

Surveillance in Palestinian Jerusalem:

Busy with Dying, Birth, and Bedrooms

Book Review

Security Theology, Surveillance, and the Politics of Fear. Nadera Shalhoub-Kevorkian. Cambridge: Cambridge University Press, 2015, xii + 187, bibliography and index to 213.

Reviewed by Penny Johnson

Ten years ago (during what we might now call the first al-Aqsa intifada), a weary and sometimes irascible Birzeit University professor navigated his Toyota truck around several burning tires to arrive at the Qalandiya checkpoint. After a long day of teaching, he was eager to get home to Jerusalem and edged his vehicle a little closer only to look down and discover that a point of red light was dancing on his chest. His first reaction was to try to brush it away with his free hand: get away, get away, he ordered, and then realized he was speaking to a laser from a soldier's gun. "But I haven't done anything," he thought. Later, he told the story as a joke on himself, but a decade later the joke has turned very sour indeed.

In Nadera Shalhoub-Kevorkian's disturbing and illuminating account of Israeli surveillance in Jerusalem and its environs, the "security theology" that underpins it, and the "politics of fear" it produces, the red laser light has moved into a bedroom in Jerusalem's Old City. There, Maysoon, a 30-year-old woman with only an expired temporary permit to stay in Jerusalem, is sleeping with her husband:

Last night I was sleeping with my husband in bed, and you know, it's cold, and we're under the covers, and [I] see a little red light . . . we both totally froze, and then it disappeared and my husband said in a low voice, in a voice filled with pain . . . "Maysoon they have come to take you . . . this is the story of your permit." (p.65)

The journey from the checkpoint to the bedroom – more generally, from the public sites of confrontation to the "intimate

politics of the everyday” (p.2) – is one that Shalhoub-Kevorkian is particularly equipped to make, with her detailed understanding of the law and her many investigations into the dynamics of gender, race, and colonial oppression, as well as her attentiveness to the voices of Palestinian women and men. She broadens our understanding of surveillance from the nuts-and-bolts of technological and human spying over “subversive” activity to “surveillance over bedrooms, who sleeps with whom (the Citizenship Law), surveillance over memory (the Nakba law), surveillance over home/land manifested in home demolitions, and the surveillance over the dead, the newly born, and the yet to be born” (p.176). It is quite a compelling journey and leaves the reader not only with a host of new insights, but also with quite a few questions for further exploration.

Maysoon’s story above is recounted in the context of a sober and sobering analysis of Israel’s Citizenship and Entry Law (Temporary Law) of 2003, which denies family reunification and citizenship to, and otherwise restricts the residency of, spouses of Israeli citizens when the spouses are from the occupied territories. Its “temporary” status has inexorably moved toward permanency (somewhat like the Israeli occupation or the 1945 Defense Emergency Regulations which are still in force): the Knesset continues to renew the law every several years, sometimes with even more restrictive amendments. Shalhoub-Kevorkian is most interested in analyzing the “security theology” and the racist discourse underlying the law (which she calls a “Law of Erasure”) but she also gives salient details. For example, at present, only temporary permits may (or may not) be granted to spouses from the West Bank and Gaza who are over 35 years of age for males and 25 for females. As we see from the case of Maysoon, these permits may not always be renewed. (Another woman, living in Ras al-‘Amud with a husband from al-Khadr who cannot get a permit, calls herself a “temporary widow.”)

In 2003, Yuri Stern, chair of the Knesset Committee for Interior and Environmental Quality justified the law in terms that are still used today: “We are in a state of war with the Palestinian people. This legislation is emergency legislation for a state of war” (p.63). Over ten years later, the “emergency” is clearly no longer temporary, the law still regulates (and discriminates), and Israeli politicians and officials continue to pronounce and justify a state of war. And these justifications are not confined to the right wing. Shalhoub-Kevorkian also shows the contradictory (indeed, cowardly) behavior of the liberal establishment. When a petition (MK Zahava Galon v. Attorney General et al.) against the constitutionality of the law was scheduled at the High Court, the then head of the court, Dorit Benish, who opposed the renewal of the law herself, postponed the court vote until another liberal judge was replaced by a conservative, apparently to avoid national controversy. The High Court then rejected the petition by a 6–5 vote.

