CHAPTER FOUR

LIBERAL PRETENCE OF A JEWISH STATE

Unless one counts the centuries-long, largely unrecorded, and dispersed resistance of the vanished native people against white settler colonialism in the Americas, no liberation movement in modern times has encountered an adversary like the one the Palestinians have faced. Israel obviously shares many similarities with South Africa and may in time come to resemble the apartheid state more than most liberal Zionists suspect. … A colonialism committed to replacing the native people, it is racist and extremist by nature. Yet, a product of the Western metropolis, constituted mostly of the dispossessed, of dissidents and the persecuted, it is often liberal in ideology and humane in rhetoric (Ahmad 2006, 302–303).1

Of the three common and generally state-centric conceptions of citizenship – namely, liberal, republican and ethno-nationalist – it is the liberal-individualist version which, when applied to Israel, gives the impression of being most inclusive. It appears to protect and prioritize the rights of all members of Israeli society, even in the absence of any active engagement with the state, such as in the form of military service.2 The liberal variant of Zionist thought, or liberal-Zionism, was initially a principal trend within the Zionist movement. Not affiliated with any single political group in Israel, liberal-Zionism (in its various forms) maintains a key presence in contemporary Israeli politics, particularly in the face of its Western adherents, and translates into an acknowledgment of greater rights for Palestinian citizens of Israel and the need for Palestinian statehood, among other points. However, constant reference to dreamy liberal-democratic concepts of representation, participation, universal equality, non-discrimination, accountability, transparency, rule of law and human rights, along with a barrage of freedoms including opinion, belief, debate and association, is nevertheless paired with practices and policies of ethnic homogeneity, brutal occupation, military invasions, socio-economic

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1 This quote is also pointed to in Dan Freeman-Maloy’s (2011) critical reading of liberal-Zionist politics.

2 See Chapter Two, footnote 39 on recently proposed changes regarding the drafting of Arab citizens in the Israeli army.
disenfranchisement, legally entrenched discrimination, and a range of other violations. Even the most liberal Zionists consider exclusive Jewish demographic domination and territorial control as vital for the existence of a Jewish national home, regardless of its legal, political and human costs. And with these two factors as priorities, the liberal-Zionist ideology proves incapable of implementing even the most basic principles of liberalism.

In *Israel and the Family of Nations: The Jewish Nation-State and Human Rights* (2009), Alexander Yakobson and Amnon Rubinstein delineate one of the most robust liberal-Zionist readings of Israeli politics and history. Though hardly representative of the increasingly hawkish mainstream Israeli political attitude, the authors put forward a liberal account of the Zionist project through systematic academic argumentation designed to counter both Israeli and non-Israeli voices of criticism against the Zionist regime. Citing various European and North American constitutions, norms, and laws, the book oscillates between pragmatic, principled and impassioned lines of argumentation aimed at rendering the Zionist movement – and its realization in the form of a Jewish state – immune from critique regarding its continued violations against the Palestinian people. Yet, heavily lacking in any analysis of power, the logical and political coherence of the liberal-Zionist positions presented in this book are only sustained through selective readings of international legal texts, historical experiences and current political realities.

**THE UN PARTITION PLAN OF 1947**

Simply put, Yakobson and Rubinstein’s main argument is that

... it is the denial of the legitimacy of the concept of a Jewish state that undermines the principles of universal equality, since it denies the right of the Jewish people to self-determination and national independence. ... Whatever, in the country's day-to-day reality, contradicts democratic principles does not follow from Israel's definition as a Jewish state (Yakobson and Rubinstein 2009, 2).

The authors provide an account of debates held among members of the United Nations (UN) General Assembly leading up to their adoption of Resolution 181 on November 29, 1947 which called for the partition of Palestine into two independent states, one Arab and one Jewish, with Jerusalem and Bethlehem under special protection by the international
community.3 Here they argue that the rationale of the parties proposing the partition of Palestine, the members of the UN Special Committee on Palestine (UNSCOP), was three-pronged. It was held that an independent state was to be established for the Jewish people and not for the Jewish population of Mandatory Palestine alone; that the “historic connection” of the Jewish people and the “need to reconstitute their national home” in Palestine was recognized; and that the international community actually decided to create a Jewish state (Yakobson and Rubinstein 2009, 12–15).4 With this, the authors argue that questioning whether Israel (the name chosen by the Zionist movement) can exist as a Jewish state is paradoxical. The Committee also acknowledged that “the opening of the gates of the country to massive Jewish immigration will be a major goal of the Jewish state after its establishment” (Yakobson and Rubinstein 2009, 18). And, to this end, the 1947 Partition Plan allotted the proposed Jewish state

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3 Implemented on November 29, 1947, the UN General Assembly Resolution 181 called for the partition of Mandate Palestine into two separate bodies: a separate state for the Jewish minority at the time on around 57 percent of the land, and a state for the large Palestinian–Arab majority on around 43 percent of the land with Jerusalem and Bethlehem marked as a separate area managed by a ‘special international regime’. As was to be expected, this resolution, considered fundamentally illegitimate and unjust both in practice and in principle, was rejected by the Palestinian leadership and vast segments of the population, with a hesitant adoption by the leadership of the Zionist movement as a first step in their continued project of settler-colonial expansion. Soon after it was adopted, however, organized Zionist forces commenced their intense military interventions and campaign to seize territory far exceeding that which was mandated by the UN sponsored Partition Plan. Indeed, Resolution 181 was never actually implemented and the lands considered today to be part of the State of Israel, part of ‘Israel Proper,’ were, at its inception, never actually endorsed by the UN Resolution. Signed first with Egypt on February 24, 1949, and later with Lebanon, Jordan and Syria, the Rhodes-Armistice Agreements officially ended the military hostilities of the 1948 Arab-Israeli War, and formed Armistice Demarcation Lines between Israeli military forces and those forces in the Jordanian-controlled West Bank. These demarcation lines became known as the ‘Green Line’. United Nations General Assembly, Resolution 181 (II) Future government of Palestine, (A/RES/181/II), November 29, 1947, http://unispal.un.org/unispal.nsf/o/7f0af2bd897689b785256c33006d253. For more on Resolution 181, see Kamrava (2005, 79–81).

4 For the last point, the authors cite acceptance by Iran, India and Yugoslavia of the term ‘Jewish state’ in a 1947 report of the UN Special Committee on Palestine (UNSCOP) to illustrate the legitimacy of the term given it was upheld even by these states. This is rather peculiar. Students of the histories of the three states will point out the limitations of Yakobson and Rubinstein’s argument as each of these cited states were either undergoing intensive internal political transformations in the form of major territorial upheavals, were struggling to overcome colonialism or were dominated by British imperialist forces in and around 1947. As a result, it is not only extremely doubtful that these states were politically established enough to be able to reflect the wishes of their own populations during this time, but also that particularly Iran and India were able to convey a position independent from intense British political interference.
“a territory larger than would have been justified if taking into account only the existing numerical ratios between Jews and Arabs in the country ... [which] naturally increased the number of Arabs who would be included in its borders” (Yakobson and Rubinstein 2009, 18). The creation of a state for the Jews was, the authors contend, aimed at transferring the question of immigration into an internal issue of the Jewish state. From this rationale, Yakobson and Rubinstein conclude that the pan-Jewish right to Palestine was deemed to be in harmony with both the interests of the international community and democratic principles:

[...the committee saw no contradiction between providing full civil rights to the large Arab minority in the future Jewish state while allowing it to maintain its cultural particularity, on the one hand, and the Jewish character of the state by means of which the Jewish people would ‘take its place as an independent nation in the international community and in the United Nations’ ... (Yakobson and Rubinstein 2009, 21).]

