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# The Legacies of Edward W Said: Academic Praxis and the Question of Palestine, Part One ~ Influences

*This conversation was an online panel discussion on 29 November 2023 with Katherine Franke, Shahd Hammouri, Ardi Imseis, Darryl Li, John Reynolds, and Nahed Samour. It is published in three parts: 1. Influences, 2. The Role of Law, 3. Academic Freedom, BDS & Contemporary Tactics. The panel was organized by Usha Natarajan and sponsored by Sijal Institute for Arabic Language and Culture; TWAIL Review; Center for Comparative Muslim Studies at Simon Fraser University; UWIN RAACES at University of Windsor; Social Justice Center at Kwantlen Polytechnic University; and Middle East Studies at University of British Columbia.*

**Usha Natarajan:** This panel was originally organized as a Columbia University event to commemorate Edward Said two decades after his passing. Columbia canceled the event a week before it was scheduled to occur. Amid the 2023 Israeli onslaught on Gaza, it felt important to find new sponsors and proceed with this event as scheduled due to the escalating Israeli settler colonialism, genocide, and apartheid in Palestine; and this intuition was attested to by the more than 1,300 registrants for this event.

Edward Said was a leading public intellectual and his influence continues unabated across literature, music, the visual arts, history, politics, international law, international relations, and much more. Said was committed to justice for Palestine and utilized the privileges of public intellectual life to this end. He was committed to democratizing knowledge production and worked toward institutional change in academia and beyond, and today we're the beneficiaries of this. This panel considers

the challenges of academic praxis for the question of Palestine today, what we can learn from Said's legacy, and looking ahead to the kind of academic praxis that we would like to enable.

On this International Day for Solidarity with the Palestinian People, I draw on the expertise of six brilliant legal scholars – Katherine Franke, Shahd Hammouri, Ardi Imseis, Darryl Li, John Reynolds, and Nahed Samour – on how to build global solidarity and collaborate effectively. This eminent group of legal scholars, practitioners, and activists have a longstanding commitment to Palestine and demonstrably effective tactics that many have learned from over the years, I certainly have, and count myself fortunate to have such exemplary colleagues. Crucially, we situate this conversation in the context of the legacies of Edward Said, firstly to acknowledge our debt to Said and to the work of so many Palestinian and Arab and other scholars in decades past; and secondly to situate our tactics within this continuum of forward-looking endeavors as part of a hopeful justice narrative for Palestine.

**Could you please start by telling us about the influence of Edward Said on your work? What do you think has changed for academics in solidarity with Palestine in the two decades since his passing? As we're hosting this event in Amman, Shahd it would be lovely to hear from you first.**

**Shahd Hammouri:** Said is an icon of engaged intellectualism, another symbol of which would be the martyred Basel al Araj. Said engrained justice, perceived in part as resistance against domination, in his conception of the role of the intellectual. On one end, he sought to engage with political parties nationally and internationally, and on the other, he sought to actively feed into the public debate. He provided us with concepts to communicate the complexities of a life under domination. Such engaged intellectualism is symbolized in the famous picture of him throwing a stone.

Said placed resistance, understood broadly, at the heart of his work. Intellectual resistance against the deeply embedded biases and presumptions which facilitate the violence we see around us. This theme is prominent in my own work. At the core of it, resistance is the same, it just changes its symbols and tactics. While I cannot throw a stone nowadays, so as not to lose my job, I have been comically entertaining the symbolism of holding a slipper in the face of domination. The symbol of a thrown slipper, derived from the conduct of Arab mothers, was crowned in the 2003 attempted shoe throw at George W Bush. Perhaps I resort to the comical and the matriarchal to express the depth of my despair in the face of a cyclical revival of tragedies, and obscene distortions of the truth.

Secondly, Said's work rejects the dominant binary of Us versus Them in political identity. Instead, he presented a more complex and plural understanding of collective identities. His reflections are particularly important now amidst a hyperinflation of the Us versus Them clash of civilizations narrative. The oversaturation of this narrative in the media and liberal spaces has now reached the level of absurdity.

Protest chants such as 'in our thousands, in our millions, we are all Palestinians' and 'the people united will never be defeated' escape the narrow alleyways of the identity narratives sold by the media. These chants go beyond identity politics to stress the common denominators that unite peoples in their struggle against domination. A clearly identified compass of justice and ingrained respect for pluralities are my primary encounters with Said.

