

PROVOCATIONS

The killing of Eyad Al-Hallaq by the Israeli border police on 30 May 2020

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An autistic body is a threat to the functioning of a neoliberal state. And as Israeli border police demonstrated on 30 May 2020, such a ‘late’ body with its impaired communication and social skills, is only fit to die. Eyad Al-Hallaq was not just ‘disabled’ by his autistic body but also by his racialised body. The ruthless Israeli border police therefore had no second thoughts before emptying out a bevy of bullets into this doubly disabled body of a 32-year-old Palestinian man.

Summarising the description of the day by Gideon Levy, the only Israeli journalist who writes humanisingly about Palestinians – and therefore considered a traitor by the Israeli media – Eyad used to work as an assistant for the cooking classes at Elwyn El Quds, a special-needs centre situated about a kilometre from Wadi Joz in East Jerusalem where Eyad lived with his parents. The centre opens at 7:30 A.M., but Eyad liked to arrive early, so, on that fateful day, he started a little after 6 A.M. Warda Abu Hadid, 47, Eyad’s caregiver, also started from her home headed for the centre. At about 6:10, Abu Hadid, passed by the border policemen, heard shouts of “Terrorist! Terrorist!” behind her.

Thereafter, she heard three shots and rushed to a nearby garbage room, and there she saw her ward Eyad running into the room in a panic and collapsed on the floor, lying there for three to five minutes, wounded, before he was shot and killed. “The whole time she shouted, ‘He is disabled, he is disabled!’ in Hebrew, and Hallaq shouted, ‘Ana ma’aha!’ – Arabic for ‘I am with her’ – as he attempted to cling to his caregiver for protection. ... Three officers ran into the room screaming, ‘Where is the rifle? Where is the rifle?’ The officers aimed their weapons at Hallaq. They were at point-blank range, standing over him at the entrance to the garbage room. Abu Hadid kept trying to explain that Hallaq didn’t have any sort of gun – he was only holding the surgical face mask that is required these days at the centre, and rubber gloves – when one of the officers fired three shots with his M-16 into the centre of the young man’s body, killing him instantly.”¹

¹ “‘He’s Disabled,’ the Caregiver Screamed. ‘I’m With Her,’ Eyad Cried. The Cop Opened Fire Anyway” by Gideon Levy and Alex Levac published on 05.06.2020, in *Haaretz*; <https://www.haaretz.com/israel-news/.premium.MAGAZINE-he-s-disabled-the-aide-yelled-i-m-with-her-eyad-cried-the-cop-still-shot-him-1.8896746> (accessed on 24.11.2020).

One of the ten principles of Disability Justice (Bhattacharya, forthcoming²) is *Recognising Wholeness*³:

We value our people as they are, for who they are, and understand that people have inherent worth outside of capitalist notions of productivity. Each person is full of history and life experience. Each person has an internal experience composed of their own thoughts, sensations, emotions, fantasies, perceptions, and idiosyncrasies. Disabled people are whole people.

Disability Justice as a movement places special emphasis on people *as they are, who they are, where they are*, that is, it resists moulding people *into* something. Disability is a part of this wholeness. We will not now be privy to Eyad's inner thoughts or his internal experiences anymore, even if we ever hoped to peep into that rich world, we have now lost it forever. Eyad's autistic body will not have a history or life-experience that could enrich our collective understanding of another mode of being *whole*. A neoliberal state resists disabled bodies, and an aggressive Israeli state made sure that the value of Eyad *as he is* does not count and is obliterated for ever, the state instruments of border police is institutionally trained to achieve exactly such an effect.

However, it is not just Eyad's autistic body that comes in the way of the Israeli state.

The state lawyers for the two border police officers responsible for killing Eyad, Oron Schwartz and Yogev Narkis, made a statement on the same day as the killing took place (30 May 2020), justifying the barbaric act:

As far as they were concerned, he was a terrorist for all intents and purposes. They acted in accordance with the explicit order they received from their superiors. One must remember that many terror attacks have been carried out in this area, and therefore the two acted according to protocol, while doing their best to apprehend the suspect.⁴

This brings in Eyad's Palestinian body into focus rather than his autistic body – 'terrorist' here is a cover-term for a Palestinian. This becomes even clearer in one of the first po-eds on the issue written by the commentator Eithan Orkibi for *Israel Hayom*, Israel's most widely read newspaper:

The shooting in Jerusalem, as horrible as it was, did not take place on racial background, but in the context of a nationalist conflict, which unfortunately creates terror. Just this week there were those who told us an intifada was the

² "Disability Justice (DJ) having been borne through the unease felt by especially disabled queer trans people of colour with mainstream disability activism, fuelled as it is historically through disability studies tenets, in terms of how it has managed to neglect and lay by the wayside disabled persons of colour and of varied gender identities." (Bhattacharya, T. (forthcoming). *Shifting the epistemic centre: teachings from sign linguistics*. In Jain, S. and Paul, T. (eds.) *Untitled volume*, Delhi: Indian Social Institute.)