Of course, the story is a bit more complicated. The authors use the rationale of the proponents of the Partition Plan in 1947 to challenge contemporary criticisms of the inconsistency between the Jewish and democratic character of the State of Israel. However, the report of the UNSCOP, which included the Partition Plan eventually adopted by the UN General Assembly, also included explicit caveats for a range of rights and freedoms, including

... full protection for the rights and interests of minorities, including the protection of the linguistic, religious and ethnic rights of the peoples and respect for their cultures, and full equality for all citizens with regard to political, civil and religious matters (Yakobson and Rubinstein 2009, 20, emphasis added).

Placing the above protections, and others listed in the Partition Plan, alongside decades long state-imposed policies and practices of population transfer, displacement, home demolition, land confiscation, criminalization of family unity and more, speaks volumes. That, in 1947, the UN Committee did not see (or could not anticipate) any contradictions between providing full civil rights to Arabs and the Jewish character of the future Jewish state is, to say the least, an inadequate and irrelevant response to contemporary condemnations of the active use of Israel’s self-definition as a Jewish state as a tool of repression of Palestinian citizens and non-citizens.

Moreover, the authors leave out the fact that the Israeli political and legal establishment itself also points to tensions between the
two identities. Whether in the form of the aforementioned legislation (see Chapter Two) severely limiting Arab political, social, cultural, mobility, family, and legal rights with the explicit intention of ‘preserving the Jewish character of the state’, or in the recently proposed and currently debated new Basic Law asserting that the identity of the state as Jewish ought to be preserved “in situations in which the Jewish character of the state clashes with its democratic character;” it is evident that the Knesset itself sees a tension.\(^5\) Proposed in August 2011, this legislation, supported by Kadima, Labour and Likud MKs, would amend the basic consensus regarding the character of the state, and make democratic rule inferior in principle to the state’s self-definition as the “national home for the Jewish people.”\(^6\) Now, Yakobson and Rubinstein hold that there is “no justification for seeing the shortcomings of Israeli democracy as proof that a Jewish state is by definition contrary to democratic principles” (Yakobson and Rubinstein 2009, 118). But the above political discourse and legislation indicates that, in actuality, the failures of Israeli democracy are directly attributable to the hierarchical incorporation regime resulting from the Jewish character of the state. Hence, it is not the case that “the only way to deny legitimacy to the concept of the Jewish state is to deny the Jewish people the right to statehood” (Yakobson and Rubinstein 2009, 97, repeated on 140). While this political line was adopted in 1947 by some of the states opposed to the Partition Plan, denial of Jewish entitlement to statehood is certainly not the basis of the majority of the criticisms Israel faces today. The notion of a Jewish state is rejected and criticized because the devastating practices mentioned above are necessitated to ensure Jewish domination. Put differently, it is the ideological, structural and institutional connection between the definition of Israel as a Jewish state, and policies and practices of oppression and discrimination that are legitimately discredited and held to be in violation of international legal norms.

In the end, Yakobson and Rubinstein contend that “[t]he UN Partition Plan was doomed to failure by the Arab-Palestinian leadership and the countries of the Arab league, who rejected it and went to war” (Yakobson and Rubinstein 2009, 59). Here the Arab rejection is posited by the authors as a lack of compromise and cooperation that is contrasted with a Zionist desire for recognition and peaceful dialogue. In fact, and as numerous

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\(^5\) Jonathan Lis, “Lawmakers seek to drop Arabic as one of Israel’s official languages,” Haaretz, August 4, 2011, http://www.haaretz.com/print-edition/news/lawmakers-seek-to-drop-arabic-as-one-of-israel-s-official-languages-1.376829.

\(^6\) Ibid.
scholars have pointed out, the parameters of the UN Partition Plan itself are what doomed it to failure. It gave the Jews, who numbered around one-third of the inhabitants and legally owned between 6–7 percent of the land of Palestine, a total of 57 percent of some of the most fertile land containing about 45 percent of the Palestinian population. The plan also bestowed upon the Arab state a mere 43 percent of their homeland (most of it unfit for agriculture), with the town of Jaffa as an isolated part of the state with a small Jewish community.7 This is what served as the first nail in the coffin of the Partition Plan. As we shall see, the inability (or unwillingness) of Yakobson and Rubinstein to view the proposal from the perspective of the Arab indigenous population who, at the time, were a majority in their homeland is a recurrent tendency in the book. Further, the political, strategic and tactical elements of the UN Partition Plan were also left out of the analytical picture of the authors. As argued by Israeli academic and popularly called “new historian” Simha Flapan,

\[t\]he acceptance of the UN Partition resolution was an example of Zionist pragmatism par excellence. It was a tactical acceptance, a vital step in the right direction—a springboard for expansion when circumstances proved more judicious. And, indeed, in the period between the UN vote on November 29, 1947, and the declaration of the state of Israel on May 14, 1948, a number of developments helped to produce the judicious circumstances that would enable the embryonic Jewish state to expand its border (Flapan 1987, 33; also quoted in Kamrava 2005, 81).

With the acceptance of the Partition Plan, the existing conflict between Arab and Jewish forces was intensified and, in April 1948, a large scale Zionist military attack was launched. In this political climate – and in the context of major military atrocities such as the Dir Yassin Massacre which left over 200 Arabs killed, their bodies mutilated and later dumped in wells – a colossal Palestinian exodus of around 750,000 people who were either forced from their land, or fled under the duress of the ethnic cleansing campaigns of the Zionist forces to neighbouring Arab countries commenced.8 As the sections below will show, key elements of the Palestinian

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7 See footnote 3 in this Chapter for more on Resolution 181.
8 See Kamrava (2005); Pappé (2006); and Morris (1988). Though one of the bloodiest and most publicized massacres, the Dir Yassin Massacre of April 1948 was preceded and followed by a string of other massacres and other violent outrages in Arab townships and villages by the Zionist military forces. These include, but are not limited to the villages and townships of: Iqrit (December, 1951), Al-Tireh (July, 1953), Abu Ghosh (September, 1953), Kufr Qassem (October, 1956) discussed again in Chapter Five below, and Acre (June, 1965). For a thorough and well-sourced list and description of Zionist massacres of Palestinians in towns and villages, see Abu Sitta (2000).
narrative along with the ramifications of Zionist military actions are both also disregarded in Yakobson and Rubinstein’s analysis.

**The Principle of ‘Two States for Two Peoples’**

In their vindication of the Jewish state, Yakobson and Rubinstein point to the principle of ‘two states for two peoples’ and argue that criticisms of the former challenge the viability of the latter:

The voices heard in recent years which disparage the concept of the ‘Jewish state’ claiming that it contradicts the principle of equality, are in fact denying the principle of two states for two peoples …. No Jewish state means no state for one of the two peoples (Yakobson and Rubinstein 2009, 14).

They contend that,

[i]n reality, it is perfectly clear that a country with an Arab-Muslim majority (as such a bi-national state is bound to be, sooner rather than later) located in the heart of the Arab-Muslim world, cannot be anything but an Arab-Muslim state in all respects, regardless of any formal definitions. …. So, the true alternative to a Jewish nation-state in part of the country (alongside a Palestinian nation-state) is an Arab nation-state in all of it – one state for one people (Yakobson and Rubinstein 2009, 10,11).

