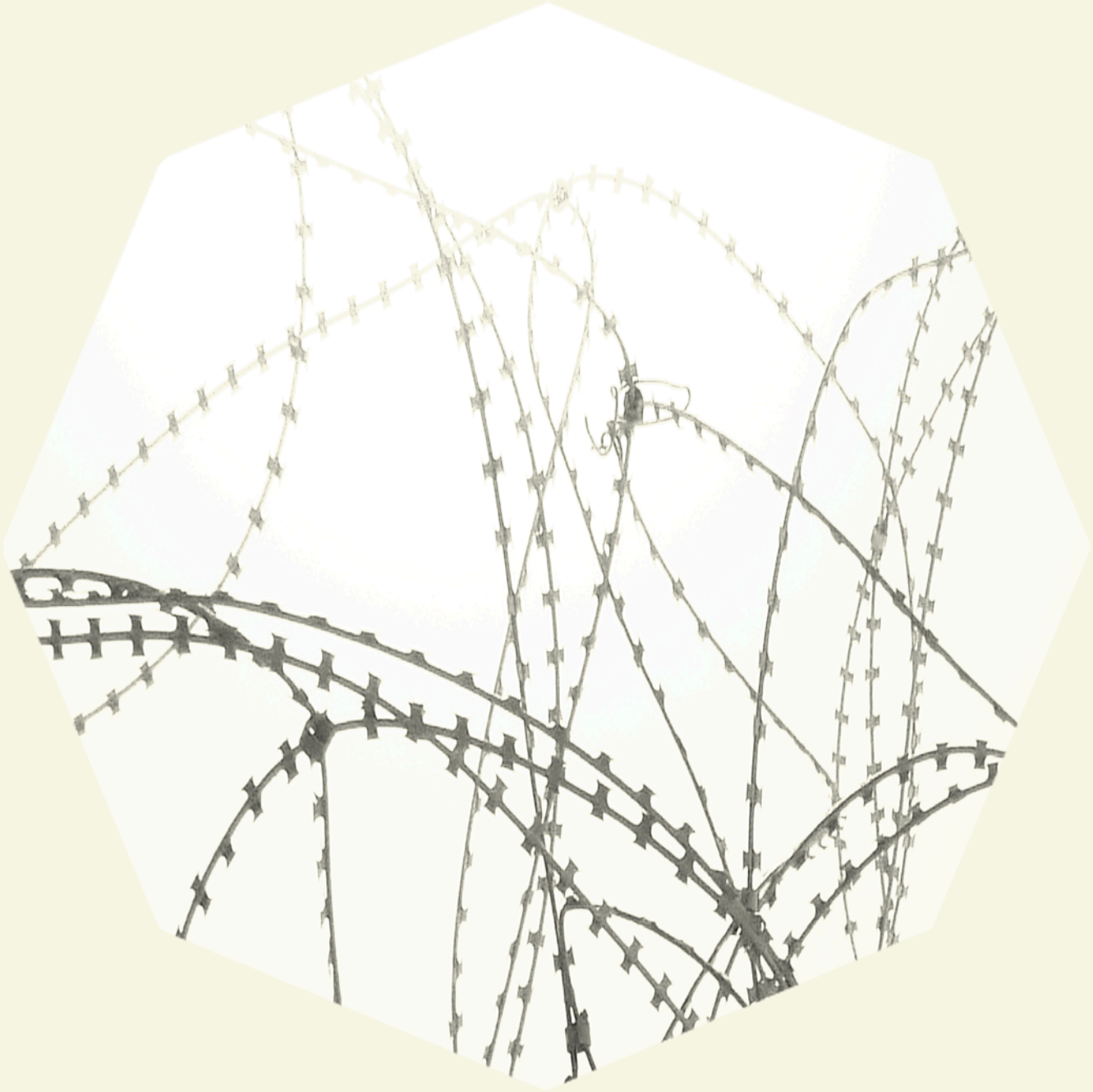

OCTAGON 2022

Israel-Palestine:
New Era, New Narrative,
New Strategies

Madrid, Spain | 5 November 2022

OCTAGON

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PRESENTATION

ABOUT CAF

Common Action Forum (CAF) is an independent transnational foundation based in Madrid, Spain. CAF acts as a think-tank, sustaining a global network of prominent and emerging intellectuals, politicians, journalists, and activists from diverse backgrounds

Fostering dialogues to consolidate a progressive agenda, CAF facilitates spaces to design solutions to critical issues of our times. We aim to promote multilevel cooperation and in-depth, structural-oriented analyses of global challenges.

As opposed to cynical, panicked, and pessimistic accounts of our world's dysfunctions, CAF seeks alternative narratives and constructive proposals that address root causes, not only the symptoms. We are driven by the vision of an empowered, cosmopolitan, and democratic global citizenry, conscious of a common ground that unites and overcomes differences.

In a time of noise, we focus on the existential questions humanity faces: ever-increasing inequalities, environmental collapse, the social impact of technology, and the rise of neo-fascist/xenophobic policies.

THE OCTAGON

The OCTAGON is a yearly private round-table discussion in which 32 top intellectuals, activists, and experts join to address particular vital issues of our time. Despite being our youngest, the OCTAGON is CAF's most intensive and focused initiative. Comprised of four main workshops and functioning under the Chatham House Rule, it aims to gather sound analyses and grounded innovative proposals that can be further developed into political action and policy recommendations.

For more detailed information about CAF's work, mission, vision, and values, please visit our website,

www.commonactionforum.net

ISRAEL-PALESTINE: NEW ERA, NEW NARRATIVE, NEW STRATEGIES

In addressing "New perspectives for the Israel-Palestine conflict: a roadmap for global justice in the 21st century", the 2021 edition of the OCTAGON concluded with the need to break with an intentionally stalled "peace process" designed to underpin the current *status quo* between the two nations. The gathering resolved that transcending this framework was the first step toward unravelling the strategies and aspirations for one longest-standing conflicts the world has ever known.

OCTAGON_2022 further analysed how the critical factors behind and ahead of a global tectonic rearrangement can draft new resolution paths for Israel and Palestine, focusing on the potential of international efforts to fight an established regime of apartheid between the Mediterranean and the Jordan River. "Israel-Palestine: New Era, New Narrative, and New Strategies" drew from the insights and experiences of civil society organisations, working on ways to engage and foster cooperation among the international community.

The challenges, chances and factors that this encounter addressed embody the tensions between a "realist" approach and a changing framework: they navigate the prevailing, flawed logic of nation-states, their global interplays and their undercurrents (anthropocentrism, colonialism, extractivism, capitalism, etc.); while still, as last year, all of them seem to express the advent of an epistemological transition.

It is worth to note the months following the event have taken this crisis to unprecedented lengths. Thus, developments up to May 2023 have further shaped several of the ideas presented throughout the forum. They showcase how Israel-Palestine is not just a paradigmatic case of the international system's failure but an illustrative example of what far-right drifts and institutionalised racism can do to countries and nations.

DISCLAIMER

This publication incorporates content derived from a forum where participants expressed their own ideas and thoughts on a specific theme. The views and opinions expressed by the participants are their own and do not necessarily reflect the official position or endorsement of the organisation that hosted the event. The organisation has included additional content in this publication, to supplement and enhance the overall discussion. However, the organisation takes no responsibility for the accuracy, completeness, or validity of any information provided by participants, whether from the organisation or external participants. Readers are advised to independently evaluate and verify the content for themselves. The organisation disclaims any liability for any loss, damage, or inconvenience caused as a result of reliance on the information provided in this publication.

INTRODUCTION

The US-led global order is collapsing, and with it, the centrality of Western thought.

A now-waning hegemony was the only true pillar of its narrative, stuck for decades between its self-righteousness, its double standards and the pretence colonialism was a thing of the past.

At the core of a long history of contradiction, the position of Israel carries particular weight. The founding of this national project was designed as a symbol: the epitome of inter-state collaboration and a victorious example of how Western liberal thought could bring forth justice and reparation to the oppressed. It is not paradoxical that this endeavour's materialisation stood on the dispossession and displacement of millions. After all, narratives are just that.

The end of WWII laid the groundwork for the "rules-based international order" as we know it, and with the fall of the USSR, the standing hegemon set out to remake the world in its image. And it was in this process, by placing Israel at the helm of the narrative, that it instituted a structural design flaw within itself. Not only would it entail that the rules-based order was born from hypocrisy, but it would make the exceptionalism around Israel's infringements both a natural expression and a necessary factor in the continuity of this facade.

Thus, amid this order's dissolution, it must be acknowledged that the Israel-Palestine conflict ties not only with human rights violations and issues of territorial sovereignty but with more profound, civilisational implications. Beyond drafting futures of justice and peace among the peoples of the Middle East, the factors at play will condition the ways of a world departing and the cohesion of one that is not fully here yet. The fact the international order still holds an Apartheid state as a reference point to its supposed virtue is the very cusp of the moral deficiency plaguing Western thought. And yet admitting its wrongs in this crisis would amount to bringing its very essence into question at a time in which the threat of dissolution is as clear as ever.

A CASE STUDY

All of its particularities aside, Israel is not the only settler-colonial state nor the first one driven by a tale of manifest destiny and a civilising vision. Still, both its present circumstances and its recent history illustrate the consequences of intersecting, self-reinforcing (at times paradoxically) global phenomena, making it an indispensable case study:

- **A dysfunctional international order:** The same international community that oversaw the foundation of Israel for symbolic and geopolitical purposes has protected its rationale and interests by granting the country total impunity. This incentive structure has gradually worsened the cycle to the point Israel now negotiates its way through the inter-state arena with the fruits of the military-innovation ecosystem it was allowed to turn into. In the case of spyware like Pegasus, these technologies are being used worldwide, even against Western interests, helping autocrats strengthen their grip and broadly undermining democracies by facilitating government overreach and intervening in free elections.