**Ardi Imseis:** It is difficult to summarize neatly the immense influence of Professor Said on my work. Like many of us, my young adulthood and university life was spent pouring over his writings, all of which had an indelible impact on me. But if I had to do so, then the following two of his influences on my work stick out:

First, despite his path-breaking and much more robust works, such as *Orientalism* and *Beginnings*, my favorite of his interventions has to be the *1993 Reith Lectures* that he gave to the BBC, published later as *Representations of the Intellectual*. There, he expounded on the vital role of the intellectual in the world, not merely as a passive, astute, and 'professional' observer of things, but as an active, critical, and amateur interpreter of events and processes. For one to perform the intellectual task to the fullest, one had to resist the temptations that serving power might offer up in life, and rather dare to speak truth to power publicly, come what may. This was certainly the message that he delivered to me personally when I was a graduate law student at Columbia, and where he made time to meet with me for short periods on various occasions despite not being in his department. I shall never forget one time when, in his office in Philosophy Hall, I was grumbling about the treatment of Palestine at the law school. He urged me to stay on top of it, to not let it go. I of course heeded his words. And I like to think I've stayed true to this basic exhortation to this day.

Second, was his insistence of centering Palestinian narratives in any discussion on Palestine. Simple though it may seem, in a world where Palestinians continue to be represented, rather than by and on their own terms, this message remains important. This is at bottom an epistemological issue, that centers the victim of settler colonialism rather than the world view of hegemonic or settler colonial power in the story-telling frame. In all my scholarship, I have tried to do this, most of all impliedly by virtue of my own positionality. In my recent book, entitled *The UN and the Question of Palestine*, I

make a point of noting that it is written from the standpoint of the lived reality of Palestine and the Palestinian people – colonized, dispossessed, denationalized, occupied, racially discriminated against, and so on. The result is to provide a view of international law and the UN that challenges the prevailing western liberal view of things.

**Nahed Samour:** Edward Said's work was influential in many ways. I focus tonight on three points: First, the process of constructing Europe's inferior Other. I think this is important also to understand the construction of Israel's inferior Other. Second, Said's concept of adversarial critique; and third, the question of old versus new colonialism, or anti-, post-, and de-colonialism.

Edward Said spent considerable time and effort analyzing and illustrating the production of Europe's inferior Other. And it has become evident that Europe's inferior Other is also Israel's inferior Other. Said for instance spoke about the Orient not only as Europe's 'inferior Other' but also as its 'dark Other'. The dark Other specifically refers to racialized ideas of savagery and barbarity and how such ideas have been used repeatedly to justify in particular the use of force, the need to dominate and govern, the alleged necessity to strip an entire people of its rights for decades, if not centuries. Orientalism is a Western style, but surely also as an Israeli style 'for dominating, restructuring and having authority over the Orient' and over the Palestinian Arab.

With this dark Otherness comes a 'dreadful secondariness', as Said puts it, regarding manifest Orientalism. If I translate this into the language of law, it comes down to the racialized Muslim-Christian Arab-Palestinian as 'collateral damage', as an accepted consequence of warfare. The law of armed conflict permits soldiers to carry out attacks against military objectives with the knowledge that civilians will be killed, provided the attack is allegedly consistent with the requirements of the principle of proportionality. My work uses these concepts of inferiority from Edward Said to reveal their ongoing operations within international law.

Second is the idea of adversarial critique. Here, looking toward what Ardi mentioned, Said saw the 'native point of view not only as an ethnographic fact but in large measure as continuing, protracted, and sustained adversarial resistance to the academic, political, and cultural discourses of empire'. Adversarial critique is a resistance to narratives that serve to conceal reality and that use binaries for the purpose of legal violence and moral supremacy. I use adversarial critique to translate how legal violence and moral supremacy do their work in international law through binaries such as democracy versus theocracy, civilized versus savage, western values versus the backward Orient, and so on. This is an adversarial critique working against

power, against empire, and against the modern nation state that is based on separating people from territory; the nation state as an entity built on race, racism, and dangerous violent notions of ethnic and racial purity.