Yet at the same time,

[t]he fact that the state [of Israel] is the expression of the right of the Jewish people to national independence does not mean that it is not also the state of its citizens that belong to the Arab national minority – that is, a democratic state or, in other words, a state of all its citizens (Yakobson and Rubinstein 2009, 14).

Two points of consideration arise from this line of argumentation. The first, and rather obvious, question is why the authors believe that Israel as a *Jewish state* is capable of functioning in a socially, politically and legally non-discriminatory manner whereas a bi-national *Arab and Jewish state* (or even an Arab state for that matter) simply does not maintain the same potential. Of course, the irony is that Israel has, since its inception, been thoroughly unable to balance its self-defined Jewish and democratic character in a manner that does not severely infringe on the social, cultural, economic, educational and political rights of its Arab citizen and non-citizen population. This is evident in the aforementioned political and legal mechanisms of discrimination embedded in the Israeli incorporation regime. Despite the historical record, however, Yakobson and
Rubinstein hold that unlike the bi-national alternative, the Jewish state can implement protections for its minority populations. The authors praise the “formal definitions” and declarations of contemporary Israel, despite their devastating effects on its Arab citizen population, but vehemently refuse to place any value in similar political and legal arrangements in a bi-national framework. And second, with this argument, these liberal-Zionist scholars actually employ the very same rationalization they deride the non-democratic and authoritarian Arab states for using in 1947 – that a Jewish state in an Arab-Muslim region is socially and politically problematic. Here Yakobson and Rubinstein’s position, despite being seeped in liberal discourse, is in tune with the contentions of the authoritarian Arab leadership as they too consider the region’s Arab-Muslim makeup to be inherently unfavourable to the existence of a Jewish state. Indeed, similar to the so-called “Arab unwillingness to accept the existence of a non-Arab entity in the region,” Yakobson and Rubinstein also refuse to imagine an alternative to a legally inscribed racial state framework that identifies itself both in response and opposition to its minority populations (Yakobson and Rubinstein 2009, 44). More than this, the authors construct an edifice defending discriminatory Israeli policies and practices by asserting:

It is generally recognized that a minority feels a stronger need than a majority to express its identity; the efforts of the minority to maintain its identity and avoid being assimilated into the ‘homogeneity’ of the majority are generally viewed with sympathy.9

Here the authors want to have their cake and eat it too. What this liberal-Zionist framework creates is a dynamic where Jewish-Israelis receive the privileges of both a majority and a minority population, both of which are effectively used to evade criticism of Israeli state power. In the face of the Arab majority populations in the region, Jewish-Israelis are a minority and thus, the authors argue, extensive political and legal measures to entrench the Jewish character of the state ought to be “viewed with sympathy” – irrespective of its negative effects on the rights of the Arab citizenry and broader Palestinian nation. And in the face of the Arab minority within

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9 The authors hold that “[i]t must always be borne in mind that the Jewish people of Israel face not just the Palestinian-Arab people. While constituting a majority in Israel, Israeli Jews are but a tiny minority in the Arab-Muslim Middle East...” and they go on to argue that “the Arab world is, legally as well as in fact, an Arab-Muslim world; in this world, the Israeli Jews represent a small minority striving to preserve its own identity” (ibid., 45, 46).
the Israeli juridico-political order, Jewish-Israelis are a majority population and to criticize state-led initiatives that embed a Jewish character in all spheres of life in Israel would be to reject the “democratically expressed will of the majority of Israel’s citizens” (Yakobson and Rubinstein 2009, 125). For all intents and purposes, the liberal-Zionist framework created by Yakobson and Rubinstein deprives Arab citizens and non-citizens under Israeli control of any means of challenging the racialized legislation and practices of the Jewish state. As a result, Israel is bestowed the advantages and exemptions given to both a minority and a majority collective oscillating between a strong and a vulnerable disposition depending on the preferred political discussion.

**Israel as a ‘State for all of its Citizens’**

A similar dynamic emerges with Yakobson and Rubinstein’s account of Israel as a ‘state for all of its citizens’. On the one hand, the authors assert that “[i]n principle, an Arab citizen of Israel can call him—or herself ‘Israeli’ without giving up their own national identity or adopting that of the Jewish majority.” But on the other hand, they also assert that the name Israel is “anything but neutral” (Yakobson and Rubinstein 2009, 7, 142). Here, the identity of ‘Israel-Arab’ is meant to solve the paradoxical existence of Palestinian citizens of a Jewish state. Asserting that “neither Herzl nor the first Zionist leaders … saw the future Jewish state as a country without Arabs,” the authors make reference to Theodor Herzl’s utopian novel, *Altneuland*, and point to ways in which the treatment of minorities had a prominent place in the political development of the future Jewish state (Yakobson and Rubinstein 2009, 89–90).¹⁰ Now, opinions held by Israeli political leaders on indigenous Palestinians have changed since the inception of the state. In an article written in 1976, Middle East historian Janice J. Terry outlines the development of the treatment and attitudes by Israeli leaders of the Arab population:

> The first generation of Israeli leaders, such as Ben-Gurion and Golda Meir, persisted in maintaining that the Palestinians did not exist, long after at least

¹⁰ On this point, they are joined by Israeli scholar Shlomo Avineri, who also praises the “critical dimension” of *Altneuland* as a utopian work that not only depicts “the problems and tensions faced by the new society,” but also which deems “the primary difficulty” as “the status of Arabs in that society.” See for instance, Shlomo Avineri, “Herzl’s vision of racism,” *Haaretz*, February 9, 2009, http://www.haaretz.com/print-edition/opinion/herzl-s-vision-of-racism-1.269714.
some Israelis had publicly recognized the Palestinian entity. This refusal to recognize the existence of an entire people is often closely related to the Israeli refusal to accept any responsibility for the Palestinian refugees. From 1948 until after the 1967 war, the refugees were either totally ignored or were treated as components of the larger Arab world. .... As late as 1969, Golda Meir, in a much publicized interview, denied the existence of the Palestinians, saying: ‘There was no such thing as Palestinians’. Zionist publications are also full of cursory references to Jewish settlement in ‘abandoned Arab villages’, with no further mention regarding the people who had once inhabited these areas. If noted at all, the Palestinians are referred to in such terms as ‘migrant Arab communities in ruined villages’ (Terry 1976, 71–72).

Terry goes on to explain that the post-1967 period witnessed strides in the Palestinian liberation movement, thereby compelling the Israelis to address the existence of the Palestinians. Here,

> again, Zionist reactions took several different forms in their attempts to counter Palestinian national demands. There was some persistence, especially among the older Zionists, to continue as if the Palestinians still did not exist; however, as the Palestinians became more effective in presenting their case and in forcing their grievances before the world, the ‘Palestinians do not exist’ rationale largely ceased to be a functional, useful Zionist response. Consequently, Zionist publications began to face the Arab and Palestinian entity more directly, but, here again, several negative attitudinal approaches were clear. Most Zionist publications sought to avoid directly mentioning the word ‘Palestinians’, but preferred terms like ‘the refugees’ or ‘the Arab refugees’ (Terry 1976, 72).

Thus, Yakobson and Rubinstein are correct to point out that some of the first Zionist thinkers acknowledged the presence of non-Jewish populations in Palestine. That said, they certainly do not adequately weigh the colonial framework through which both the image of the indigenous Arab is formed, and political attempts to involve Arab citizens and residents in the Jewish state since its inception are realized. However, putting aside this historical record for a moment, it is important to illuminate the ways in which the authors’s reference to *Altneuland* as an example of the Zionist acceptance of an Arab presence and participation in the Jewish state is problematic and misleading. To this end, let us seriously examine the treatment of Arabs and the question of their representation in Herzl’s *Altneuland*.