- **The entrenchment of militarisation and systemic violence:** Underpinning economic development with industries like armament manufacturing, a continuous expansion of law enforcement capacities, and land dispossession creates a feedback loop of financial stability. The more financially dependent on occupation and Apartheid a country becomes, the less feasible the ways out. The only path becomes forward. The world is no stranger to war dividends, yet a growing international climate of power competition threatens to take militarisation beyond what was

seen during the "War on Terror". The case of Israel is particularly complex in that this development has not just been allowed but actively fostered by a complex and technologically advanced network of interests, funding and public policy, and because it further feeds into a political and societal narrative.

- **The entrenchment of extreme nationalism and its involuting potential:** Nationalist populism has thrived in Israel by means of continuously tilting the realm of political feasibility to the right. Politicians are locked in a race to capitalise on the same extremism they sow. The loop of entrenching economic dependence on militarisation feeds back into a narrative that instrumentalises Jewish historical experiences by instilling fear. As an inherently exclusionary vision of race-based rights to the land of Palestine, the cultural-religious matrix of Zionism driving contemporary Israeli politics is one of the most extreme examples of ethno-nationalist drifts, ever more common in the world. Many of these aspirations are at the foundational core of the Israeli state, and while it could hardly have ever been considered a functioning democracy (given the systemic oppression of Palestinians and their lack of political rights), current developments in Israel point to a "boomerang effect" of sorts. It illustrates this phenomenon's implications for other countries: the political tools of oppression used against a segment of the population eventually begin to affect the oppressors.

- **The twilight of the nation-state formula:** Technological development, the internationalisation of social struggles and climate-crisis-related mass displacements are crucial interlinked factors in the equation of the waning world order. Borders, as we knew them were dysfunctional to begin with. Particularly in cases like Israel's and the broader Middle East, where a decolonisation project marked by geopolitical interest brought permanent territorial crises and states built to be unstable. A growing power competition and the return of extreme nationalism are bound to collide with these mobilities, Israel-Palestine being a prime example of how these tensions can develop.

TAKEAWAYS FROM THE PREVIOUS EDITION

- The Oslo Accords constituted a peace process flawed by design: provisional agreements and failed negotiations as a means to an end. The perpetual stagnation of its implementation is an intentional policy to further occupation and settlement expansion with minimal international rebuke.

- Addressing the Palestinian issue through the old dilemma between one and two-state solutions promotes an illusory discussion, furthering the stagnation of the conflict. On the ground, there currently is only one state—the state of Israel.

- Palestinian "Autonomy" as a system built on economic opportunities but no real political rights was always designed to rule out actual self-determination. The PLO endorsed this framework of sub-sovereignty by signing Oslo. As the PA, it became a de-facto proxy for the state of Israel regarding local management, general civil suppression and as a buffer for international action.

- Israel has developed into a regime of Apartheid. Partition, settler-colonisation, and ethnic cleansing are directed forms of demographic engineering, a means to an end: guaranteeing Jewish racial supremacism between the river and the sea.

- Despite decades of dissociating itself from the Middle East in a bid to align with the liberal-democratic order, Israel has secured international alliances with far-right political movements and authoritarian regimes. This includes anchoring its position in the region via the Abraham Accords, whose tradeoffs still need to be fully understood.

- The institutionally-sanctioned spiral of violence consuming Israel-Palestine can be framed in a broader collapse of the Middle East, which the Arab Springs failed to curb. Together with changes in global trends, structural and societal predicaments dating back to negligent decolonisation of the region threaten with inevitable breakdown.

- The US and the EU remain the main guarantors of the international impunity that has allowed Israel to come this far in infringing the most basic human rights. While the *realpolitikal* chokehold Israeli lobbying has over Western capitals is not to be downplayed, the changing global order suggests new alliances in Asia, Africa, and Latin America could help alter this incentive structure, which is vital to reverting apartheid.

- The Palestinian people remain generationally and geographically fragmented. The liberation fight is being brought forth by a new generation of disenfranchised youth that reject the Oslo framework and distrust institutional politics. International efforts like BDS will only be sufficient with a renewed and structured leadership capable of cultivating political power. And this will not only require the abolition of the PLO but also go beyond its organisational models and the national liberation narrative.

- This new generation seeks a new narrative on the conflict. One of their own. This new language is brewing naturally within Palestinian civil society and should be nurtured and let emerge, understanding the forces working to thwart it. For this, the lack of independent, traditional media is as much an obstacle as the censorship of digital platforms. The spurious branding of antisemitism to any speech denouncing the situation continues to block the emergence of new narratives by policing this language, and that can only be countered by doing precisely what it is designed to prevent: furthering the conversation.

- The idea of building a home for both peoples must be dissociated from the abolition of apartheid. While complementary, these are not the same goals and will require different strategies. Coexistence demands a joint decolonial vision and great but different psychosocial efforts on both sides.

01_ APARTHEID IN ISRAEL-PALESTINE

The OCTAGON_2022 took over from the points agreed upon in the previous edition, the main one being the Oslo process was designed to be stagnant.

Understanding the implicit power dynamics between the state of Israel and the occupation authorities provides valuable insight. Just as understanding the tensions among its standing institutions, social segments, and economic model. Yet, pretending they are not all elements and processes within the same sociopolitical superstructure is not just naive, it plays into the discourse that the current situation is the inevitably bad result of good-willed statesmanship. Either an unsolvable problem or one that needs even more time to be sorted (and a military occupation to keep things safe). The truth is the rhetoric of the two-state solution prevents us from seeing that, in fact, there is only one state on the ground, Israel. East Jerusalem has been formally annexed to its sovereign territory, and the entire West Bank has been annexed in practice, with hundreds of thousands of Jewish settlers permanently residing in walled-off cities accessible by walled-off roads. And while this state has adapted to maximise the political and economic perks of its circumstances, the spiral of violence it tries to harness has locked it in a race toward ever-increasing extremism.

Putting aside the particularities of the South African experience, Israel has developed into a full-fledged regime of Apartheid. As put by the many reports by reputed international civil rights organisations, Israel and the Occupied Territories are organised under a single principle: advancing and cementing the supremacy of one group—Jews—over another —Palestinians—and building a Jewish majority in the land. To this end, the Israeli regime and its branches (including the occupation forces, the civil administration and Palestinian Authority, a de facto subordinate entity) implement directed laws, practices, and state-sanctioned violence.

One of the most crucial aspects of this system is how geographical and social space are engineered differently for each group, which in turn has instituted a regime of mobilities. Jewish citizens live like the entire land was a single space (except maybe for the Gaza Strip). They hold the same rights and status on both sides of the Green Line and can move freely. This includes going abroad and to the more than 280 military-protected illegal settlements connected by Jewish-exclusive bypass roads. On the other hand, the granted rights of Palestinians are tied to the space they live in. The Israeli regime has divided the land into a mosaic of scattered, overcrowded units that it defines and governs differently. A division that is relevant to Palestinians only.

Making up 17% of its population, the 1,6 million Palestinians living in Israel sometimes referred to as Arab Israelis) are considered citizens, yet do not enjoy the same rights as their Jewish counterparts by either law or practice. Granted permanent residency, the roughly 350,000 Palestinians living in East Jerusalem are allowed to live and work without permits and to vote for local representatives. However, their rights can be revoked at any time at the government's discretion. 2,6 million Palestinians live under military rule in dozens of disconnected enclaves in the West Bank, enjoying no political rights. Another 2 million live imprisoned under the Israeli blockade of the Gaza Strip, lacking rights and humane living conditions, especially regarding access to drinking water.

Whilst any Jew in the world, their children, grandchildren and spouses are entitled to immigrate to Israel and acquire citizenship at any given time, Palestinians living in other countries can barely access Israel-Palestine even if their parents or grandparents were born and lived there. Residents and Palestinian Israelis can relocate to the West Bank, but not vice versa, and they risk jeopardising their status by doing so, which has hampered Palestinian family reunifications for decades.

In the West Bank, Israel controls all the routes between the Palestinian enclaves. This allows the Israeli Defence Forces (IDF) to set up checkpoints, close off access points, block roads and stop passage at will. For most Palestinians, moving between territorial units and going abroad requires undergoing strict yet arbitrary permit-granting procedures.

As enshrined in its basic law, Israel practises a policy of "Judaizing" the area, understanding that land is a resource meant almost exclusively to benefit the Jewish public. In both Israel and the Territories, this translates to mass expropriation of land to build exclusionary Jewish communities and severely restricted construction and development for Palestinians. Beset and dispossessed, this forces the latter into small, crowded enclaves; and the permit-less housing that Israeli authorities later prosecute and evict them for.

Even if some Palestinians are allowed to vote and run for office (while their rights to do so and their elected officials are regularly vilified), it must be acknowledged that political participation encompasses much more than that. Denying freedom of speech, protest and association curtails open critique and the overall promotion of social and political change. In Israel and the Occupied Territories, Palestinian associations critical of the establishment are banned arbitrarily, and in the West Bank specifically, the slightest political statement can be considered incitement. Together with policing action, the Military Courts enforcing these draconian restrictions have turned jail sentences into another regular mechanism of oppression, imprisoning hundreds of thousands. Even Jewish Israelis themselves have limited freedom to criticise policies relating to Palestinians.

These geographic, demographic, social and political engineering policies are designed to curtail organised resistance by enforcing and perpetuating fragmentation. Israel's development into a systematic regime of Apartheid results from a gradual process of institutionalisation that is getting worse. This process results from a rise in motivation and willingness of Israeli institutions to openly enshrine Jewish supremacy as a binding constitutional principle that can hardly be challenged but that in itself can't be separated from sociological factors and well-crafted international impunity. As stated by the civil society organisations describing the phenomenon: these accumulated measures, their pervasiveness in legislation and political practice, and the public and judicial support they receive all signal that the bar to consider Israel an Apartheid regime has been met.