Lastly, Edward Said in *Orientalism* speaks of old colonialism as a struggle over territory, and he wanted to redefine the concept of colonialism and expand its boundaries. In many cases, and Palestine is a prominent one, we know that old colonialism, the struggle over territory, never ended. We know that the struggle in Palestine has always been about territory for over a hundred years starting perhaps with the Balfour Declaration in 1917. Losing sight of the territorial struggle is possibly why some people in the field of postcolonial and decolonial studies have not come out yet to apply the findings of their field to Palestine. They have lost the importance of territory in the sense mentioned by Fanon and Said. The colonial is not only an epistemological question, and the postcolonial is not only about neocolonial questions of economic dependency. I think it is important we bring back and strengthen the category of territory into postcolonial and decolonial studies.

**Darryl Li:** I'll try to answer your question in a rather prosaic and personal way. As someone who is not Palestinian, I identify with Said as a diasporic person in the United States and in the US academy. Like you, Ardi, I love *Representations of the Intellectual* and it's one of my favorite Said texts. But I've come to appreciate more and more over time the necessity of confronting the political economy of the university and the material conditions that make it possible to speak truth to power. We can always speak truth to power but it's harder for some people than for others.

So, in this vein: I became involved in solidarity with Palestine after I finished my undergraduate studies. I lived in Gaza for a year and I knew immediately that this would be a lifelong commitment. But I also came to the conclusion that, like Edward Said, I would have to establish a career doing something that was not explicitly about Palestine so that I could then do these other things. I have no idea what Said's thinking was and I'm not saying he had a strategy of this kind. But in terms of personal influence, this idea of having a contingent and maybe slightly instrumental relationship with your day job and with the material conditions of your employment, as sometimes a useful vehicle for political intellectual work and sometimes with benefits that are more indirect, and toggling between those two modes, is what I derived from studying his trajectory and trying to apply parts that were relevant to my own experience. There are many other things that I love and that have influenced me, but this is the thing I don't see highlighted as often.

Something else I want to bring to light is that he had, in addition to incredible and inspirational political engagements, a rich and influential intellectual life. Through

this, so many people that were not necessarily concerned with Palestine were helped to think through issues with a new lens, which was of course deeply marked by Said's own experiences of being Palestinian and struggling for Palestine. In a way, he was doing political work and education even when he didn't realize it or intend to. For me, as an undergraduate in the US, I first encountered Edward Said as a postcolonial intellectual that just happened to be Palestinian; before I even realized what that meant and what the significance of that was. It was almost like he was a gateway drug into something bigger and more important. Also, his engagements with Palestine must have been informed by the richness of his engagement with other things, in a two-way relationship.

**Katherine Franke:** So many things going on at Columbia campus right now everyday remind me of Edward Said and his presence on this campus as an engaged intellectual who felt and lived a real commitment to seeing the institution itself as part of the intellectual and political project. In reflecting on how his work has influenced my own work, in my own writing I don't write very much about Palestine or postcolonial studies. I'm an American historian and legal scholar and my work has been largely in gender and queer theory. While this may seem unrelated, actually it has everything to do with Said. His work has been enormously influential in terms of what it means to do comparative historical work. He provided an amazing model of how to do this work responsibly and thoughtfully across time and space. How to hold two periods, two peoples, two places, near one another. I learned from him not to say they are the same but to hold them in a kind of juxtaposition with one another.

In my first book, *Wedlocked: The Perils of Marriage Equality*, I returned to what it meant for newly emancipated Black people in the US at the end of the civil war to turn to marriage as an institution that could be part of what it would be to elaborate a new freer self, to be able to legally marry for the first time. I was curious about what it meant to use law and a legal institution that is so intimate as a central part of this emancipation project, and if there were lessons in that example that would be useful today with the same-sex marriage movement. I was writing that book before the US Supreme Court discovered a constitutional right for same-sex couples to marry, and I suspected there was a 'be careful what you wish for' message from the past that would be relevant. So, I turned to Said's *1993 Reith Lectures*, and let me just offer you a quote from the introduction to *Wedlock*:

> The book offers a juxtaposition rather than an analogy between these two periods and civil rights movements in which marriage figured so prominently in the political conditions of belonging. The project is one of contextualization of the problem – as Edward Said put it: 'to give greater human scope to what

> a particular race or nation suffered, to associate that experience with the suffering of others.'

It's that association with the suffering of others that I found so incredibly powerful.

> What we can take away from this juxtaposition is a continuity and a discontinuity, both of which are important for the purposes of thinking across movements and within movements that focus their liberation strategies on formulations of freedom and equality that necessarily entail state regulation or governance.