While the image of the indigenous Arab does reappear at various points of the novel, this is done primarily through vague and momentary indicators of Arab presence that are mentioned in passing by mainly Jewish voices. Remnants of Arab existence in their post-colonized native soil appear throughout the novel with a certain uneasiness and ambiguity.
Reference is made by the protagonists in the text to an “Arab fantasy,” “the place with the crazy Arab name,” and the “solemn puzzlement of the Orientals ... at the sudden appearance of Occidental goods in the country” (Herzl 1987, 48, 234, 208). This uneasiness points to both an uncomfortable silence on the presence of an indigenous population on land earmarked for a Jewish society, and an unsettled ambiguity on the circumstances of their coexistence with their Jewish colonizers in the newly established commonwealth.

Where the indigenous Arabs are not completely removed from the consciousness of the colonial protagonists of the story, they are demoted to the peripheries of the Jewish landscape. Indeed, during their first moments in colonized Palestine, the protagonists Löwenberg and Kingscourt remarked:

Some of the riders wore picturesque Arab costume, others the conventional European clothing. Occasionally, too, camels filed past, singly and in cavalcades – picturesque and primitive relics of an obsolete era (Herzl 1987, 119).

Fragments of an active and traditional Arab life that is yet to be eradicated from the colonial landscape surface in such disoriented moments of the text. These pieces act as a brief reminder of the colonial record of displacement before they are again relegated to the mental void of the protagonists. That said, despite the ambiguities and inconsistencies surfacing at various points of *Altneuland* and hinting at a present yet inconsequential indigenous population, the official (and familiar) colonial narrative is consistently maintained: “We [the Jews] did not have to ruin anyone in order to ease the lot of our masses” (Herzl 1987, 87). This sentiment also frequently reappears in Yakobson and Rubinstein.

The colonial logic embedded in contemporary attempts by the Jewish state to involve and represent Arabs in the new society is also revealed in the novel. Indeed, *Altneuland* does depict a certain fraternization with Arabs, through which the liberal-Zionist conception of ‘coexistence’

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11 There are many instances of this throughout *Israel and the Family of Nations*, but to give an example, on the question of the exodus of Palestinian refugees the authors state that “[w]hen the state [of Israel] was established and independence declared, hostilities were already ranging and many of those who would become Palestinian refugees had already left the territory of the Jewish state” (2009, 95). There is no mention here by the authors of the campaigns of coercion, demoralization and violence launched by the Zionist military forces to cause this exodus, so as to secure territorial domination for a future Jewish state. In effect, Yakobson and Rubinstein absolve Zionist military groups of responsibility for their part in the *Nakba*. For a historical account of the multifaceted Zionist offensive which resulted in the Arab exodus, described by Walid Khalidi as “a mixture of psychological and terroristic warfare,” see (2005b, 49).
makes its appearance. Those who wish to work are welcomed, given the right to vote and (in the novel) provided equal rights (Herzl 1987, 152, 220, 281). As a result, the native Arab does indeed live alongside the Jewish settler. That said, the social, cultural and ideological circumstances of this utopian association deserve closer attention. The commonwealth is explicitly a “Jewish society,” with “Jewish settlements” built by “Jewish pioneers,” funded by “Jewish philanthropic associations,” and with the objective of fostering “Jewish mass migration” (Herzl 1987, 46, 85, 177, 176).12 “Jewland” – as Herzl calls it in the novel – organizes itself according to the Hebrew calendar, actively seeks to preserve the Hebrew language and the Jewish faith, and attaches itself to Jewish symbols such as the “ancient Hebrew coinage” (Herzl 1987, 122, 177). Where identity-based elements of the indigenous Arab, including ethno-religious identity, historical ties to the land, cultural practices, native tongue and other such deep-rooted and emotive features of human organization are placed on the priority list of the Jewish commonwealth is left unexamined and remains unaddressed throughout the text. However, Alteuland does indicate various cosmopolitan elements of the new society as existing harmoniously alongside its Jewish character. For instance, business people from around the (colonized) world actively take part in the enterprise of the society, cultural performances are made available in major European languages, and the religious spaces of the three monotheistic faiths, Judaism, Christianity, and Islam are protected by the Zionist technocrats according to the “fundamental principles of humanitarianism,” to name a few (Herzl 1987, 61, 66, 67, 101). Evidently, there is an element of cosmopolitanism in the Jewish commonwealth that, while serving an inclusive function with respect to non-Jewish populations, nonetheless points to an existing tension between the ethno-religiously exclusive Zionist and cosmopolitan character of the new society.

Yet, in neither of these juxtaposed representations of the land is there appropriate space for the indigenous Arab population to posit their own historical claims and cultural ties to their native soil. Here, as in contemporary Israel, the sole categories of coexistence are: Jewish and non-Jewish. Modern Israel’s constitutional self-definition as a Jewish state entails an understanding of citizenship that is “not an expression of individual rights but of membership in a homogenous ethnic group,” denying access to a range of social resources to those who by virtue of their status as gentiles remain outside the homogenous collective (Turner 1990, 204).

12 For Joseph Levy’s “story of colonization” see ibid., 192–199.
As a result, Israeli democracy invites Arab citizens to coexist with Jewish citizens as ‘non-Jews’, but not as ‘Arabs’ – and certainly not as indigenous Arabs. While Jews are provided legally enshrined rights both as a collective and as individual citizens, Arab citizens not only lack a clear and official legal and formal status in Israel as a collective (and specifically as an indigenous population), but also fail to identify with the intrinsically Jewish and Zionist symbols of the state at an individual level. In short, Arabs are invited to coexist, without actually existing as Palestinian-Arabs. In today’s Israel, the indigenous Arab is subjected to a type of inclusion that is (e.g. through legally enforced loyalty oaths and other practices) premised upon Arab consent to Jewish domination in all spheres of the state, and which functions within a framework of institutionalized inequality. As apparent, elements of the colonial framework within which Zionism developed have been appropriated by liberal-Zionism in its configuration of Arab integration in contemporary Israeli society. In other words, their apparatus of coexistence is the same. With this, Altneuland falls far short of Yakobson and Rubinstein’s claim that Herzl’s novel provided a rubric for genuine inclusion of the Arab population and minority participation in the Jewish state.

**Rashid Bey: The de-Palestinianized Arab**

Yakobson and Rubinstein also make reference to the character Rashid Bey in *Altneuland*. Introduced to the protagonists as a “prominent Moslem” wearing “dark European clothing with a red fez,” the German-educated engineer from Haifa, named Rashid Bey, is the only central Arab character in the novel (Herzl 1987, 68). Fluent in German, Hebrew and Arabic, and an active member of the newly established Jewish commonwealth, this educated and financially established Arab character represents and recounts the Zionist view of the Arab experience of colonization. Pointing to a field of “luxurious orange and lemon groves” that “used to be [his] father’s plantation,” Bey reiterates to the protagonists that Arab “profits have grown considerably” since Jewish immigration (Herzl 1987, 121). When asked by Kingscourt if the “older inhabitants of Palestine [were] ruined by the Jewish immigration,” and whether the Arabs were compelled to “leave the country,” Bey argues that it was instead a “great blessing.”