PALESTINE: SCATTERED RESISTANCE AND A RETALIATORY SPIRAL

In the last five years, Israel has doubled down on its confiscation of land, violent repression and deprivation of Palestinian rights.

Palestinian society remains fragmented socially, economically, geographically and institutionally, ruled by an ineffective elite that polices the system in Israel's interest. As already concluded in 2021's edition of the OCTAGON, for all intents and purposes, the Palestinian Authority (PA) acts as an Israeli proxy. Still, it has become increasingly incapable of fulfilling its role as a subcontractor and as the acceptable face of the occupation and is now under question by both Palestinians and the Israeli establishment. With Mahmoud Abbas close to 90 years of age, a succession crisis is looming, and elites have become too busy with in-fighting, perpetuating much of the sociopolitical fragmentation of their people. The failure of his project will continue with the likely appointment of Hussein al-Sheik as successor, with an established history of security collaboration with Israel as his only credential. Armed resistance has arisen spontaneously, especially since 2015, becoming semi-organized in the nationalist political vacuum left by the PA. The latter is likely to try to incorporate radical elements to co-opt and placate rising organisations, though the uncertainties it faces can thwart those efforts. The lack of an overarching narrative capable of overcoming fragmentation across Palestinian generations and communities remains the core challenge for a truly coordinated resistance and renewed leadership.

Among Israeli society, a new anti-terrorist narrative that justifies even more brutal crackdowns is already at play. Israel's mechanics of control in the territory are now undisguised and getting worse by the day. That, together with the increasing bleakness of life for Palestinians explains the increase of resistance activities in the territories and inside Israel. There is growing fear that the next Nakba is being gradually mainstreamed into Israeli political discourse, feeding back into the already untenable inter-ethnic tension. Mounting public extremism sowed to harvest electoral power in Israel incentivises politicians to escalate ethnic cleansing to a level not witnessed in half a century. The fragmentation of Palestinian resistance and the wide availability of firearms on the ground is catalysing a retaliatory spiral, as state-sanctioned settler violence and IDF raids are answered by more and more lone-wolf responses.

DATA ANNEX

In 2022, in the West Bank (including East Jerusalem), Israeli forces killed 146 Palestinians (34 minors among them)—the largest number since 2004. Israeli civilians killed 5 Palestinians, including a child. 3 other Palestinians, including a minor, were killed in incidents in which Israeli forces and civilians participated, and it cannot be determined who killed them. That same year, Israeli authorities marked a sharp increase in attacks against Israeli Jews on both sides of the green line, with 31 Israelis killed (25 civilians and 6 IDF soldiers).

2022 saw some of the worst settler violence in over a decade, rising by as much as 170% according to the UN, and the highest Palestinian fatalities in over six years. As documented by Yesh Din in January 2020, in 15 years of monitoring investigations into settler violence, 91% of the files were closed without an indictment. Of more than 1,200 investigation files, indictments were served only in 100.

In 2022, in the Gaza Strip, Israeli air forces killed 32 Palestinians (8 of them minors), all during "Operation Breaking Dawn". Malfunctioning Palestinian fire killed 15 (9 of them children). As this report is being finalised in May 2023, and despite an alleged ceasefire, Gaza is still being bombed in a new operation targeting junior-ranking members of Islamic Jihad. The Strip has been under bombardment for years, with 256 dead (128 of them civilians) only in 2021. The thousands of injured and dead, and the severe infrastructure damages continue to perpetuate the humanitarian crisis in Gaza.

ISRAEL: A CRISIS LONG IN THE MAKING

As this report is being finalised, an unprecedented wave of protests sweeps through Israel for the 5th consecutive month. At the core of this unrest lies a contentious project of judicial overhaul that embodies the tensions tearing Israeli society apart. Polarisation has slowly become endemic, but Israel's case has become unique in its severity.

In November 2022, the OCTAGON had convened that the then-incoming government coalition in Israel, the most extremist to date, was not to be taken lightly. It is true that after years of continuously tilting the Overton window of political possibilities to the right, raging nationalism and state-sanctioned racism became the current standard for centrist policies in Israel. That same path led to the establishment of the Apartheid regime we know today. Things were so progressive in getting worse for so long that a qualitative jump to the worst was hardly expected. Many assumed things were so bad; worse was hardly possible at all. Still, underplaying the open radicalism of the new coalition risked disregarding not only the dire implications it holds for Jews and Palestinians but the entire system this extremism is building upon and its even more dire mid-term implications.

THE GOVERNMENT COALITION

Ever since the agreements were announced, it became clear that the extremist elements within the coalition would push for a hardline policy their voters would continue to rally behind and be as vocal as they could about it, even if that meant straining the integrity of the government in the process. This includes not only ministers from the Religious Zionist Party and Otzma Yehudit but also several from the Likud. And even with a Prime Minister at the helm that sees himself as centre-right, this government is upheld in the Knesset by more far-right nationalist

and ultra-religious parliamentarians than Likud ones. Even considering the ultra-Orthodox as traditional allies for the Likud, the ideological balance within the ruling coalition has never been this tilted toward extremism.

In retrospect, concessions like key executive positions for extremist leaders like National Security Minister Itamar Ben-Gvir denoted the kingmakers would have permanent leverage. By upholding the coalition in the most fragile times, he has just been promised a "National Guard" independent from the police hierarchy, which amounts to a private militia. He is directly responsible for easing open-fire regulations against Palestinians. Still, he is also one of the main drivers of anti-Arab hate speech in the country and is in a constant mood for violent provocation. The powers of his extremist Religious Zionist peer, Finance Minister Bezalel Smotrich, don't fall short. He was granted a dual role within the Defence Ministry that oversees Palestinian evictions and the construction of new illegal settlements, as well as power over the appointment of the Coordinator of Government Activities in the Territories and the Israeli civil administration. As warned by analysts and civil society, their combined forces constitute a structural change in the operation of the military regime and the removal of whatever theoretical accountability existed in relation to Palestinian matters and Jewish settlers in the Occupied Territories. Consequently, settler policies are now at full speed, but the worst damage they can do might be yet to come.

5 months into his new tenure, Benjamin Netanyahu's strategy for managing the coalition can be largely called into question. Not only has he failed to portray himself as the reliable strongman at the reins, but his credit as a pragmatic, moderating address is depleted, with even President Hertzog or key allies like Defence Minister Yoav Gallant publicly urging him to engage in social dialogue. His international reputation among key partners (including the US) as the trusted leader of Israel is stained by the characteristic extremism of the coalition he oversees, while the atmosphere of public insecurity his rivals thrive in is all over the place. Even after the firing of rockets from Lebanon in retaliation for the Al Aqsa raids, he has so far failed to drive attention to regional matters and away from domestic issues. The opposition may have supported counter-retaliatory strikes, but this did not curb their push against the contested judicial reform or trigger a social unity that appeased the protests. While regional security cooperation continues, no new milestones have been reached in furthering the Abraham Accords' strategy. Several analysts had predicted the PM would double down on his international profile as a strategy to shift attention, yet Israel seems refrained from key global dynamics. This includes efforts to de-escalate the Ukraine crisis, which some expected on Israel's part, given its ties with the US, Russia and China.

ABOUT THE JUDICIAL OVERHAUL

Israel's constitutional standing is particular, to say the least. Having consecutively postponed crafting an actual constitution for the past 70 years, the country relies on a set of laws designed as draft chapters of a future text. Based on the principles of the Israeli Declaration of Independence, these so-called Basic Laws outline fundamental rights and the formation and roles of the central state institutions regulating their relations. It wasn't until 1995 that the Supreme Court ruled on the constitutional status of Basic Laws, self-instituting its own capacity for judicial review of ordinary legislation. Without a second legislative chamber, presidential veto, federal counterbalances, or binding supranational courts, it became the only standing institution capable of overseeing government action.

Yet, in truth, it's not only this "Judicial Revolution"

that sets this system apart from the Western liberal democracies it longs to be counted among. Relevant swaths of the Basic Laws can actually be enacted, amended or deleted by an ordinary Knesset Majority of 61. This procedure, which can be completed via three readings in a single day, leaves all fundamental rules like budgetary and appointment procedures, limits to governmental overreach (including the powers of the Knesset itself), or even the electoral system, relying on political whims. Recent assemblies have broken records with 22 amendments in just five years. Only some of those laws, like Basic Law: Human Dignity and Liberty, enjoy a super-legal status. This condition, which protects them from emergency regulations and demands a parliamentary supermajority, is what allows the Supreme Court to disqualify contradicting bills in a manner that the Knesset cannot circumvent. Though the particularities of this unconventional power balance do not stop there, provided that the Knesset only needs a simple majority to limit human rights as long as the infringement in question is deemed by the court to be "proportionate and for a good or proper purpose". This entails that, under the current order of things, 1/2 +1 of the Israeli parliament and the executive branch it upholds can arbitrarily suspend fundamental rights as long as the judiciary aligns with their objective.

This is not the first time the Israeli executive has been poised to define better the role of the Supreme Court, something the majority of Israelis agree with to a degree. Still, it is the first to force a radical reform with a simple majority and no cross-party consensus. In short, it would curtail this separation of power by 1) giving the ruling government a tacit majority in appointing judges and Supreme Court Justices, 2) doing away with judicial review of laws relating to national security and political appointments, 3) introducing a so-called override clause which would enable a simple parliamentary majority of 61 Members of the Knesset (MKs) to dismiss Supreme Court rulings on any given law. Combined, these factors would render the Court effectively useless against executive overreach.

