹⁵ Quoted in Sheldon Wolin, *Politics and Vision: continuity and innovation in Western political thought*, (Princeton: Princeton University Press, 2004), p. 295, footnote 122

¹⁹⁶ Sheldon Wolin, *Politics and Vision: continuity and innovation in Western political thought*, (Princeton: Princeton University Press, 2004), p. 293

¹⁹⁷ Rohit Goel, *Anxiety after the Arab Spring*, 2013, forthcoming

¹⁹⁸ Rohit Goel, *Anxiety after the Arab Spring*, 2013, forthcoming

culture, or indeed of politics.¹⁹⁹ Accordingly, liberalism has a de-politicising quality. Wendy Brown analyses this depoliticisation in liberalism as follows: “depoliticisation involves construing inequality, subordination, marginalization, and social conflict, which all require political analysis and political solutions as personal and individual on the one hand, or as natural religious or cultural on the other”.²⁰⁰ A close reading of Brown’s statement regarding depoliticisation is informative.

I first consider inequality, subordination, marginalization and social conflict as “personal and individual”. As previously described in this chapter, liberalism emphasizes individual choice and aims to maximize individual freedoms. This emphasis on the individual could perhaps explain why the hunger strikers stopped their strike, once they had secured their own release. The rise of the GLP and the “steady replacement of the citizen with the human being”²⁰¹ could be said to have led to an emphasis on individual politics over collective politics. Indeed, some within the Occupied Palestinian Territory, such as Khalid Farraj of the Institute of Palestine Studies, understood the hunger strikes to be an expression of the lack of unity amongst prisoners and the decline of collective politics within the prisons.²⁰² Faisal Devji has analysed this in relation to militant activities carried out in the name of terrorism and argues that, “the paradoxical thing about sacrificial action is that it attends to its human instrument just as much as, if not more than, it does to any principle or cause, thus leaving its object forever in doubt by emphasizing individual action over collective

¹⁹⁹ Wendy Brown, *Regulating Aversion: tolerance in the age of identity and empire*, (Princeton: Princeton University Press, 2006) p. 21

²⁰⁰ Wendy Brown, *Regulating Aversion: tolerance in the age of identity and empire*, (Princeton: Princeton University Press, 2006) p. 21

²⁰¹ Faisal Devji, *The Terrorist in Search of Humanity: militant Islam and Global Politics*, (New York: Foundation Books, 2008) p. 7

²⁰² Conversation with Khalid Farraj, November 2013.

politics”.²⁰³ Following Devji’s argument, liberalism excessively endows the individual with agency and responsibility for their situation, therefore downplaying the surrounding political, historical and social context.

Brown claims that depoliticisation leads to explaining inequalities or injustices in society through ‘natural, religious or cultural’ arguments. Roxanne Euben observes this phenomenon in relation to suicide bombing carried out in the name of *jihad*. Euben quotes John Seery who observes, “most of us Westerners view non-Western cases of political suicide as culturally pathological”.²⁰⁴ In relation to Palestine, blatant injustice is often explained through an argument of exceptionalism in regards to the Arab-Israeli conflict. As Norman Finkelstein notes, the complexity of the Arab-Israeli conflict has come to be considered a truism. Moreover, it has become equally standard to consider Palestinians as victims of an unparalleled and intractable mix of historical, religious and social factors, which has led to their dispossession. Accordingly, the “political analysis” and “political solutions” described by Brown, are often dismissed or sidelined using the argument that the Arab-Israeli conflict is as unique as it is intractable and therefore defies comparative approaches.

The first half of this chapter argued that the Palestinian hunger strikers, by portraying themselves as contenders for human rights, rather than as contenders for political rights, challenge the international community committed to the GLP to respond to Palestinian suffering. However, by framing their political demands within the idea of universal rights, the Palestinian hunger strikers also succeed in depoliticizing their demands. The Palestinian struggle, be it in terms of the right to self-determination, or

²⁰³ Faisal Devji, *The Terrorist in Search of Humanity: militant Islam and Global Politics*, (New York: Foundation Books, 2008) p. 19

²⁰⁴ Quoted by Roxanne L. Euben, “Killing (for) Politics: Jihad, martyrdom and political action”, *Political Theory*, Volume 30, No.1, February 2002

the call for statehood, disappears beneath the depoliticising effects of liberal conceptions of human rights. For example, the BBC referred to the hunger strikes as a “health crisis” thereby focusing on the element of physical suffering, and dismissing the political motivations underlying the hunger strikes.²⁰⁵ Meister makes a strong argument that the “sentimental humanitarianism” of the post-Cold war era has led to the primacy of the ethical or moral, over the political.²⁰⁶ He notes, “Ethics resist the tendency to see a situation in its ever more total historical context and concentrates instead on the questions presented by proximity to suffering”.²⁰⁷ In short, Meister argues that the emphasis on rescuing bodies in pain, which has come to form part of the GLP, results in the decline of the political.