In her opposition statement, Benish did claim that the law created “disproportionate harm,” but the majority of the court used proportionality in the opposite way to justify restrictions on the right to family life by the overarching needs of security. Shalhoub-Kevorkian excavates the “demographic threat” that lay behind the rhetoric of security that justified this ruling and quotes Judge Asher Gruin (who became the head of the court a month later): “Human rights are not a prescription for national suicide” (p.53), apparently haunted by the dreaded return of Palestinian refugees through the sleight of hand of marriage.

Israel's usage of the principle of proportionality is well worth further consideration. Proportionality has become a major principle in international humanitarian law and thus a concern of squads of military lawyers and experts, as well as judges on the Israeli High Court. As Eyal Weizman has shown, the "lesser evil" is a cardinal principle of proportionality and is deployed by the powerful in particularly chilling ways. The former head of the International Law Division of the Israeli military, Daniel Reisner, described to Weizman an "exercise" he undertook with Israeli army officers to calculate an "acceptable" ratio of collateral civilian deaths while targeting an armed militant: each officer wrote a number on a piece of paper: the average, Reisner notes, was 3.14 civilians.¹ An economy of violence indeed.

That economy, justified by a bureaucracy that both refuses to give licenses for Palestinian building and is on the hunt for the "unlicensed" homes that result, is in full throttle in the increasing demolition of Palestinian homes in Jerusalem. Shalhoub-Kevorkian, listening to accounts of the victims, cogently describes the militarization of space. One victim, Manar, recounts large-scale Israeli invasion of Palestinian neighborhoods, not only with "dogs, horses and 250 military personnel with their guns," but with "security personnel on each and every house in the neighborhood" (p.98). At the same time, the author pays close attention to the smaller but significant details of intimate destruction and the loss of beloved objects: "I felt that my sewing machine was screaming at the soldiers," Nawal says, "telling them to leave it alone . . . I looked at it, as if it was begging me to save it from their hands" (p.100).

This reader, however, found the most innovative and compelling contributions of this multi-faceted book in both the analysis and the accounts of the tripartite reign of security theology, surveillance, and the politics of fear over Palestinian birth and death in Jerusalem. In her chapter on "death and colonialism: the sacred and profane," the author usefully analyzes the Israel's building of the (so-called) Museum of Tolerance over Palestinian graves at the Mamilla cemetery and the lesser-known efforts to restrict (or ban) burial in the Muslim cemetery at Bab al-Asbat (or Bab al-Rahma) in the Old City. In the latter case, a court ruling stated that "the Israeli police will aid the Jerusalem municipality in preventing burial on the site, all subject to security considerations and public order" (p.126). Shalhoub-Kevorkian considers this and two other court decisions on the Mamilla cemetery as situating Palestinians "outside the law, while ruled by the law. They are trapped by an Israeli securitized system that requires them, for example, to obtain the approval of the Ministry of Health for burial in Bab Alsbat cemetery" (p.127). And obtaining a burial permit for a Palestinian in Jerusalem is not the ordinary matter it might be elsewhere.

The effects of this entrapment emerge in accounts of the stealthy burial of Nuha, a 77-year-old woman who died in her Old City house but whose three children lived in a nearby West Bank village and could not get a permit to come to her funeral. Even though other family members and neighbors finally secured a death certificate, they failed to obtain a burial permit: as it turned out, Nuha had unknowingly lost her Jerusalem residency three months prior during a visit to her children (only twenty minutes away). They decided to bury her close to her house, in Bab al-Asbat. The funeral procession

was turned back by security personnel. And then: “At 3:30 the next morning, Nuha’s body was taken in silence, in an attempt to hide it from the Israeli surveillance system. She was buried in silence, invisible to the occupier, without even a record of her name near the grave . . .” (p.131).