The social and political clashes behind the reform illustrate the growing rift between society's secular and progressive segments and the religious ultra-nationalists. The protesters include the entire opposition (ranging from the centre and left Zionist parties to Israeli Arab groups) and all manner of collectives, like students, lawyers, LGBTQ+ activists, the banking and tech sectors and even reservists and former IDF officers. Most fear the end of Israel's only system of checks and balances, worrying the country might devolve into an illiberal democracy or an authoritarian theocracy with a democratic facade. Some seem to worry more about the financial implications that might bring more than anything else. On the other hand, the right and far-right consider the current supreme court to be a fundamental imbalance to Israel's political system: a left-leaning self-perpetuating, unelected judicial aristocracy that constitutes the ultimate political power in the country, dodging the will of a sovereign nation and voiding democracy of meaning. It must be noted most of the social advancements Israel has boasted about abroad over the years, like equality for women and LGBTQ+ people, were due to Supreme Court resolutions that effectively got under the far-right's skin.

Of course, purposely conflating democracy with "the will of the majority" (referring to the absolute primacy of elected officials) and detaching it from the rule of law, the existence of a social contract, and a system of institutional oversight is arguably one of the most significant narrative successes of contemporary populist far-right ideology. But this is particularly true in a country where human rights principles have never enjoyed a widespread consensus.

Considering the far-right's push for judicial

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reform, some argue the Court have at least served to obstruct and delay the cementing of Jewish Supremacy and will likely be an obstacle to realising complete annexation and mass expulsion. Still, portraying the Israeli Supreme Court as responsible for upholding human rights in Israel is as intellectually dishonest as describing Israel as a full democracy. Never mind any level of institutional stability and separation of powers, no system based on the dispossession of millions' human, material and political rights can be a functioning democracy. And no matter how liberal the judicial elite is claimed to be, Israel's judicial system, in general, has sanctioned the very policies that gradually turned the country into a regime of Apartheid, if not completely failed to stop them. This includes not only upholding the colonisation of Palestine but also granting violent settlers a de facto legal impunity complementary to the executive one they get from the IDF, which has also paved the way for more violence.

And even if these policies have been implemented with its acquiescence against international law, the factual independence of the institution from the Israeli government was an added layer of international impunity, now at risk. Former attorney general and Supreme Court justice Elyakim Rubinstein put it clearly: weakening the Israeli Supreme Court means undermining Israel's stance in the Hague and in the eyes of the world. When it comes to them, the court does not protect human rights as much as it protects Israel against its own human rights violations.

UNCERTAIN IMPLICATIONS

With his plans for judicial overhaul, Prime Minister Netanyahu walks a thin line. His decline in the polls only strengthens his need for the coalition's survival and, thus, his resolve. But while social tensions threaten to take Israel to a breaking point, the most radical elements keeping the government together threaten to break it if he backs off on the reform. Buying time with draconian concessions to ministers like Ben-Gvir can come at a tremendous reputational price. Still, the same, if not worse, can be said of rushing through with the reform in a way that would damage Israel's carefully crafted narrative of a vibrant democracy. While US pressure has not gone beyond disowning words, at this rate issue may end up affecting the historically-strong bipartisan support in the country (especially when it comes to the liberal establishment within the democratic party), with unpredictable outcomes for their mutual relationship.

It should be noted, though, that while it would greatly help them enact restrictive legislation, this overhaul is not only in the interest of the most extreme elements of the ruling coalition. Since 2018 Netanyahu has forced five consecutive elections to try and remain in power, testing the resilience of the entire system in the process. At first, he expected a more comfortable majority, and after several failed alliances he now finds himself bargaining for his political survival. In this bid, he actively avoided aligning with far-right ultranationalists until the very end, to the point he even probed his chances with the United Arab List (Ra'am) before them. With an opposition hellbent on keeping him away from power, the current coalition is the ruler's last political resort to shield himself and his legacy from judicial coercion. Since 2019, the prime minister has been on trial for bribery, fraud and breach of trust. Under current circumstances, any plea deal scenario would require him to plead guilty to "moral turpitude", carrying a 7-year ban on elected office. This situation is ironic, to say the least, given that his predecessor's resignation (Ehud Olmert) for corruption charges paved the way for his second premiership back in 2009.

Not only does the reform expect to amend specific laws that address two of the three crimes he has

been indicted for, but it also contemplates granting immunity to prime ministers, cabinet ministers and members of the Knesset for any crime committed concerning their post while in office. At the time of writing, only one of the laws comprising the judicial overhaul has been passed: one stipulating a PM can only be deemed unfit to rule for health or mental health reasons and that only they or their cabinet can make that decision. This would de facto shield Netanyahu from being declared unfit to rule over his legal problems. Just as it was signed off, the law has been challenged in court, in what could set up the first showdown between judges and the government over the whole process.

As tensions build, Israeli analysts increasingly fear a constitutional crisis in which the Courts repeal the passed overhaul legislation without the government's compliance. A scenario would then ensue in which the loyalties of the state's public officials and coercive forces are tested over who should be obeyed and the due consequences of that choice, driving social instability to a level unseen in the country.

GLOBAL TRENDS: THE GREAT POWER COMPETITION

Since the last edition of the OCTAGON, we have witnessed the logic of geopolitics and geostrategic positioning take over the world stage, redefining the nature of inter-state relationships. Other long-prevailing logics that determined globalisation as we knew it have been increasingly displaced, such as the primacy of global neoliberal economics, technology development as a driver for market competition, and Peace-through-Commerce interdependence.

The war in Ukraine is the most apparent contemporary driver of this process and could even be considered a catalyst, but this trend has been gaining traction for years. The signs of the end of US primacy are out there for all to see, and state and para-state actors scramble to reposition and fill the vacuums left behind. Many are preparing for proxy conflict in regions of strategic interest and reassessing the risks of keeping strategic industries offshore. Further and further away from a unipolar US dominance, the blurry line between power competition and open conflict is now the overarching framework of international politics, thus defining regional politics. All the big players agree on this, whether publicly or privately.

This will entail not just a shift in the international balance of forces but a (not so) slow but steady dismantling of the foundations (tacit and institutional) of the outgoing order. In and out of international fora, the Global South has become rightly sceptical (if not outright vocal) of being drawn into a war in defence of a so-called rules-based order by powers that have never hesitated in suspending it for themselves and their allies. Even if NATO stands revitalised (for now), the West itself is bound for a reshape. With war at its gates and dealing with domestic disturbances that threaten to redefine their calling (namely a drift toward populist far-right stances), European democracies are trying to find a place of their own in the long haul, readying for a world in which US foreign policy will range from uncertain to potentially reckless. Never mind Defence and a potential new Trump Presidency, strategic, protectionist changes of heart like the Biden Administration's Inflation Reduction Act have already dealt a significant blow to the EU's economic model.

In defying this waning hegemony, China remains pivotal. Yet, as transitional as it may be, we can expect the upcoming paradigm to be multipolar to a degree, thus granting third countries a potentially defining influence.

As Israel's symbolic, strategic and material value

changes, an overarching question remains: what role can an Apartheid regime play in the upcoming global order? For now, independent alignment strategies for Israel are implausible. The US remains its main security guarantor, never mind the low-intensity snubs and how much Israel prides itself on relationships with Russia and China. Yet, in a climate of power competition, the political cost for the West in sustaining an increasingly extremist Israel is growing exponentially. Like other SCO members, China and Russia are unlikely to champion liberation and traditionally refrain from getting involved in others' domestic matters. Still, it is unclear whether they will offer the current level of international exceptionalism in which Israel currently thrives. Other actors' hands are not as tied. How the end of American hegemony plays out will be crucial for progress in Israel-Palestine, but addressing African, Asian and Latin American countries and their societies, in and out of international fora, is likely to prove the most fruitful strategy in the mid-term.

CONTINUED LEVERAGE

As its standing wanes and the world's geostrategic attention turns to the Indo-Pacific, new actors rush in to fill the vacuum of US influence in the Middle East. After profound social disturbances and sanction-driven financial instability, Iran is now a strategic ally of Russia in terms of military cooperation. China has overtaken the US in replacing the country's divide with Saudi Arabia with a complex web of agreements. Still, no new framework for the Iran Nuclear Agreement has been reached.

Despite unprecedented disowning language from the former, US-Israel relations remain unchanged. The ideological tensions within the ruling coalition are progressively breaking the unity among the Diaspora, alienating organisations lobbying for the country, especially in liberal circles. Yet, Israel continues to lean on the US-CENTCOM as its main security guarantor, providing a venue for the IDF to cooperate with then-rivals like Saudi Arabia, who are increasingly detached from US demands. The lack of blowback suffered by Israel and the Saudis in failing to heed US calls to cooperation in the Ukraine crisis and in controlling global oil prices signals the continuity of their enormous political leverage in DC, blunting any attempts of pressure.

US foreign policy in the region continues to focus on persuading third-party countries to normalise or upgrade relations with Israel. No further political breakthroughs may have hit the headlines, but the mechanics behind Abraham Accords continue to develop, consolidating technical cooperation via instances like the Negev Forum. As already convened in OCTAGON_2021, it is vital to outline that the Abraham Accords are a counter-revolutionary alliance. In bargaining its standing in the region with security guarantees, Israel has improved the surveillance capacities of brutal regimes threatened by popular demands to establish social contracts.

The US calls for Israel to uphold the rule of law and the independence of the Supreme Court point not at actual democracy but at the re-establishment of a *status quo ante*: a regime of security and democracy only applicable to Israelis that the US can better justify at home. In the wake of more conflict between Israelis and Palestinians, the US continues to call both sides for de-escalation, pretending to be oblivious to the asymmetries. US manoeuvring in international fora continues to equate Israel's violations of international law to Palestinian efforts demanding its upholding. In the 2024 presidential election run-up, meaningful positive action is not to be expected from the Biden administration regarding Israel-Palestine and the wider region; the question is if, with a fanatical Republican-led Congress, we would bow to destructive steps.

Despite the above, international trends do not discard that a major military event in the region can reshuffle the deck, given the Iran-Iraq alliance or the situation in Lebanon and Syria.