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13 This point is further expanded upon in Chapter Six below, under the rubric of ‘Coexistence without Existence,’ which serves as one of the three main paradoxical dynamics of the concept of stateless citizenship.
He explains that “land-owners gained most because they were able to sell to the Jewish society at high prices, or to wait for still higher ones” (Herzl 1987, 121, 122). And when Kingscourt inquires about the “former inhabitants ... who had nothing, the numerous Moslem Arabs” who were without land, Bey responds:

Your question answers itself .... Those who had nothing stood to lose nothing, and could only gain. And they did gain: Opportunities to work, means of livelihood, prosperity. Nothing could have been more wretched than an Arab village at the end of the nineteenth century. The peasants’ clay hovels were unfit for stables. The children lay naked and neglected in the streets, and grew up like dumb beasts. Now everything is different (Herzl 1987, 122–123).

Pointing to a Moslem village and explaining that its inhabitants have become more prosperous, Bey adds: “Would you call a man a robber who takes nothing from you, but brings you something instead? The Jews have enriched us. Why should we be angry with them” (Herzl 1987, 124)? As evident, the colonial logic of Zionism is echoed in Bey’s account of Arab displacement: the immigration of a population of superior human intellect and capacity established a settler-colonial state that civilized the previously undeveloped indigenous population. Indigenous Arabs are removed from the discourse of political and legal rights, and refused any sense of historical ties, cultural links, and emotional connection with the land. Indeed, there is no discussion of an indigenous choice in the matter. The establishment of a settler-colonial state according to rational plans is, according to Bey’s colonial logic, an obvious improvement to the previously wretched existence of the indigenous population. Therefore, there is no real reason why any Arab inhabitant would refuse to cooperate with the colonial project. Though he acknowledges the presence of the former inhabitants and their role in cultivating the land, Bey does not have an indigenous consciousness, nor does he exhibit cultural connections or historical ties with the land. More than this, his character is almost superhuman, lacking emotional depth and sensibility and instead thinking strictly in terms of cost-benefit analyses and rational plans for development. With this mindset, Arab claims to indigeneity and desires to maintain their lands, identity and culture in the face of the growing Zionist settler-colonial movement are rendered irrational.14 For these reasons, the Arab

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14 Indeed, the historical record of Zionism is not far from this outlook of Arab claims to their land and opposition to the Zionist settler-colonial project as depicted by the
proponent is vividly content in actively seeking linguistic, cultural and social integration into what is explicitly a Jewish society. In today’s context, Bey is a de-Palestinianized Arab, and represents the liberal-Zionist understanding of the ideal Arab citizen in Israeli society.

Rashid Bey’s character corresponds to the kind of ‘new Arab’ identity and consciousness demanded by contemporary Israel from its Arab citizens: a minority community that has to deny its own indigenous existence for any meaningful kind of civic participation, however limited. In fact, the Palestinian-Arabs who remained within the borders of the established state and came to be its citizens are referred to by state authorities as ‘Israeli-Arabs’. These names are not incidental but meant to accomplish political objectives, construct specific identities, and regulate certain social and political behaviour. Practically, these names doubly marginalize the community as they are named Arabs so as not to be Palestinians but, at the same time, they cannot be full Israelis as Arabs. Such positions illustrate the particular kind of Arab citizen that is invited by liberal Zionists such as Yakobson and Rubinstein to coexist with Jewish citizens. In the end, the liberal-Zionist invitation for coexistence is provided to figures such as Rashid Bey, the de-Palestinianized Arab, or modern Arab-Israeli. As the only constituent of a liberal-Zionist democracy, this individual is, in the best-case scenario, only narrowly included in the Israeli social fabric under the category of ‘non-Jew’. And as outlined in Chapter Two above, this narrow inclusion is also only provided after having accepted Jewish domination in all spheres of the state.15

ZIONIST DEMOCRACY IN A COMPARATIVE CONTEXT

Throughout their text, Yakobson and Rubinstein examine Israeli state institutions and power, particularly the relation with its Arab minority

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fictional character of Rashid Bey. Janice J. Terry explains that when it comes to depictions of Arab resistance to the Jewish state: “Zionist writers stress the violent aspects of Arabs, drawing a picture of a bloodthirsty people lusting for revenge. Again, the adjective ‘barbaric’ is often used. Various psychological weaknesses are also attributed to Arabs who are described as ‘terribly inhibited and handicapped by neurotic impediments and overstrained susceptibilities’. Arab leaders and governments are characterized as having ‘maniacal’ notions, or of fostering a ‘wild intoxication’. Continued Arab opposition to Israel is portrayed as irrational” (Terry 1976, 73).

15 For more on the ways in which Israeli state efforts to create the new identity of “Israeli-Arab” has failed, see Jamal (2011).
population, within a comparative perspective. But in doing so, the authors fall short of accounting for a central feature of Palestinian presence in modern Israel, namely, their *indigeneity*. They assert:

Generally speaking, in the constitution of a democratic nation-state, the standard provisions regarding the name of a state and its official (or ‘national’) language represent the definition of the national identity of that state; and it should be borne in mind that national language is widely regarded as a fundamental distinctive feature of modern national identity. By definition, a national minority is a community that defines its national identity by means of a different name from that which defines the identity of the state, and in most cases, its language also differs from the state language. It is the ‘national majority’ which gives the state its name and its identity (Yakobson and Rubinstein 2009, 6).

As a result, the authors contend,

Israeli Arabs are citizens whose national identity is different from that of the majority people in the state. They are therefore a national minority. .... [And] the Arab-Palestinian people, to which most of them regard themselves as belonging, has a right to a state of its own alongside Israel according to the principle of ‘two states for two peoples’ (Yakobson and Rubinstein 2009, 8, 118).

Here, the liberal-Zionist account of the Palestinian-Arab population within Israel as a ‘minority’ community is completely lacking in both historicity and an analysis of power. The authors abruptly transition Palestinian-Arabs in Israel from a national non-immigrant collective who, while constituting a demographic minority in contemporary Israel, are nevertheless living in their historical homeland, to that of a national minority similar to other national collectives living in Israel. Defining Arabs as a national minority is a deliberate attempt to revise their historical presence on the land, thereby justifying state amendments to their political and legal claims. This redefinition and reconceptualization of Arabs in Israel is done without asking *why* Palestinian-Arabs in Israel are a minority or *how* they came to be a minority. Legally embedded and multifaceted mechanisms of population management along with a historical record of forceful displacement and ethnic cleansing campaigns which ensure the maintenance of a Jewish majority population in pre-1967 Israel and the Jerusalem area are not discussed. Indeed, this approach is particularly problematic in a context where Palestinian refugees constitute the world’s largest refugee population and where statistics of the registered Palestinian refugee population in the West Bank alone estimate a growth
rate of 2.4 percent per annum. Further, this liberal-Zionist position also lacks an analysis around the element of control. The intricate and intense manifestation of state control limiting a range of social, political, demographic, legal, and cultural developments of the Arab community within Israel is left unaddressed. It is not simply the case that the identity of Palestinians in Israel is different from that of the majority in the state. As mentioned, the Israeli regime requires a constant and ongoing re-creation of itself in opposition and response to its Palestinian-Arab citizenry. Reference is made to a Jewish majority in the state, ignoring elements of control and exclusion that are designed to maintain the dominant hold of this group within all spheres of the Israeli regime. The mandate of the Jewish state – and by extension Israeli citizenship – ensures that Arab status is always relative and inferior to that of the Jewish population. As a result, liberal-Zionist readings of Israel’s relation with its Arab minority prove incapable of meeting the political needs, and accounting for the historical development, of the Arab community inside Israel.