Consider also the story of Seta, a mother of three living in Jerusalem, who died unexpectedly while visiting her mother in a West Bank village. After consulting with lawyers and realizing that he could not legally bring her back to her daughters in Jerusalem for burial, her husband decided to drive her, propped up in the back seat, back to her city and home. At the checkpoint, he recounts:

I was driving my car, with my wife sitting in the back seat, dead. At the checkpoint, I presented my ID card and her permit to be in Jerusalem to the soldier. . . . I was afraid. . . . I was sad . . . I wanted her to be happy that I did that for her and the girls. . . . I looked the soldier in the eye and told him we are going back home. . . . I brought her back home. (p.134)

Shalhoub-Kevorkian deploys insights from an array of theorists and thinkers – Foucault on biopolitics, Mbembe on necropolitics, Derrida on mourning, and Fanon on death and colonialism (to name only a few) – to reveal the dynamics of Israel’s dominion over Palestinian death. At times, the result can be a kind of theoretical breathlessness which may puzzle some readers. This breathlessness is perhaps not surprising in a text where so many voices of Palestinians describe feelings of strangulation and losing breath. Hopefully, these trenches of theory can aid those seeking such conceptual understanding (there is also a very useful bibliography, although a rather scant index) without deterring other readers from absorbing the main insights of this volume. Indeed, this reader attributes the theoretical breathlessness not only to scholarly zeal, but also to Shalhoub-Kevorkian’s urgency to both explain and excoriate the structures of oppression.

One of the key foci in Shalhoub-Kevorkian’s analysis is the “politics of fear.” At first thought, this seems among the most evident and clearest of concepts, but on second thought, it is perhaps the most complicated. For the politics of fear obviously circulates fear among the colonized but also produced a “feared Other” (whether imagined or taking a physical form – consider the empty streets of Tel Aviv in the wake of a Palestinian shooter escaping after killing two Israelis in early January 2016) that shapes the colonizer. Thus, in her discussion of birth in Jerusalem, the author notes the “fear that seeps into the very mind and body of the subject” at the checkpoint (p.145), but she also analyzes how the colonizing state “produces and maintains a state of institutionalized fear regarding the Palestinian newborn child” (p.146). Her double analysis thus brings into view a critical dynamic of violence that demands further inquiry.

To my mind, no analysis is more apt in understanding Palestinian experiences in Jerusalem than Michel de Certeau’s analysis of tactics and everyday life. Shalhoub-Kevorkian usefully deploys de Certeau’s notion of tactics to highlight the everyday acts of Palestinian Jerusalemites that resist, subvert, or avoid the colonial order. Listening to women’s voices, she reflects how “the centrality of daily life” – from coffee in the morning

to “keeping the children and family as safe as possible” – sustains and constitutes a kind of triumph. “To my way of thinking,” she opines, “there is an authentic resistance in simply deciding to live with as much dignity and sanity as possible, for in all structures of power, no matter how pervasive, are also the seeds of their subversion” (p.158). This strikes a much-needed note of optimism but leaves us with other questions. For everyday tactics cannot replace the absence of a political strategy for resistance – and the present vacancy of the Palestinian leadership and organized political resistance in Jerusalem means that a strategy for justice and protection for Palestinians is absent. Returning to de Certeau, we might consider his sober assessment of the limits of the “tactic” of ordinary people resisting overwhelming power: “It is a maneuver ‘within the enemy’s field of vision’ . . . it therefore does not have the option of planning a general strategy and viewing an adversary as a whole. . . . What it wins, it cannot keep.”²

Shalhoub-Kevorkian’s important new book obviously cannot discuss a Palestinian strategy and organization in Jerusalem that does not exist. Instead, it leaves us with a greatly enhanced understanding of the way Israeli settler colonialism – in its surveillance, its security theology, and its politics of fear – operates and how Palestinians voice their everyday experiences of these operations and, against all odds, persist and resist.

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Endnotes

- 1 Eyal Weizman, *The Least of All Possible Evils: Humanitarian Violence from Arendt to Gaza* (London: Verso, 2012), 12–13. Also see his essay, “Material Proportionality,” in *The State of Things*, ed. Marta Kuzma, Pablo Lafuente, Peter Osborne (Oslo and London: Office for Contemporary Art Norway and Koenig Books, 2012), 146.
- 2 Michel de Certeau, *The Practice of Everyday Life* (Berkeley: University of California Press, 1984), 37.