02_
THE PILLARS OF ISRAELI APARTHEID

ZIONISM AND FAR-RIGHT NATIONALISM

There is a prevailing discourse amongst protesters against the judicial overhaul that the "Wild East" of the Territories is taking over Israel. As if the IDF, the settlement policies or the Israeli civil administration have nothing to do with Israeli decision-making. But the truth is Israel backed itself into this corner. The ideologies stemming from the settlements and into the other side of the Green Line can be connected to a broader global trend, but in Israel's case, the rise of the far-right has also to the choices of Israeli politicians and even Israeli very foundational values.

As posed in the previous edition of the OCTAGON, Zionism is an inherently colonial ideology. Based on a narrative of manifest destiny and a tale of righteous return after centuries of exile, it was born like so many others in a century favourable to the manufacture of ethnonational myths. It was then catalysed by the horrors of the anti-Jewish sentiment that peaked with WWII. But reclaiming the land between the Jordan River and the Mediterranean and founding a distinctly Jewish state meant necessarily disregarding the Arab majority that then lived together with native Jews. Ethnic cleansing required violently uprooting people from their homes, erasing their history and connection to the land, and ensuring they never returned. Thus came a narrative that still denies the Nakba and the origin and identity of all its Palestinian residents, exiles and their lost ones by claiming the land was dry and empty upon arrival.

For years, Israeli political dynamics have worked by continually shifting its centre of gravity toward the right, recrystallising, and shifting further again. Recognising it would not be electorally viable, the Israeli left lost interest in ending the occupation decades ago as its own political continuity started to dwindle. The impossibility of a Palestinian state is an implicit, long-standing idea at the core of the

country's political contract. The vast majority of parties now represented in the Knesset either reject addressing the *status quo* and the expansion of illegal settlements or simply propose its furthering. And this, of course, includes most of the opposition. Beyond Apartheid, they have no political proposals for the lack of liberties and equality of the millions of Palestinian lives they oversee.

Playing into its foundational mythos, the decades-long portrayal of an unmanaged territorial crisis as a constant security threat (including a volatile regional standing and domestic surges of armed resistance) has served the purpose of cementing nationalism and militarisation in Israel; socially, economically, and politically. This has created an economy heavily based on defence and a sense of social purpose and unity by which a country in a constant state of war can still be among the happiest in the world. But it, too, has permanently instituted security as the main focus of the political race. In time, political discourse has moved from the paralysis that justified the occupation to a mainstreaming of expansionist rhetoric and unapologetic aspirations of Jewish Supremacy. Indeed, Apartheid is the current standard for centrist policies in Israel. However, the ever-growing political yields of instituted fearmongering and "us versus them" narratives carry a price: only those willing to take the narrative even further will win over an increasingly radicalised electorate.

Even if security has been the Likud's trademark for decades, Netanyahu's personal role in this process cannot be overstated. He actively normalised Religious Zionism with nods to settler extremists and by incorporating ministers like Naftali Benett or Ayelet Shaked. And the dynamics of Israeli politics make it so they don't even appear that radical anymore, compared to the current cabinet. Netanyahu proved to the Israeli public that they would not face international opprobrium by not dealing with the Palestinian issue. He was, in fact, able to prove they would fare well. In instrumentalising Israeli impunity and its symbolic importance for the West, he smuggled ideas like conditional citizenship back into the Western political mainstream, feeding into the rise of the far right both on the global stage and at home. He has also explicitly sided with openly racist, ultranationalist leaders, giving a kosher stamp of approval to movements that play with dangerously anti-Jewish tropes but that look up to Israel for implementing racist policies.

And now, ironically enough, Israeli centre-liberal elites are seeing how the same devices instituted to criminalise BDS and weaponize spurious accusations of antisemitism keep the international community from pressuring against a clear authoritarian drift. The very impunity Israel crafted over decades of diplomacy and targeted lobbying is now enjoyed by a cabal of far-right zealots, standing unchallenged as they threaten to dismantle the very state structures put in place.

In time, the Likud raced further and further rightward while trying to keep the facade of political pragmatism that characterises it. But it has provided the perfect atmosphere for Religious Zionism to thrive, Khanism in particular. Beyond the debate of what ties religious and secular Zionism together and what sets them apart, the fact that the tensions among them have driven key political developments in Israel-Palestine is now hard to deny.

Those most visible among the Religious Zionist movement are the generally armed, violent settlers taking hold of territories close to Palestinian cities even against Israeli law. Their political vision is a true, religious, all-encompassing Jewish state; for which they seek the outright annexation of Palestine and even the expulsion of its people. Still, the time when their ideas were considered fringe, and they were branded terrorists is long

gone. Nowadays, many of those ideas are shared by the mainstream and have significantly increased Israeli society's tolerance for their most extreme proposals, garnering votes well beyond the illegal settlements.

Unlike their secular counterparts, the Religious Zionists have focused more on reclaiming land than on building the state, thus their ties to the settler movement in actively taking the West Bank as the Jewish lands of Judea and Samaria. Still, unlike the ultra-Orthodox Haredim, who have traditionally seen limited political action, religious Zionists have not shied away from getting involved in politics, infiltrating the state apparatus and reaching positions of authority, even in the IDF. Like other far-right movements worldwide, they successfully inserted themselves into public discourse, forcing an already radicalised framework through their ideas, playing the outsider to garner protest votes against an establishment more and more Israelis are growing to distrust.

THE DEMOGRAPHIC FACTOR

Not only have the core ideas behind religious Zionism been slowly mainstreamed over time, but the demographic shifts in Israeli society are a defining factor in this changing political landscape and will soon become decisive. Israel boasts the highest fertility rate among its OECD peers (2.9 births per woman as of 2022, well over the 1.5 needed for population replacement), and it is significantly higher among its ultra-Orthodox population. Even with its expected decline, the current rate of 6.6 is projected to result in 1 in 4 Israelis coming from Haredi households by 2050, becoming nearly 1/3 of Israel's population by 2065.

Whilst Haredi communities might not be as politically driven by nationalism as their religious peers, their agenda will continue to be aimed toward institutions upholding secular values like the Supreme Court, and therefore complementary to ultranationalist far-rights pushes. In the long run, these tensions will reshape the state's focus. Ultra-Orthodox demographics and political weight will substantially affect macroeconomic factors, as the lifestyle of religious observance they promote through their political bargaining requires heavy public subsidising and an implicit loss of skilled workforce. Limited science education and a shortened life as active workers already come with a high unemployment rate among male Haredim, which is bound only to worsen.

The full picture comes into play when considering secular Jewish couples, still making up most of the country, have an average of 2 children, whilst observant Jews (religious, yet not ultra-Orthodox) have an average of 4. Given the increasing correlation between religious conservatism and extreme nationalism in the country, the political shift on the horizon becomes obvious.

In previous decades, the political impact of this demographic trend was balanced thanks to significant intakes of more secular migrant Jews via the Law of Return (especially from the US and the former USSR). This phenomenon has dwindled with time. The number of American applicants has reduced significantly, and most of the ones who still apply tend to align with more belligerent nationalistic stances. American immigrants moving into West Bank illegal settlements are at a rate three times higher than the average for all new arrivals in 2021, according to new figures released by the Israeli Central Bureau of Statistics.

THE RACE-NATION DEBATE

This matter becomes even more contentious when considering the eligibility of former USSR applicants. Under the banner of the dissolution

of Jewish identity, religious and ultranationalist parties in Israel have aggressively bid to reform the law to make only those with Jewish parents eligible (excluding converts and those with a single Jewish grandparent). The so-called Grandparent Clause they aim to abolish was a compromise between secular and religious lawmakers in the 70s. For the purpose of *Israeliness*, being Jewish-adjacent was to be enough. And even if migrants were secular or "gentile", religious conservatives trusted they would sooner than later join the ways of their forefathers. This was, of course, before the perceived triumph of the liberal establishment and the sour contemporary battle for the alleged character of the state. A country that claims to be secular, yet in which half a million citizens cannot marry or divorce because they profess no faith recognised by the authorities (most of them identifying as Jewish).

The great influx of migrants after the fall of the USSR shaped Israeli politics in the 90s and early 2000s, and there is still a relevant swath of eligible Ukrainians and Russians, some of which are trying to flee war and drafting. The Israeli migration system is over-bureaucratised, but its recent paralysis indicates a politically motivated underperformance. The high stakes in this political atmosphere and the effectiveness by which it continues to tilt rightward make the far-right's push for this reform unsurprising. It is, of course, not only the far-right that sees migration as a threat to their national project: the Chief Rabbinate has as much strategic interest in fighting the expansion of secularism as in blocking the emergence of non-Orthodox denominations like Union and Reform Judaism. At this point, it does not seem to matter that this reform (and the tensions it upholds) sets them all on a collision course with the same Diaspora organisations and lobbyists keeping the US friendly.

The slow undoing of their hard-fought foreign policy of impunity is not the only headache this brings to the Likud. A significant portion of their electoral base is composed of former USSR citizens who would feel treated as a historical mistake if the terms of the Law of Return were to change. This disturbs many inside a party still compelled to move further to the right, caught in the race of keeping increasingly radicalised voters and saving the political stature of a prime minister they might disappear without.

Under the current balance of power, the initiative isn't likely to happen for now, but the damage is done. It may not yet count on the support of most Jewish Israelis, but it's at the forefront of the ultranationalists' and ultra-Orthodox's objectives. A whole redrafting might soon become a collateral effect of them being voted for other hardline stances like security.

Of course, the mainstreaming of ethno-nationalist discourses (thanks to fear-based narratives like the need for securitisation and militarisation, the Great Replacement etc.) is playing a pivotal role in the overall far-right power grab the world continues to witness. Still, it is becoming especially dire in Israel's case. The nature of Jewishness and the intersections of race, religion and culture are hardly a new debate, but so is the case with political interest. Zionism instrumentalised the fear of prosecution and the longing for a long-lost common home into a project of demographic engineering in which mass migration played a role as crucial as ethnic cleansing and dispossession. Just as many others before instrumentalised anti-Jewish sentiment via racial and religious bias for political and financial purposes.