These factors, along with the authors’ neglect of the historical record, also deconstruct the comparisons made in the book. Throughout the text, Israeli democracy is compared to the state systems, symbols and modes of representation present in other established European democracies. According to Yakobson and Rubinstein, comparisons with European democracies seek to “disprove the fashionable arguments that the Jewish state is quintessentially an exception to the norms of the democratic world,” to show that when critics of Israel “think of Europe, it is usually the Europe of ‘post-national’ rhetoric rather than contemporary Europe as it actually exists” (Yakobson and Rubinstein 2009, 198). The authors elaborate:

By way of comparison, it should be noted that the gap between the immigrant Muslim minority and majority society in Western European countries is greater, in many respects ... than its equivalent in Israel (Yakobson and Rubinstein 2009, 114).

Of course, the authors are correct about this point. Established European democracies (too many to list here, but the examples of Britain, France,

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16 United Nations Relief and Works Agency for Palestinian Refugees, “Palestine refugees in the West Bank: Socio-economic trends and long-term opportunities,” April 2011, www.unrwa.org/userfiles/201110145541.pdf. Important to re-emphasize here is the fact that this is the 2007 annual growth rate for registered Palestinian refugees in the West Bank alone. These statistics also do not include refugees in occupied East Jerusalem.
and Switzerland come to mind) have a long and devastating record of anti-immigrant, and particularly anti-Muslim (or Islamophobic) racism, realized through socio-cultural vilification, state policies and legislation. They are right to point out that the international reality is not in conjunction with the concept which considers a modern, liberal democracy as a ‘culturally neutral and a nationally colourless entity’. But despite this reality – one that still does not excuse exclusionary Zionist policies and practices – their comparison does not hold in the case of Israel. The Arab minority population in the Jewish state is placed beside minority populations in European states in a manner that blurs the historical record of the respective countries. Arab existence in Israel is a different set of affairs, because preservation of the Jewish state, its symbols and values, is contingent on the denial of their indigenous status and presence of Arabs in their historical homeland. In this sense, Arab presence in modern Israel is not the result of the same socio-political, economic, legal and historical dynamics that, for example, may have resulted in an immigrant Muslim population in France, Germany and other European states. Mechanisms of population control, displacement, land confiscation, ethnic cleansing and transfer do not operate in the European case studies cited by these liberal-Zionist scholars in the same multifaceted manner as they do in Israel. And while the increasingly repressive treatment of immigrant minority communities in European democratic societies is certainly worthy of condemnation, the target of the said mechanisms in Israel differs in that that target is an indigenous non-migrant population. Such comparisons serve the two-pronged purpose of simultaneously demoting Palestinians in Israel from an indigenous population to a ‘tolerated’ minority group without the same historical and cultural ties to the space, and vindicating Israel’s colonial incorporation regime and ethnic cleansing practices by placing Zionist democracy on par with European democracies.

**Israeli Demographobia**

In addition to control over the land, demographic control is also a cornerstone to the Zionist project. The Zionist settler-colonial paradigm dictates that the ‘right’ people – namely Jews – must settle the land and that this population must constitute a majority of the total population of the state to maintain its Jewish character. A recurring concern for Israeli national security officials, and a stimulant of periodic geographic and topographic changes to the state, *demographobia*, or the pathological fear of and
concern around non-Jewish (i.e. Palestinian-Arab) births, has shaped Israel’s public debate. Indeed, Israeli economic, political, social and military considerations have historically been sacrificed on the altar of Jewish demographic dominance. The politics of a ‘demographic competition’ between Arabs and Jews is embedded in the cultural code of Israeli society, fuelling a national narrative of an outnumbered Jewish collective in a hostile environment. With this narrative, Jewish demographic majority is reinforced, not merely as a tool of political survival, but also as a moral and civic necessity. In fact, even in the 1940s, Israel’s first Prime Minister David Ben-Gurion began stressing a ‘demographic duty’ – through which the popular phrase, ‘making children for Ben-Gurion’ surfaced among Israeli Jews (Shalev and Gooldin 2006, 166). Later, in 1948, when Chaim Weizmann learned of the Palestinian exodus and mass evacuations of Israeli territory, the senior representative of the Zionist movement and first President of the State of Israel deemed it “a miraculous simplification of Israel’s tasks” (Lustick 1980, 28). This Israeli demographobia was further entrenched in an institutional capacity after the 1967 war with a government resolution to establish a Center for Demography, as it found it “necessary to act systematically to realize a demographic policy that is directed to creating an atmosphere which encourages birth, taking into consideration that it is vital to the future of the Jewish people” (Shalev and Gooldin 2006, 167).

The notion that the future of the Jewish people is dependent on Jewish demographic supremacy was also adopted in December 2000 when the Institute of Policy and Strategy at the Herzliya Interdisciplinary Center in Israel hosted the first of a proposed series of annual conferences addressing the strength and future security of Israel. Part and parcel of the

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17 For instance, Israeli professor and geo-strategist Arnon Soffer is one of the architects of former Prime Minister Ariel Sharon’s wall in the West Bank and often labeled the ‘intellectual father’ of the 2005 Gaza disengagement plan. In a May 2004 interview with The Jerusalem Post on the disengagement plan, Soffer, explained that the move “doesn’t guarantee ‘peace,’ [but that] it guarantees a Jewish- Zionist state with an overwhelming majority of Jews.” Later, in a November 2007 interview with Al Jazeera English on his considerations in designing the West Bank apartheid (or what he calls the ‘annexation’) wall, Soffer states “If you ask me how I did the map I would say 90 percent I took in my consideration demography, two or three percent holy sites and maybe seven or eight percent only security.” So, claims by Israeli pundits that the wall is mainly motivated by security concerns are misleading and ignore the widespread demographic motivations of Israeli political decision- and policy-makers. See Ruthie Blum, “It’s the demography, stupid,” The Jerusalem Post, May 20, 2004, http://www.jpost.com/servlet/Satellite?pagename=JP/Article/ShowFull&cid=1085023337456&p=1074657885918; Al Jazeera English, “West Bank wall divides neighbours,” November 27, 2007, http://aljazeera.com/news/middleeast/2007/11/2008525183816999165.html.
question of security was the notion of Jewish demographic majority, and one that was repeatedly outlined in the 52-page conference report:

The high birthrate [of Israeli Arabs] brings into question the future of Israel as a Jewish state .... The present demographic trends, should they continue, challenge the future of Israel as a Jewish state. Israel has two alternative strategies: adaptation or containment. The latter requires a long-term energetic Zionist demographic policy whose political, economic, and educational effects would guarantee the Jewish character of Israel.18

Indeed, since the inception of the State, Israeli planning policy has been aimed at achieving Jewish ownership of land, through the racialized two-pronged strategy of both forcefully controlling and annexing the land and maintaining a Jewish demographic majority in every area of the state.19 This two-pronged strategy was also thoroughly evident in a recent report published by the right-wing Jerusalem Center for Public Affairs in 2010, titled Demography, Geopolitics, and the Future of Israel’s Capital: Jerusalem’s Proposed Master Plan.20 Focusing on the municipality of Jerusalem, this report stresses that the Jewish majority in Jerusalem is on a decline so that the preferred demographic divide of 70 percent Jews versus 30 percent Arabs by the year 2020 that was projected by Israeli governments between 1970 to 1985, will have to be adjusted to reflect a more realistic number of 60 percent Jews and 40 percent Arabs. The report even goes on to apprehensively explain that for the year 2030, “some predictions forecast equality between the Jewish and Arab populations in

18 Quoted in Massad (2003, 442–443). In these pages, Massad goes on to explain that the “report adds affirmatively that ‘those who support the preservation of Israel’s character as ... a Jewish state for the Jewish nation ... constitute a majority among the Jewish population in Israel’. The conference was not a lonely effort. None other than Israel’s President Moshe Katsav welcomed the attendees ... [and] the conference was co-sponsored by the American Jewish Committee, the Israel Center for Social and Economic Progress, the Israeli Defence Ministry, the Jewish Agency, the World Zionist Organization, the National Security Center at Haifa University, and the Israeli National Security Council of the Prime Minister’s Office. The conference featured fifty speakers: senior government and military officials – including ex- and future prime ministers – university professors, business and media personalities, as well as American Jewish academics and operatives of the US Zionist lobby.”