³ Berne, P., Morales, A.L., Langstaff, D., Sins Invalid (2018). "Ten Principles of Disability Justice" *Women's Studies Quarterly*, 4.1 & 2: 227-230.

⁴ "Israeli Police Officers Shoot and Kill Disabled Palestinian in Jerusalem" by Nir Hasson, Jack Khoury, and Josh Breiner, published on 30.05.2020 in *Haaretz*; <https://www.haaretz.com/israel-news/.premium-border-police-shoot-dead-a-man-suspected-of-carrying-a-gun-in-jerusalem-s-old-city-1.8882656> (accessed on 24.11.2020).

natural and desired result of all the talk about extending sovereignty. That is the reason for police presence in Jerusalem, and that is the background for the tension.⁵

This is in the context of the wide outpouring on the streets of both countries and the social media that weekend, where some people were carrying placards drawing parallels between the brutal killing by police of George Floyd in Minneapolis and of Eyad Hallaq in Jerusalem; Orkibi in the article denies the parallel.

It is not clear however, why there cannot be racism against an occupied people. Being a Palestinian and being a disabled Palestinian makes Eyad a citizen of a nation within a nation, but his only identity at the moment of his death, in fact the identity that was the *cause* of this death, was his Palestinian identity; that makes it immediately a race or even a religious issue. This reminds me of a recent online conference⁶ where, Anat Greenstein, of the Isha L'Isha Haifa Feminist Centre, commenting on Fiona Kumari Campbell's talk,⁷ talked about the intersection of disability and racism in connection with the topic of occupying spaces, a well-known disability studies theme.

Greenstein, drawing on the well-known difference between disablism and ableism,⁸ shows us convincingly how the various events after Eyad's killing point towards the operation of disablism. First, Eyad's death, beside causing justified anger in the Palestinian community, also saw an unprecedented wave of empathy from many Israelis. Several parents of autistic children, religious and political leaders, visited the mourning tent set up by Eyad's family.⁹ Greenstein also takes up the examples of opinions expressed in the media, where statements by an Israeli autistic activist, "Eyad is me and my friends",¹⁰ or as in the opinion expressed by the editor of YNet's homepage, Salit Mivtach, who happens to have an autistic brother, "I imagine my brother in the same situation and my heart is broken".¹¹ Here, disability works as the overarching master identity.

Same is the case, as Greenstein analyses, with the Committee formed by the Israeli government under pressure from disability activists, aimed at improving police-disabled people relation. The police here will learn to behave, and adjust, in short, an anti-disablist

⁵ "Between Minneapolis and Jerusalem" by Eithan Orkibi in *Israel Hayom* on 31.05.2020; <https://www.israelhayom.com/opinions/between-minneapolis-and-jerusalem/> (accessed 24.11.2020).

⁶ "Accessible Futures: Intersecting Futurity and Disability" online conference held September 7 – 10, 2020, organised by the Milli Blum Disability Studies Centre, Hebrew University of Jerusalem.

⁷ "Studies in Ableism (SiA): A Threat to Disability Politics or an Opportunity to explore Interest Convergence?" by Fiona Kumari Campbell on 9 September 2020 at the conference noted in Note 6.

⁸ Disablism, on par with sexism or racism, denotes a set of assumptions that give rise to discriminatory behaviour and acts/ practices towards disabled persons. Disablism has been the basis of much activism, that led to the rights approach. Ableism on the other hand, questions the normality that is assumed and 'standardised'. I argue later in the paper, why anti-disablism ought to be a prerequisite for establishing any possible anti-ableist movement for nations with poorer economies.

⁹ As described in "Exploring the convergences and tensions of ableism and racism: Covid-19, police violence and the 'Justice for Eyad' campaign: A response to Fiona Kumari Campbell" by Anat Greenstein at the online conference noted in Note 6.

¹⁰ https://shavvim.co.il/2020/05/31/-את-למנוע-רק-אחד-אף-להאשים-אני-לא-רוצה-להאשים-אך-אחד-רק-למנוע-את-הם/?fbclid=IwAR3iS1qyypOK-TyoNRa6iqCZcJPW9rmLTVsi_bUv1eSi6Ez8hP8ouYop2PI (accessed on 24.11.2020)

¹¹ <https://www.ynet.co.il/articles/0,7340,L-5741087,00.html> (accessed 24.11.2020)

approach. The situation on the ground will hopefully improve for the disabled population, less of disabled persons will be killed by brutal police, I guess. But will it change the ground? Not really.