Dehumanising racial-purity stances, manufactured cultural mythos and exclusionary nationalism are among the most dangerous ideas brought by Modernity, and in a globalised highly-technological world, they are making an even more dangerous comeback. With the rise of anti-Jew rhetoric and

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SPORT
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attacks, especially in the US, the world should reflect on Israel being a totemic issue for far-right, low-key anti-Jewish leaders worldwide. It is not coincidental that the country has become an aspirational model, a symbol of effectively institutionalised ethno-nationalist racism and impune ethnic cleansing. And to that list, we should add a race-based migration system that will double down on racial purity sooner than later.

MILITARISATION

The world has long promoted the idea of an Israeli "economic miracle" in which growth and development have been possible despite the ongoing conflict. This statement underplays the actual strategy that turned the country into a regional economic powerhouse and an international power player, as Israel's growth is not despite but thanks to the conflict itself.

Its foundational violence, past wars and the ongoing occupation have helped Israel establish a weapons industry of international renown, which only got further ingrained in its economic model with the beginning of the so-called War on Terror. Throughout the decades, this industry has been fostered by means of private-public cooperation, including policy facilitation, public funding (including US military aid), and knowledge transfer. In turn, this industry constitutes about 2% of the country's GDP, providing hundreds of thousands of jobs and export revenues of around 9 billion USD (with the war in Ukraine, that figure climbed to 11 billion in 2022). Retired IDF personnel regularly become security contractors, consultants, trainers and arms manufacturers. Pointing at the interdependent nature of these large-scale actors, several authors convene to refer to them as a Military-Innovation Ecosystem: a constellation of industries, infrastructures and organisations involved in weapons development, testing and sales that include military and state agencies, tech start-ups and private companies, Universities and research institutes, as well as banks and venture capital.

This ecosystem is so ingrained in the Israeli state model that it depends on the production and maintenance of violence through the subjugation, surveillance and oppression of Palestinians, which in turn feeds into its own capacities. Israel joins the world's top-ten arms exporters (US, Russia, France, China, Germany, Italy, the UK, South Korea and Spain) with ongoing conflict as its main commercial asset. In a business that places great value on tried products, Palestine has become a crucial testing ground for weapons and other technology and in training urban warfare specialists. Ongoing raids, evictions and bombardments, and therefore the regular, increasingly violent responses of the Palestinian society, are key aspects of this development cycle. And while extracting and manufacturing knowledge from asymmetric warfare is hardly an Israeli idea (colonial violence has applied these patterns throughout history), its entrenchment in the country's case is driven by particular societal factors. Mandatory military conscription for most Israeli citizens has militarised its society, and in turn, that has played a catalysing role in the foundational narratives that pit the two peoples against one another, which only entrenches this ecosystem further, politically and economically.

As well known by the world's leading exporters, commercial arms relationships are a very effective form of soft power: buying a country's arms means relying on their companies for spare parts and maintenance. The stronger this dependency, the more upsetting such country would disrupt the effectiveness of the buyer's coercive/defence apparatus (and the more expensive it becomes to transition to alternative systems). Plus, there is a degree of strategic symbiosis in this behaviour. Just as any arms exporter benefits from instability and

conflict, it could be argued that the international order upholding this ecosystem has benefitted from it more than symbolically. US-brokered weapons-for-peace agreements have helped it keep regional leverage in troubled times, and Israel's military-industrial footprint can be seen in armed violence across the Global South, police violence across the West, and cyber surveillance across the world. It must also be noted that, as a de facto proxy of Israel, which has and frequently exercises the capacity to freeze its funds, the PA/PLO indirectly depends on this financial ecosystem.

SURVEILLANCE TECHNOLOGIES

The ties of interdependence within this ecosystem become even clearer when analysing the role of tech/digital development within Israel, particularly regarding spyware industries. On a per capita basis, Israel boasts more venture capital, startups, scientists and tech professionals than any other country. At the same time, it is the leading exporter of spyware and digital forensics tools thanks to firms based or connected to the country, such as NSO Group, Cellebrite, Cytrox and Candiru. These same firms have revolutionised the market and taken over older suppliers in recent years.

We must note that the spyware industry is bigger than any single company and continues to thrive thanks to more than one country. Firms like the NSO Group, capitalised by international private equity and normally hiding behind complex corporate structures, offer the most sophisticated products (particularly zero-click infection systems like Pegasus), which are expensive to obtain and difficult to detect. But still, recent media attention focusing on spyware scandals has overlooked a burgeoning second tier of low-cost open-source suppliers offering limited, non-customized tools that expose a growing demand and an implicit lack of interest in regulation. Even if authoritarian regimes constitute most of the demand, democratic states do not fall far in line. Not only as buyers but also in hosting and fostering these companies, allowing them to exploit regulatory loopholes, ship products and then rake in profits. This is particularly grave in the case of the European Union.

In this competitive climate, democratic governments have become highly motivated to acquire these tools, even at the risk of public backlash. Thanks to a largely unregulated market (with no clear frameworks of legality, necessity, and proportionality), states exploit national security/public order rationales to abuse these tools, deploying them with impunity against political opponents, journalists and civil society leaders. Cases like that of Jamal Khashoggi have exposed this technologies' convenience in terms of transnational repression. As many have already proven, all countries, regardless of regime type, can misuse spyware when oversight is insufficient.

In former times, a state would have had to rely on international diplomacy to acquire foreign weapon technologies and in-house intelligence capabilities. Commercial spyware is now sold for profit to both government and private clients, including perks like after-sales support, technical upgrades, product updates, training, and related customer services. This has given state and para-state actors worldwide various advanced control tools that have revolutionised espionage, public surveillance and policing.

Even though Israel is not responsible for this global market in its entirety, its leading role in it plays into the same dynamic that gives the country an edge in the traditional weapons market. Retired officers from Unit 8200, the IDF's secretive elite cyber-surveillance corps, regularly founded startups, many dedicated to producing dual-use technologies with civil and military applications (including IA and cloud computing) if not straight-up spyware. Aside from the experience developed on duty, these officers are specifically selected and trained before service. And once it is over, they develop technologies useful for the IDF itself, as well as commercial enterprises, and a financial ladder and effective political leverage for the state. As it happens with financing, the facilitation of this knowledge transfer further blurs the line between private and public interest within this ecosystem, entrenching its continuity and the continuity of the oppression that upholds it.

Recent scandals like that of the so-called "Team Jorge" have also further illustrated how the technical know-how of former IDF personnel could be misused as a commercial product. This case shows how it can not only be developed into freedom-dismantling technologies but into a digital commodity specifically designed to meddle with free elections and the future of entire countries.

The US blacklisting of NSO Group and Candiru, and the intense Israeli lobbying that followed, point both to the importance Israel gives to these enterprises as well as potential ways to pressure the country: public rebuke leading to an effective, internationally coordinated sanctioning of this key industry could force a restriction to the use and export of spyware, but also open the door to discuss the way this technology is developed and tested and how they are undermining democracies around the world.

03_ THE APARTHEID FRAMEWORK

NAVIGATING THE NARRATIVE DILEMMA

The independent narrative of the Palestinian civil society has evolved into framing the current *status quo* as settler-colonialism. Albeit accurate, this rationale has not taken hold internationally. There continues to be a promising active effort by international civil society organisations (including HRW and Amnesty, together with local initiatives like B'Tselem and Al Haq) and elements of the Palestinian diaspora in framing the issue as Apartheid. Despite the initial push dating back to 2021, this is an ongoing initiative, working to establish an international coalition aiming to prosecute the crime of Apartheid, creating and resourcing a common umbrella.

As in its previous edition, the OCTAGON_2022 explored diverse and dissenting perspectives in approaching the narrative dilemma. Back in 2021, it was concluded then that the new narrative and language of the conflict are brewing naturally within the ecosystem of Palestinian civil society and that national and international allies must protect and nurture it. Still, exclusively focusing on that responsibility would fail to address the factors that condition international action. International solidarity cannot be expected to re-ignite spontaneously, just as it has not done so in the last 30+ years, even when witnessing the atrocities of segregation and asymmetrical warfare.

It could be argued that constraining the language of resistance to policymaking necessities condemned the cause to partition in the first place. The language that took over was one of border-crossing and legal versus illegal settlements, turning Palestine into a matter-of-time technocratic problem the world would move on from instead of a freedom struggle. Yet it should also be considered that this approach belonged

to a different international order altogether. Oslo was negotiated and signed right after the West emerged triumphant from the Cold War, with its eyes set on reshaping the Middle East. Just as the South African regime became a liability after the fall of the USSR ended the proxy wars in Africa, solving the feud in Israel-Palestine became a geopolitical priority and symbolic token for the West. There is no doubt about how little regard was given then to the asymmetries in the Peace Process and even less to the fact it was never implemented in the first place. Yet, a transitional international balance of competing powers, with old state narratives in decay and geopolitical attention progressively turning to the Indo-Pacific, might see an entirely different outcome.

Possibilities for Palestinian resistance are as limited and fragmented as their deliberately segregated social space. Unifying it will require a unified, truly Palestinian narrative and a strategic approach, yet one strictly tuned to its drivers, the new generations, and their understanding of their realities. And strategically shaping this new language will also determine the narrative of an international coalition capable of political action. In this sense, international action should strive to remain complementary. Even if both are structured under different terms, the Apartheid framework opens the door for a better understanding of the Palestinian decolonial narrative, increasing both the chances of reviving the solidarity movement and the overall political cost of the occupation.

These overlapping tensions will determine the birth of a unified Palestinian narrative. It will have to find an effective balance between its practical needs and its organic nature.

A FRAMEWORK FOR ACTION

Conceptually speaking, the main strategy behind the anti-Apartheid coalition is to move the international community away from its commitment to partition.