19 Moreover, as recently as July 2011, Mayor of Jerusalem Nir Barkat openly admitted in an interview with the BBC’s Hardtalk that he seeks to preserve and maintain a Jewish majority population in the city. See Nir Barkat, Hardtalk, interview by Tim Franks, BBC World Service, July 16, 2011, http://www.bbc.co.uk/programmes/p00hshw4.

20 Nadav Shragai, Demography, Geopolitics, and the Future of Israel’s Capital: Jerusalem’s Proposed Master Plan, Jerusalem Center for Public Affairs, 2010, http://jcpa.org/text/Jerusalem-Master-Plan.pdf. I would like to thank Nadera Shalhoub-Kevorkian for bringing this report to my attention.
the city.” 21 An extension of this racialized demographobia, which recommends “staunching the emigration of Jews from the city, with an emphasis on attracting socio-economically strong populations,” is an added impetus for the appropriation and further development of already expropriated land. Working from the contention that the projected Jewish demographic majority for 2020 will be heavily pursued through Israeli government policies and practices, the report then argues that this projected Jewish majority would likely face a severe housing shortage. In other words, a natural extension of these racialized practices of population management is the perceived need to acquire more Palestinian-owned land for the purposes of exclusive Jewish housing. To this end – and acknowledging that “in the current political and diplomatic reality, it is not plausible that the state will expropriate land as it did in the past” – the report recommends the implementations of “land registration arrangements in eastern Jerusalem.” 22 Purporting to amend the existing “legal and planning chaos,” this recommendation is justified through and framed within settler-colonial language and discourse explaining that

... rational land registration arrangements that will be responsibly managed by the legally authorized individuals will prove beneficial both to the local population, that can legally build and give expression to the land under its ownership, as well as to the interests of the State of Israel, which can benefit in terms of control and right of possession of additional land. 23

What ‘rational arrangements’ that are ‘responsibly managed’ by ‘legally authorized’ persons actually means for the continued maintenance and ownership of Arabs over their historical lands becomes evident with the statement that this recommendation will allow Israel to control and possess additional land. That said, even if one were to put aside this admission of broader expansionist interests within the report, it is clear that any land distribution arrangements framed according to objectives of demographic control cannot but fail to equally, proportionally and justly incorporate and meet the needs, rights and interests of Palestinian-Arabs.

The account of the Zionist project posited by Yakobson and Rubinstein is rooted in a racialized demographobia similar to the above reports. However, Yakobson and Rubinstein’s important contribution to the above discussions is a liberal seal of approval for the multifaceted mechanisms of demographic engineering adopted by the state. Interestingly, the

21 Ibid., 12.
22 Ibid., 7.
23 Ibid.
authors do not adopt a comparative approach in their address of Jewish demographic supremacy, and fail to provide an example of a contemporary liberal-democratic country whose intricate legal, political and militaristic practices of demographic control are comparable to those of Israel. The authors begin their argument with the assertion that

... all the strands of the Zionist movement consistently held that the Jewish state, which they conceived as a democracy, could only be established on the basis of a Jewish majority, either in the country as a whole or at least in a part of it ... (Yakobson and Rubinstein 2009, 71).

Having adopted the Zionist framework rendering demographic supremacy a prerequisite for Jewish statehood, the authors argue that *The Law of Return (1950)* is therefore necessary to ensure a Jewish majority and maintain the self-definition of the state. It is not that the law is problematic in itself by providing this right to Jews, say the authors, rather the problem is that no such law exists for Palestinians in another state:

[A]nyone who agrees to the establishment of an independent state for the Palestinian people agrees to the Palestinian 'right of return' to this state (not to Israel) (Yakobson and Rubinstein 2009, 133).24

What this means for Palestinian citizens of Israel is clear. Echoed in the statement of then Prime Minister Tzipi Livni in February 2009, only days after the 22-day Gaza onslaught, the two-state settlement is to be pursued so that “[a]mong other things [, she] will also be able to approach the Palestinian residents of Israel ... and tell them: ‘Your national aspirations lie elsewhere’.”25 If Arabs wish to identify as Palestinians, as indigenous to the land, and adopt a category that is outside of the Zionist framework for Israeli citizenship, then they can return to their own state, through their own ‘law of return’, once the Palestinian state is established. The Knesset

24 also see 157.

25 *BBC News*, “Livni sparks Arab ‘transfer’ row,” December 12, 2008, http://news.bbc.co.uk/2/hi/middle_east/7779087.stm. Moreover, on November 16, 2012, in response to protests in Nazareth against Israel’s bombardment of Gaza in ‘Operation Pillar of Defence’, the Mayor of Nazareth Illit (Upper Nazareth), Shimon Gapso, wrote a letter to the Minister of the Interior, Eli Yishai, asking him to “to freeze the state funding to Nazareth” to show that “Zionism still is alive and exists.” In this letter, Gapso calls Arab MK Haneen Zoabi a “terrorist” and even goes so far as to declare: “If it was in my hands, I would evacuate from this city its residents the haters of Israel whose rightful place is in Gaza and not here ....” See Ali Abunimah, “Israeli mayor: expel Palestinian citizens of ‘hostile’ Nazareth to Gaza for opposing war,” *The Electronic Intifada*, November 21, 2012, http://electronicintifada.net/blogs/ali-abunimah/israeli-mayor-expel-palestinian-citizens-hostile-nazareth-gaza-opposing-war.
upheld this position in the recently passed *Ensuring Rejection of the Right of Return Law (2001)*. This law states that Palestinian refugees, including those displaced from the West Bank and Gaza Strip in 1967, will not be able to return without an explicit approval from an absolute majority of government ministers. According to MK Yisrael Katz, the purpose of the bill during its preliminary readings in May 2000 was to reflect

... a Zionist consensus not to allow the refugees of 1948 and 1967 to return to the sovereign areas of the State of Israel ... whoever wishes to live in a democracy and in equality – will find a place with us. Whoever seeks another national identity – let him go elsewhere. The right of return, a state for all its citizens – are expressions synonymous to the wish to destroy Israel.26

As shown in Chapter Two and alluded to in Chapter Five below, Arab calls for equal citizenship have been vehemently rejected by consecutive Israeli governments. Instead, claims made by Arab citizens for equality and freedom from discrimination to be explicitly entrenched as a constitutional right in Israeli law are rendered an act of hostility against the state; and its preference for Jewish dominance in all spheres of life. Far from opposing this political, social and legal arrangement, this position is in tune with the liberal defence of Zionism provided by Yakobson and Rubinstein. They too believe that the problem is not that Jews exclusively have a right to return to the land and travel freely, but that Palestinians do not have a state to provide them with this right. Evidently, this line of argumentation is completely deficient with respect to an analysis of power. The rights, benefits and freedoms of one collective do not exist in a vacuum and are intimately tied in a relation of exception to those outside of this collective. As a result, it is the political and legal context of *The Law of Return (1950)* that makes it problematic. In other words, the right of return becomes prejudicial in a context where Jews have the right of immigration but Palestinians do not simply because of their non-Jewish ethnic identity.27

Under these circumstances, where, for instance, there has never been a parallel attempt to allow for the possible integration of Palestinians in Israel; where refugees from around the world cannot return to their cities and towns of birth; and where Palestinian citizens cannot unite with their spouses or family members in the West Bank, Gaza Strip, and neighbouring Arab countries because of their non-Jewish status, the Jewish access

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26 Quoted in Sultany (2003, 19–20).