Returning to this idea of Us and Them, to reject the juxtaposition of 'that was then, this is now', those were Black people and today we are gay people, and to see that those sufferings are not separate; just as with Palestinians and Israels, or Jews as the case may be in the current conflict, or in other contexts. We also want to resist conflating and making Us into Them. That is an important message from Said's writing, and that is why history is so important. Those histories allow us to create those associations, those juxtapositions, and those connections to those experiences of suffering that both illuminate the continuities, but also the unique discontinuities that we always have to hold at the same time. It's that tolerance for complexity but association that I found so very powerful in that work for me and my own.

**John Reynolds:** I would start by echoing the sentiments about the profound influence that Edward Said has had on so many of us in terms of what it means to be an academic in the university, and an intellectual and a critic in the world. He has helped us in such acute ways to negotiate what our role is and what our role should be. It is also striking how much Said comes back to us in moments like this, with what is happening in Palestine at the moment, or for example during the previous major Israeli onslaught on Gaza in 2014. I wrote a piece at that time about what happened to Steven Salaita and the debates on academic freedom, 'balance' and civility of discourse that it gave rise to. The piece was trying to think through these questions via the lens of what Said referred to as 'amateur' and 'professional' intellectuals. I was prompted by Said's conception of the critical, dissenting amateur intellectual to reflect on our specific role as international lawyers, and whether and how we can transcend prevailing professional orthodoxies to deploy language, arguments or tactics that could meaningfully rupture liberal legal processes and narratives on Palestine. So much of what is circulating at the moment in academia and in international legal discourse around genocide in Gaza is revisiting those themes.

In a similar way to many others, I had read Said's postcolonial works first – *Orientalism* and *Culture and Imperialism* and so on, and the idea of those as a 'gateway

drug' is a nice metaphor, Darryl. When I started reading Edward Said's work on Palestine itself, I was by that point living in Palestine. This would have been in the mid-2000s, a couple of years after he had died, and I was working on a research project on colonialism, apartheid, and international law. I realized from Said's writings on Palestine that, even though he was not a legal scholar, so much of what he said about race and the common intellectual origins and Zionism and European imperialism illustrated their relevance to international law in a way that most international lawyers themselves at that point had not grasped. He described the nature and characteristics of Zionism as a form of racism and the particular dynamics of racialization, segregation and exclusion as they existed and manifested in the 1970s, 1980s and 1990s when he was writing about it. He helped me to understand what was missing in the international law analysis of the Israeli occupation.

At that time, we were stuck in something of a stalemate and going around in these circular debates within the international humanitarian law and international human rights law frameworks. It was difficult to talk about settler colonialism or apartheid in the legal debates on Palestine because those analytic frames hadn't been legally teased out by the respectable international law scholars or organisations with the authority to speak. We tried to do that in projects that were starting back then, as a way to support the Palestinian scholars and activist groups and social movements who did have a clear-sighted view of what Zionist settler colonialism and Israeli apartheid meant when it came to Palestinian rights and freedoms. Fifteen years later, when Jewish-Israeli and western human rights organizations eventually produced their own studies on Israeli apartheid, we can see that some of those gaps and analytic limitations surrounding race persist, but the accusation of Israeli apartheid nonetheless takes on much greater mainstream legitimacy because of the authority those organisations are vested with.

And so here Said still informs us in important ways today of the dynamics of all this through his pieces on *Permission to Narrate*, *Zionism from the Standpoint of Its Victims*, and so on. Mohammed el-Kurd has picked up on these themes recently, about how 'it takes the confession of the ex-soldier or the belated epiphany of human rights organizations for the world to listen'. It becomes acceptable to discuss a (more limited version of) Israeli apartheid when B'Tselem or Yesh Din or Human Rights Watch have raised it, even though Palestinians have been saying this and more for decades. If we want to be generous, we might grant that some of these Palestinian writers, thinkers and organizations might have been forgotten or less visible (or deliberately obscured) on the western liberal radar - but we certainly couldn't say that about an intellectual as prominent in the Anglophone world as Edward Said. He had seven books or book-length collections that he would have considered as his

political writings on Palestine. In six of them he wrote consistently and substantively about Israeli apartheid, Zionism, and the impacts of racialisation across time and space. As Nahed has said, those links that Said draws between European history, race, and imperialism on the one hand, and the questions of Palestine and Zionism on the other are really important and continue to give us a lot of rich theoretical tools to work with.

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