The goal of some of the organisations involved was to make the framework stick by applying strong legal analyses and showing it was a well-documented and established crime under international law. The term itself has not become mainstream yet, but there is an increasing trend. Merely four years ago, the word Apartheid was too subjectively charged, and yet now it is being used deliberately in academia, the media and by civil society. Even in some cases, by politicians. As Israel secured its interests in pushing for key institutions to adopt the IHRA, it's essential to work for global actors to adopt this concept and help reframe the conversation.

And there is an undeniable momentum. The framework works. Consensus is growing, including among the broader public. Still, making this momentum stronger requires a strategic approach. Within the anti-Apartheid coalition, avenues are diverse and strategically complementary, from advocacy to legalities. Efforts to articulate this cause must be intellectually compelling, accurate and appropriate, but the whole coalition does not need to agree on all of them. Strictly speaking, it doesn't even need to agree on what it means to really end the crime of Apartheid to work together, even if doing so will be critical down the line.

Overall, Apartheid in Israel-Palestine is much more violent, bureaucratic, socioeconomically entrenched, technologically advanced and globally embedded than its South African counterpart ever was. Even in trying to garner international support in a shifting global order, traditional BDS approaches fail to understand this, and so they are destined to fail. The world must be engaged

in a wider, long-reach debate and that in turn will require a deeper understanding of the forces feeding these systems.

Fully engaging the international civil society with the framework will require working in narrative flashpoints that helps them frame the issue. The mobilities regime or the general mobility factors that articulate Apartheid, for example, can be targeted from the perspective of migration or anti-surveillance activism. International progressive movements understand the implications and mechanisms behind immigration regimes, confinement, prevention of entry of activists, journalists, human rights workers etc. Anti-racist approaches can address the conditions of sub-citizenship of the Arab population within Israeli society. Other equal rights/demilitarisation campaigns can turn their eyes on specific aspects of the occupation beyond the ongoing humanitarian catastrophe, like the military court system enforced in Palestine.

As mounting environmental disasters increase the number of climate refugees and anti-immigration movements try to instrumentalise this in their bid to dismantle democracies, a global conversation on human mobility and the purpose of borders gains more and more traction. Inserting the Israel-Palestine issue in it could prove enormously beneficial for the cause. In fact, the fights against surveillance, racism, migration regimes and militarisation can be encompassed as a global movement countering the rise of far-right populism. To get the support and the international legitimacy it needs, the fight against Apartheid should aspire to frame itself in that overall cause. Not only would that help in seeking justice more globally, but also facilitate understanding the case from the standpoint of a global phenomenon, and not as one against the Jewish people, dodging the accusations that have stalled Palestinian liberation for so long.

THE INTER-STATE ARENA

Geopolitical circumstances aside, in the South African case, there was a sophisticated legal strategy with advisory opinions taken up to the ICJ and a contentious case on voting rights which helped bring the states, the UNGA and the UNSC around one legal framework. In this sense, it is key also to consider how popular narratives relate to actual legal strategies. One can examine legal frameworks like occupation, ethnic cleansing, apartheid, genocide (even slow genocide), or self-determination and evaluate the chances of progressing in international instances. Future efforts must also contemplate working around the names of officials that should be held accountable in the ICC or via universal jurisdiction, as well as the executives and commercial enterprises facilitating human rights violations in Israel-Palestine.

In aiming for this, addressing Apartheid as a phenomenon that transcends the Israel-Palestine issue can prove the most effective strategy. As stated above, not only would this facilitate action for third countries that do not want to be portrayed as against Israel, but it would also find broader acceptance among the public, inserting the cause in a world-encompassing fight against systemic injustice. Universality holds advantages beyond protecting the narrative from spurious accusations of antisemitism: even if the case will always have particularities, exceptionalising Palestinian suffering feeds back into the same rhetoric that has allowed for the international impunity of Israel. Cases like that of the Saharawis, the Haitians, the Uhygurs and the Rohingya prove Apartheid is something that has happened and continues to happen around the world.

Several countries have already signalled a willingness to take the lead at the UN level. Key stakeholders should be countries of the Global South now dealing with severe internal turmoil.

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Thus, demands will need to be feasible and comprehensive. As for now, the most strategic objectives to aim for are Reopening the UN Special Committee against Apartheid and reopening the Centre against Apartheid. This would allow for the sharing of resources, including monetary, and for a unity now lacking. Simultaneously, supporting the creation of a UN special rapporteur on the crime of Apartheid and then supporting thorough investigations at the ICC or via universal jurisdiction would double down on the momentum needed for a truly global coalition to take hold.

Another advantage of initiatives like this is that they would bypass the need for approval from the Palestinian authorities for the time being. The OCTAGON_2021 concluded with the need to foster a new and legitimate Palestinian leadership capable of representing its people also at international instances, but that is a long-run objective. As an established proxy of the state of Israel, the PLO/PA currently finds itself in a complicated bargaining position. Just as they lost the trust of the better part of Palestinian society over the years, the governing coalition in Israel and the political trends that marked their rise have started to question their usefulness and viability openly. While this may not mark an immediate change, its full structure still depends on Israeli-controlled cashflows. Moves at the UNGA like that of supporting the referral of Israel to the ICC have already proven a risk for their continuity but remain symbolic, if not a timid test of their remaining leverage. Not only could the PLO/PA easily be subjected to investigations on human rights itself, but the succession crisis it's now engulfed in makes further action unlikely unless fitting to their agenda.

ADDRESSING THE WORLD

As concluded in the last edition, the lack of well-financed independent international media continues to be a problem for the cause. Still, the digital fragmentation of the media landscape and its globalisation have opened up opportunities to broadcast the anti-Apartheid fight cause further. Despite ingrained issues like directed censorship, digital platforms have made audiences more open to cultural and artistic forms of storytelling and connect via universal themes.

In traditional media, though, it must be considered that there is a subtle dialectic between surface public conversation/pop culture and ideological undercurrents. There are built-in limitations to the weight of the discourse that those can carry. Every story will necessarily be seen from within the confines of each society's cultural and national myths. Discourse stems first from public opinion, then the media, then policy, and then it starts to feedback. Thus, the ability to reframe the issue becomes crucial. Allies to the cause can be found both in the Global South because of their lived experience and in the West because of their aspirational view of what their societies could or should have been. It simply must be acknowledged that addressing decolonisation is most complex in the social imagination of colonial countries themselves. Yet, while it may not be possible to easily frame the fight against Apartheid as one against settler colonialism in mainstream Western media, it could very well be framed as a struggle against racism and inequality. In the context of widespread international solidarity with the Ukranian people, it is also becoming increasingly possible to re-frame it as armed resistance against a foreign invader. As long as they can relate to the struggle and the values at play, people may join the cause without quite understanding the settler-colonial context.

There is an argument that international action tends to be most effective, if at all, under the pressure of media-worthy outbursts of violence. Yet in Israel-Palestine, most of the time, it is directed at pacification, and as soon as military hostilities return to "acceptable" levels, international actors go back to turning a blind eye. Some strategic approaches have tried to exclusively garner this momentum, waiting for tensions to reignite to deploy political initiatives. Not only is this insufficient, but it also fails to comprehend the scope of the aggregated humanitarian catastrophe on the ground. If fighting Apartheid is ever to work as a moral argument, opportunities must be seized and made the most of before further bloodshed.

The current political turmoil and the exploitation of far-right stances in Israel can stretch the carefully-crafted national narrative of liberal Zionism to a breaking point. With each passing day, it becomes harder for international media to keep portraying Israel as an honourable dream. In the Middle East, several authoritarian regimes may have found strategic advantages in their partnership with Israel. Still, decades of pro-Palestinian sentiment are hard to shave off in the current circumstances. Not only do those regimes face enough internal turmoil on their own, but the intensifying and increasingly public anti-Arab sentiment in Israel and actions against the *status quo* of the holy site of Al Aqsa are bound to enrage their respective public opinions further. In parallel, the growing rift between Israel and the Jewish Diaspora in religious and social issues brings opportunities to work and build awareness among Jewish communities worldwide. On the other hand, the potential and the vast set of resources of the Palestinian Diaspora remain pretty much untapped.

NOTES ON RETURN, RESTITUTION & COMPENSATION

The realities and rights of post-48 refugees are often intentionally left out when addressing avenues for change in Israel-Palestine. Many have deemed them too impractical or simply unfeasible given the *status quo*. Some consider that not addressing them is part of the collateral price of anything resembling a solution among such asymmetrical contenders. It could be argued some are waiting for the issue to die out and for second and third-generation refugees to be assimilated into other countries. Yet all that implies falling for the same Oslo logic that has allowed the process to stall in the first place, distorting any avenues for change under the not-so-subtle expectation that demographic engineering will eventually do the trick.

The UNGA and the UNSC have issued dozens of resolutions insisting on the withdrawal from the territory and the illegality of the settlements based on the principles of the Geneva Convention. Seizing territory beyond the Partition Resolution's allocation is illegal, as is the belligerent occupation and settlement expansion, which constitute war crimes. As several UN reports also conclude, the stretch of this situation already constitutes a *de facto* annexation, which, too is unlawful. There are simply no grounds or competing recognised rights in international law under which the seizing and settlement of Palestine are acceptable or legitimate.

The rights of return, property restitution and compensation for losses are based solidly on international legal principles, treaties and state practices concerning refugees around the world. These are individual rights and, thus, cannot be lawfully traded or counterclaimed in state disputes. Palestinians who became refugees in the 47, 49 and 67 possess the right to return to their precise homes and the lands they occupied and to the full

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restitution or compensation for the properties lost. Against the argument that these rights could not be enforced as long as a functioning solution was agreed upon, it must be noted that those rights do not require territorial outcomes. In cases ranging from Cyprus to South Africa and Central America, the international community already disposes of several examples of a post-conflict mass return of refugees, both in situations of state transition and under new territorial configurations. The individual right of return is to the home and place of origin, not a defined political space. In the same way, the right to restitution says nothing about the nationality of the owner. There are options available to resolve secondary ownership claims (repossession, sale, rent or deference), always on the voluntary choice of the rightful owner. It must also be noted that these rights do not negate those of secondary occupants, who keep the rights not to be arbitrarily evicted, to adequate housing and to compensation for the loss of a dwelling to which they have added value.