27 Though beyond the present scope, it is important to mention that the existing critique of this law is more far reaching than presented here. See, for example, Cook (2008) and Badil (2007), among other sources.
to and exercise of the right of migration to Israel is racially configured, prejudicial, and worthy of condemnation.

In the end, the liberal-Zionist authors posit a numbingly circular argument; and one that deserves careful attention and deconstruction. *We need a Jewish majority so as to have a Jewish state. But at the same time, we need a Jewish state because the Jewish majority wants this and “[t]hose who reject the Jewish state do a disservice to democratic principles by failing to respect the democratically expressed will of the majority of Israel’s citizens.”* (Yakobson and Rubinstein 2009, 25, emphasis added) Taken together, the Jewish state begets practices of demographic engineering to ensure a Jewish majority, and simultaneously, the Jewish majority is then made a prerequisite for the consummation of the Jewish state. One brings about the other, and any proposal for a re-conception of Jewish statehood in a manner that is reconcilable with Palestinian access and return to their homeland is rendered a denunciation of both. Such a liberal-Zionist mandate for population management shies away from the obvious question: What happens if the non-Jewish population grows within Israel? What tools and mechanisms, compatible with principles of human rights and dignity, are available to the Zionist state in its efforts to maintain Jewish demographic supremacy? If the population of an unwanted or undesired ethno-national group is increasing, particularly if this legally translates into a security concern and an existential threat to the state as it does in Zionist discourse, a state has a number of possible options for action. It can prevent the growth and repress, displace, expel, refuse to recognize, deprive basic services, and/or transfer the population elsewhere. Obviously, none of these are compatible with liberal notions of human rights and dignity. Nevertheless, they are a daily reality for the Arabs in Israel through chauvinistic state-led practices of transfer, home demolitions, unrecognized villages, systematic socio-economic depravity, forced exile and more. Indeed, the legislation and practices mentioned in Chapter Two supporting these racist and exclusionary mechanisms show that active practices of demographic engineering are antithetical to principles of democratic citizenship, equality and human dignity.

**Liberal Rubber Stamp for Israeli Crimes**

Throughout the text, the rationalizations promoted by Yakobson and Rubinstein seeks to affirm the chimera of Israeli liberalism. To this end, word choice is a key tool for diluting and blurring the Zionist record.
of multifaceted violations against its Arab population, and the broader Palestinian nation. Insupportable Israeli policies and practices are reframed according to a steadfast narrative of Israeli political and regional vulnerability, so that the Zionist project is not left without political excuses for even its most destructive record as it either meant well or was compelled to violate Palestinian rights.28 With the assertion that “for all of the justified criticism that can be directed at it, the state [of Israel] has had to face serious objective difficulties,” the logical line of argumentation apparent to the reader is that Israeli violations against Palestinian human rights are merely a necessary response to various existential challenges to its incorporation regime, rather than part of a systematic political project (Yakobson and Rubinstein 2009, 105).

Mostly limiting their already jaded criticism of Israeli state power to its post-1967 record, the authors point only to the “violence and terror ... resorted to by Palestinians” in their mention of “the grave events that occurred in the wake of the failure of the Camp David talks” (Yakobson and Rubinstein 2009, 64). Israel’s post-Oslo record of intense Palestinian infrastructural and institutional destruction, land confiscation, military checkpoints, road-blocks, closure policies, curfews, systematic assault on Palestinian activists and intellectuals, and the disablement of the Palestinian economy is thoroughly ignored by the authors. From this, they move on to provide a packaged defence of a range of Israeli infringements. For instance, the actions of the Israeli Military Administration from 1948–1969 were justified because “it was felt necessary;” and Arab citizens of Israel were targeted out of sheer misfortune because “Israel’s geography,

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28 A report by Israeli journalist Amira Hass in Haaretz points to this dynamic in the case of Jewish settlement building. Hass points out how Palestinian inclusion in UNESCO, the United Nations cultural organization, and its broader application for statehood, is equated with Jewish settlement building. She writes: “The extent to which the term ‘peace negotiations’ has been prostituted can be gleaned from a remark by the EU’s envoy to the Quartet, Helga Schmid. On October 26, in a last-ditch attempt by the Quartet to stop the Palestinians from applying to UNESCO, she said – according to sources in Ramallah – that the application for membership is like construction in the settlements: a provocation. It is not enough that the EU countries are not punishing Israel for building the settlements (Ma’aleh Adumim or Givat Assaf, all are equally felonious); now the EU envoy is creating symmetry between years of violence by the occupying overlord and legitimate defence of the occupied.” Here liberal-Zionist discourse has transformed and reframed the non-violent claims to statehood through official legal channels by Palestinians into a justification for the devastation and violence of the Zionist project and continued illegal settlement building. See Amira Hass, “Palestinians must say no to negotiations with Israel,” Haaretz, November 02, 2011, http://www.haaretz.com/print-edition/opinion/palestinians-must-say-no-to-negotiations-with-israel-1.393255.
its compactness and its snaking borders, resulted in most of the Arab population having to live under these restrictions [in the periphery]” (Yakobson and Rubinstein 2009, 106, 107). Moreover, the authors also posit that the extensive land confiscation from Arabs were “inevitable” due to “the absorption of the massive influx of Jewish immigration ..., in numbers which far exceeded the entire Jewish population in Mandatory Palestine” (Yakobson and Rubinstein 2009, 107). Israeli violations and mechanisms of disenfranchisement targeting its non-Jewish population are, according to the authors, “not necessarily the result of deliberate decisions...” (Yakobson and Rubinstein 2009, 113). Here discrimination against Arabs in Israel is generously depicted as often being a “consequence of neglect, a lack of sensitivity to the minority’s specific needs ..., [as well as] the absence of adequate representation in decision making settings ...” (Yakobson and Rubinstein 2009, 113). So the authors hold that it is not the case that Israel is actively politically and legally targeting its Arab community; rather, it is simply passively overlooking the population. Despite the extensive record of declarations by the Zionist leadership, racialized coverage of Arab activity and population growth in Israeli public discourse, and the explicitly stated intent of legislation targeting Israel’s Arab citizenry, Yakobson and Rubinstein posit a reading of Zionism as a national project that basically means well. Taken together, the above melange of liberal posturing moves from one criticism of Israeli state power to another, with the effect of cloaking the violent implications of the Israeli incorporation regime. Soaked in liberal terms of tolerance, representation, and self-defence, and deprived of any analysis of power and control, the adopted line of argumentation employs logical connectors to transition the attention of the reader from the devastating historical record to the myth of a basically virtuous colonial-settler project.

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29 At best, scathing criticism provided by the authors comes in the following desensitized form: “All in all, there is no denying that Israeli governments failed in their duty to look after the interests of all of the state’s citizens equally ...” (ibid., 108). Describing almost two decades of state-imposed policies during the Military Administration with steeply disproportionate and heavily adverse effects on the Arab population only as not equal effectively dilutes the historical record.

30 The authors do, however, recognize that there have been cases in the past where such deliberate or intended decisions have been made.