Similar is the reaction of the central and various state governments to the ongoing crisis generated by COVID-19 in India. In fact, even before the announcement by the Ministry of Home Affairs on 24 March 2020 of the first nationwide 21-day lockdown, the Department of Empowerment of Persons with Disabilities (DEPwD), issued a guideline called ‘Comprehensive disability inclusive guidelines for protection and safety of persons with disabilities during COVID-19’ on 23 March 2020 for all the States to follow. However, National Human Rights Commission released an advisory on 1 September 2020, prepared by an expert committee that mentions at the outset that “while the DEPwD guidelines addressed many issues of persons with disabilities that needed urgent attention, the same were not made mandatory and were simply termed as *measures suggested which need to be acted upon by various State/ District authorities*”.¹²

Furthermore, an examination of all the related documents reveal that only a couple of the suggestions somehow made repeated appearances in the related State documents, namely, the need for presenting all COVID-related information in accessible formats, and the need to simplify issuance of curfew passes to caregiver – both informed by an anti-disablist approach. For example, as early as 4 April, 2020, during the first phase of lockdown, the Office of the State Commissioner for Persons with Disabilities of Delhi issued an order (No. Misc./COVID-19/2020/04) for “Issuance of Curfew Passes to the Caregiver of Person with Disability during lockdown” because apparently caregivers were being denied passes. This order was issued only when disabled persons, facing acute problem of procuring even basic provisions due to the absence of caregivers, raised it in the first place; this is evident and clearly mentioned in the letter issued on 31 March 2020 (No. 16-3/CCD/2018) by the Central government from the Office of the Chief Commissioner for Persons with Disability:

... this Office has been receiving complaints regarding difficulties being faced by PwDs in getting services of caregivers, maid and access to essential items due to non-issue of travel passes to NGOs/ PwD Associations/ caregivers etc.

This shows that nobody was aware of this problem until then. However, I would still like to make the case for disablism as well, in such cases, especially for a country where prioritisation of services is practised quite openly and without any sense of guilt on the part of the establishment. If denial of essential services cannot be the cause of protests, then what else can one start with? Although, I believe Anat Greenstein raises an important issue by emphasising *both* disablism and ableism as instruments to achieve equality and equity, I would like to make the specific case for disablism to be our primary target, without which, the bigger struggle for ableism may never be begun.

¹² https://nhrc.nic.in/sites/default/files/NHRC%20Advisory%20on%20Disability_0.pdf (accessed 25.11.2020)

Coming back to Eyad, note how the identity marker changes from race to disability as we move from the moment of his death to post-death. If the mourning caused the massive wave of sympathy/ empathy across the divides, engendered by the master identity of disability, that same identity completely disappears at the moment of his killing, where the only identity that emerges is his Palestinian identity. And training the police to behave from this perspective implies learning to recognise operation of more than one identity at a time.

In this connection, it is interesting to go back briefly to the editorial by Salit Mivtach, mentioned by Greenstein as an example of disability-as-a-master-identity. If we study the extended text of Mivtach's opinion (see Note 11), we find several statements that highlight Eyad's racial identity: 'he also accidentally had the wrong skin color'; '... Ashkenazi autistic, would it have ended in eight shots in the garbage room even then?'; 'just because he was born with the wrong skin color.' This shows that at least some of the empathetic Israeli mourners were not swayed by the singular identity of Eyad's disability.

However, the fact that neither the killing of Palestinians in Israel nor the killing of disabled people in other parts of the world (mostly in the US) is uncommon, I am not sure how much of ground realities are going to change. Just to take one example of the former, Gideon Levy reports that on the night of 14 November 2019, 9 close family members of an 11-year-old Palestinian girl Noor were killed by Israeli air force bombings in their sleep.¹³ Apparently, their ramshackle tin hut with walls made of plastic sheeting, was identified as an "Islamic Jihad training facility" (*ibid*). An air force investigation later found that "The operation created conditions to improve the situation in Gaza" (*ibid*).

And just to take one example of the former, on 24 May 2017, the West Milwaukee police broke into Adam Trammell's flat after a neighbour's complaint, fired 15 tasers at him, dragged him outside and pinned him down to inject sedatives Midazolam and Ketamine repeatedly; within a few moments, Adam stopped breathing and was pronounced dead.¹⁴ His only crime – being diagnosed with Schizophrenia. Milwaukee's chief District Attorney, John Chisholm ruled "there was no basis to conclusively link Mr Trammell's death to the actions taken by the police officers," and, of course, no police officer was found guilty of any offence – chillingly similar to statements by the State lawyers and the commentator in *Israel Hayom* in the case of Eyad's killing by the Israeli border police (see Notes 4 and 5). Adam's mother Kathleen's statement, "He was just *in his own place*, he was not out on the streets" takes us back to the Disability Justice principle of *Wholeness*¹⁵ – the importance of respecting people as they are, where they are.

Black lives may matter – at least till the campaign lasts, Palestinian lives and disabled lives, on the other hand, never mattered anyway, so all the efforts of adjusting through

¹³ <https://www.haaretz.com/israel-news/.premium.MAGAZINE-here-s-happens-with-idf-investigations-into-deaths-of-innocent-palestinians-1.9202606> (accessed 24.11.2020).

¹⁴ To get a complete picture of crimes against disabled persons committed by the State in the US (136 documented, and many more otherwise, cases in 2018 alone), read the excellent report *Don't shoot, I'm disabled* By Aleem Maqbool for BBC News at <https://www.bbc.com/news/stories-45739335> (accessed 24.11.2020).

¹⁵ See Notes 2, 3.

police-in-the-community will only lead to a mass explosion in near future. And hopefully, then, perhaps, not just the ground reality, but the ground itself will change. That will be the true anti-ableism moment.