Never mind the intentional erasure of their identity by state discourse and policy, Palestinians were recognised as a nationality and entitled to claim sovereignty under the Treaty of Lausanne (1924) and incorporated under British mandate law in 1925. Under all standing international law, they possess the collective right of self-determination in those territories. For what's worth, when upholding international law, broader Jewish claims of nationality and self-determination must be distinguished from those of Israeli Jews. The people entitled to national status in the Jewish state defined under the partition resolution (UN Resolution 181) included Jews and Palestinians already residing in the territory, all of which were to be granted equal rights. When Israel proclaimed statehood on behalf of the Jewish people, it granted rights to and within the state on an extraterritorial basis while simultaneously denationalising Palestinians, forcing 80% of their pre-conflict population into statelessness. This claim of statehood based on discriminatory rights to Jews has never been juridically recognised. It has been declared in direct violation of the UN Charter and the Human Rights treaties.

This is not to say we should consider retroactively de-nationalising millions of people into statelessness to do justice. On the contrary. It allows us to illustrate the mounting levels of collective injustice Palestinians continue to suffer and how the *status quo* in Israel-Palestine stands systematically against international law and has been allowed to for decades. The rights of both Palestinians and Jews (indigenous to the land or not) can be exercised in a single state, in two, in a confederated union of states or in any number of territorial configurations.

In a climate under which far-right politicians use the media spotlight to deny the *Nakba* while simultaneously threatening a new one, there is leeway to reposition this topic within the broader conversation in Israel. As it gravitates more around the judicial system and the character of the Jewish state, new avenues should open among the liberal segments to reconsider its implications. Merely bringing compensation into the debate can provide for the collective historical reflection Palestinian return and restitution require. And this is key for a new chapter in this process, as merely recognizing the Palestinians themselves can reframe the notions of statehood in public discourse.

04_ OPPORTUNITIES IN THE ANTI-APARTHEID FIGHT

The fall of Apartheid in South Africa was a combination of geopolitical opportunity, international legal action and civil mobilisation. All these factors contributed to enhancing one another. Not only was there no further need for an anti-socialist proxy in the region after the fall of the USSR, but BDS and social mobilisation made it so the political cost of keeping the Apartheid regime became unbearable, and reaping the benefits of its dismantling became appealing. In this context, all the great work done in international instances provided the much-needed slipway for regime change. Thus, combined, complementary efforts must be undertaken in the case of Israel-Palestine.

As the Israeli political establishment becomes openly and inevitably compromised with annexation, the narrative hurdles of the Oslo framework fall apart, granting us new opportunities to re-focus this issue. The underlying, strategic questions are how to take advantage of a changing international order and the Israeli political crisis to bring attention to Palestine and Apartheid.

ENGAGING GLOBAL CIVIL SOCIETY

How to wield power against an institutionalised regime of oppression is something every marginalised community and every revolutionary movement in the Middle East and the world has been thinking about for the last decade. But to engage global civil society, its fragmentation should be kept in mind. Some social fights have gone international, but even in a world more connected than ever, a number of key civil society movements are still isolated from each other. In connecting the fight against Apartheid with their agendas via narrative flashpoints, the seeds for wider solidarity can be sowed. Among others, the anti-racist, anti-fascist, anti-authoritarian, pro-migrant, pro-peace and pro-climate movements can be engaged in the fight from their various perspectives, targeting particular aspects of Apartheid like segregation, the mobility regime, displacement, Palestinian return, militarisation, gun violence, or the military court system.

Other examples like #NoTechForApartheid compel us to consider the power of labour action (now that it's more active in the US and the UK than it has been in 40 years). It is also worth considering that pro-democracy civil movements in the Arab world have much relevant experience to share but still lack a common platform.

The social outrage that pressured the US into blacklisting Candiru and the NSO group has proven there are useful avenues to expose the Military-Innovation Ecosystem and its connection to oppression. And while a broader conversation about the consequences of militarisation and a global arms race is yet to build up, the Ukranians have become a great example of armed resistance for the West that can be used as an analogy.

Encompassing the fight against Apartheid with broader causes for Human Rights will make it easier to navigate scenarios like BDS without accusations of antisemitism. All in all, the fights against surveillance, racism, migration regimes and militarisation can be encompassed as a global movement countering the rise of far-right populism, and inscribing the anti-Apartheid movement in this trend will be critical. Israel is not just an illustrative example of how polarisation can degenerate into quasi-authoritarianism but of how ultra-nationalist and supremacist values can turn against those upholding them. The apparent paradox of a global far-right looking up to Israel even as anti-Jewish sentiment grows unravels when considering their reverence for the country's supremacist path

ENGAGING THE GLOBAL SOUTH

Relevant course corrections from the US and EU or involvement from China in the short term are not to be expected. But with the end of US hegemony underway, third countries will play increasingly defining roles at international fora, especially those from the Global South, namely Africa, Asia and Latin America.

Most of them are dealing with enough political and economic turmoil of their own (state fragility, social instability, climate disasters, food insecurity etc.), so even progressive-aligned Latin American governments or traditionally anti-Apartheid African countries will need something they can easily rally behind. For the time being, considering Western countries' role won't be about how to contribute but about how to mitigate damage.

By supporting legal approaches that portray Apartheid as a global phenomenon, much progress can be made at the UN level. These initiatives are inherently better equipped to dodge spurious accusations of antisemitism and hurdles set by a self-interested PLO. They would include:

- Reopening the UN Special Committee against Apartheid and then reopening the Centre against Apartheid. This would allow for the sharing of resources, including monetary, and for a unity now lacking.

- Supporting the creation of a UN special rapporteur on the crime of Apartheid and then supporting thorough investigations at the ICC or via universal jurisdiction.

ENGAGING THE JEWISH WORLD

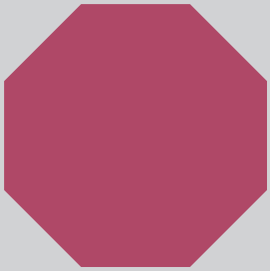
The discourse currently keeping the anti-government movement together both in the streets and in the Knesset intends to portray Israel's *status quo ante* as a democratic ideal. For many, this position might be a pragmatic choice, but that does not imply solidarity with the Palestinian suffering. True democracy is simply incompatible with Apartheid, and the current authoritarian drift in Israel is a direct consequence of policies dehumanising Palestinians and normalising oppression. It will not matter if the Judicial overhaul goes through or not under the current political balance; the trend is clear: a democratic state and a rule of law in the exclusive service of the Jewish population are ultimately bound to bring their demise.

It's not easy to see a movement as cross-cutting as this crippling its own chances by bringing up the Palestinian issue. Still, crucial secular segments of the Jewish Diaspora are feeling increasingly disenfranchised by the turn Israel is taking. The cracks are there, but it will take very sophisticated approaches to address them in a way that the Jewish society can support. In a wider global conversation about Apartheid framed away from accusations of antisemitism, the Diaspora could act as a conveyor belt between the international solidarity movement and the liberal swaths of Israeli society. In the process, merely bringing up ideas like compensation can give way for the reflection that Palestinian return and restitution require. If the polarising spiral continues as expected, all-time lobbyists might advocate for the US and EU to pressure Israel, even if only to return to a more palatable form of Apartheid. Still, the more its facade of vibrant democracy is undermined, the harder it will be to maintain

bipartisan US support on the Democratic side. And when the narrative layer of Israel's impunity is finally under question, deeper, more meaningful conversations can be held about the rest.

ENGAGING INDEPENDENT RESEARCH

Apartheid in Israel-Palestine is uniquely embedded in the world system and way more legally, economically and socially entrenched than its South African predecessor ever was. At time when opaque and interdependent financial interests and vertiginous tech development mark newer trends like global rearmament, it is key to promote a deeper understanding of the factors upholding Apartheid. Traditional approaches like BDS will not be able to complement an overall strategy if we do not adapt them to the realities of the contemporary world.



CONCLUSIONS

Amid a shifting global order, Israel's symbolism and the rationale behind its international impunity are up for grabs. Engulfed in radical changes, the internal dynamics that the Israeli political class exploited for years have locked the country in a cycle of ever-entrenching extremism.

Dismantling Apartheid will not just be about actually democratising Israel-Palestine. It will require ending systematic discrimination by making all Palestinians citizens, but also a full-blown decolonisation process: undoing the structures of domination that institute the inequality in the first place, laying the foundations for the return and the right to reparations and economic and land redistribution. Essentially, the end of Apartheid means creating an entirely new system. One that allows for an open and free society for all the inhabitants between the river and the sea.

Israel's involution into a regime of Apartheid and the perilous waters it now sails through must be a reminder for the world. In a time of mounting global crises and escalating tensions, the intersection of populist far-right nationalism, popular discontent and militarisation poses a real threat to the continuity of our species. We find ourselves in an epistemological transition where the rules of an old system have started not to work. The global push of traditional power structures and reactionary forces aims to harness change for their gains, compromising factors like connection, technology and social cohesion.

To rise to the challenge, we must fight for the creation of a global order based on true solidarity and capable of real action. But in this process, we must also strive to comprehend the systems we inhabit are lies: narratives built on oversimplified and artificially fragmented ideas designed to limit human potential. We must rethink notions like culture, nation, individuality, life, our connection with nature, how we exist and what we aim for. Paradoxically, human emancipation will only come from understanding ourselves as part of an integrated system.

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