However, as Wendy Brown highlights, liberalism is a political theory and a worldview that is known for its depoliticising quality. As such, is the depoliticisation of the Palestinian cause in the case of the hunger strikes, inevitable? And, consequently, how does one *re-politicise* the Palestinian cause within the context of the global liberal project? Scholars such as Faris Giacaman have argued that we live in an age of post-militancy in regards to Palestine. In his recent article, *The Sadness of Post-Militance*, Giacaman argues that academia and knowledge production in relation to Palestine are in a post-militant age and calls for a reconnection of scholarship and militance. Giacaman writes in regards to individual versus collective action, “Today we live in a world where none of the old revolutionary categories apply. Collective political action is no longer a viable way forward, reality is far more complex, power is diffused, and the only way to

²⁰⁵ Kevin Connolly, *Palestinian Rally for Hunger Strikers*, 11th May 2012, <http://www.bbc.com/news/world-middle-east-18043758>

²⁰⁶ Robert Meister, *After Evil: a Politics of Human Rights*, (New York: Colombia University Press, 2011), p. 48

²⁰⁷ Robert Meister, *After Evil: a Politics of Human Rights*, (New York: Colombia University Press, 2011), p. 42

subvert it is at the individual level”.²⁰⁸ Following this interpretation, the hunger strikes could be understood as a pragmatic reaction to a post-militant age where liberal ideas regarding rights have led to the decline of collective political action.

Giacaman is strongly influenced by Marxist and leftist views. Michael Ignatieff takes a different view, arguing, “Marx was simply wrong when he claimed in 1843 that rights talk reduces us all to abstract, equal individuals, held together by our biological sameness.... To believe in rights is to believe in defending difference”.²⁰⁹ Ignatieff goes on to describe the “rights revolution” and the importance of defending the right to resist. He writes, “Our commitment to rights is a commitment to our ancestors. We owe it to them to maintain the vitality of the right to dissent, the right to belong, and the right to be different”. The hunger strikes could be understood as a collective political action in that they exert the right to resist, or the right to *sumud* mentioned by Richard Falk in his praise for the hunger strikers. It is possible to argue, therefore, that suffering is a collective motif which transcends political divides and attitudes, and that the right to resist is also a collective motif, and one that encompasses the multiple factions of Palestinian society. As such, the hunger strikes are not necessarily symptomatic of the decline of collective resistance in Palestine

²⁰⁸ Faris Giacaman, The Sadness of Post-Militance: Some reflections on Brown University’s New Directions in Palestine conference, 6th April 2014, *Jadaliyya*, http://www.jadaliyya.com/pages/index/17193/the-sadness-of-post-militance_some-reflections-on-

²⁰⁹ Michael Ignatieff, *The Rights Revolution*, (Toronto: House of Anansi Press, 2000) p. 54

Conclusion:

In this thesis, I have explored the idea that the spectacle of suffering engendered in a sustained hunger strike such as those that took place in Israel/Palestine appeal to a liberal international community committed to rescuing those in pain. Following the Second World War, there was a prevailing collective sentiment of ‘never again’; never again would the world community allow the evils that had taken place during the Holocaust to recur. However, it took until the end of the Cold War for this regime of rights to kick into action, in the form of an international community committed to stopping rights abuses and limiting cruelty. In a post-89 era of human rights, suffering was to be a thing of the past. As Fassin asserts, “we have become used to the global spectacle of suffering and the global display of succour”.²¹⁰

Since 1987 and the beginning of the first intifada, violence in the Occupied Palestinian Territory has become routinized. During the average Palestinian’s life, violence may ebb and flow but in all likelihood never completely vanish. As Lori Allen interprets, “Palestinians have become a nation of sufferers”.²¹¹ By staging their suffering, and by asserting their humanness through a hunger strike, Palestinians aim to interrupt this tedium of violence as a way of forcing the international community to acknowledge Palestinian pain and respond to it. However, Palestinian suffering is not the root problem, but merely symptomatic of a deeper cause, namely the Palestinian political struggle. Despite multiple divisions within Palestinian society over what form that struggle should take, and what demands it should further, Palestinians are, undeniably, unified by a political cause.

²¹⁰ Didier Fassin, *Humanitarian Reason, a moral history of the present*, (Berkeley, Los Angeles: University of California press, 2012) preface, pg ix

²¹¹ Lori Allen, “Martyr Bodies in the Media: human rights, aesthetics, and the politics of immediation in the Palestinian Intifada”, *American Ethnologist*, Volume 36, February 2009

The hunger strikers attempt to create a “paradigmatic humanitarian scene”²¹², namely one that plays on the liberal human rights community’s compassion for pain. As Meister highlights, “a fundamental difference exists between human rights as a slogan for popular resistance and today’s human rights movement, with its ostensibly less political focus on compassion for bodies in pain”.²¹³ Consequently, by portraying themselves as contenders for human rights rather than political rights, and by using the language of post-Cold War human rights discourse, Palestinian hunger strikers’ political demands are masked by a focus on pain and physical suffering. However, in the long term, it is possible to look to the future and see the hunger strikes as part of a wider collective campaign to delegitimise Israel’s claim to be a liberal-democratic state, along with movements such as the Boycott, Divestment, and Sanctions (BDS) campaign. The hunger strikes could be seen, therefore, as a way of utilising 21st century human rights discourse, as part of a larger campaign to delegitimise Israel as a liberal-democratic state.

²¹² Didier Fassin, *Humanitarian Reason, a moral history of the present*, (Berkeley, Los Angeles: University of California press, 2012), preface page ix

²¹³ Robert Meister, *After Evil: a Politics of Human Rights*, (New York: Columbia University Press, 2011), p. 8

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