## TOC22 – AC – The Middle Eastern Exile

### Part 1 – The Palestinian Res Nullius

#### “A land without a people for a people without a land” is the slogan of Israeli state building, erasing communities with centuries of history with the expansionist logic of colonialism. Starzmann 2013

Starzmann, Maria Theresia. "Occupying the past: Colonial rule and archaeological practice in Israel/Palestine." *Archaeologies* 9, no. 3 (2013): 546-571

**In the context of Israel/Palestine**, two notions taken from Roman law— **res nullius** and usucapio—**are of particular relevance** since they both center on the expropriation and privatization of public or communal land. The meaning of **the term res nullius**—**all things empty**—**refers not only to** moveable holdings that are considered unclaimed by anyone else, but also to **land that is ‘‘empty’’** (sometimes the more specific term terra nullius is used). **In the modern context, such land could be seized and eventually owned by the European colonial powers if they managed to establish longterm occupation on the land, linking colonial domination with economic exploitation** (cf. Eckert 1999). **The only stipulation was**, as formulated for example in the ‘‘Policy of Effective Occupation’’ during the Berlin Conference of 1884/85, **that the European powers effectively control the land**. This usually happened by setting up trading posts or stations, or through a more formal control of foreign territories **by establishing settlement colonies** (cf. Conrad 2011; Osterhammel 1995; Zimmerer 2012). The idea that ownership of foreign lands was less a matter of legal title than that of fact of occupation was traced back to the Roman legal doctrine of usucapio, a notion used to regulate ‘‘the acquisition of ownership (dominium) by possession (possessio) for a certain time’’ (Benton and Straumann 2010:16). Importantly, **this means that these legal doctrines obtain validity not by way of an illocutionary speech act, but that they are confirmed only by action in the form of occupation and settlement**. **Since empty land was rarely unpeopled land, however, neither doctrine could be read as categorical directive for practices of land expropriation in colonial situations. Rather, the European powers had to continuously reestablish their hegemonic position**, re-order the colonial space, and redefine their relations with the indigenous people who often met the Europeans with defiance. **One solution** to the problem **was to offer a new reading of the concept of res nullius** (or terra nullius), **according to which the term was to mean** uncultivated land or, relatedly, **land inhabited by peoples deemed ‘‘uncivilized’’** (Razack 2002:3**). By way of introducing Western legal concepts into colonial spaces, this granted European settlers the power to take hold of any stretch of land** that was not put to agricultural use by a sedentary population, while the fact that mobile populations might utilize land for purposes of foraging, gardening, or herding animals was simply ignored. Indeed, the sovereign status of the autochthonous peoples, who lived on the land before the arrival of the colonizers, was regarded legally irrelevant since there was never any concern for the lawful diminution of native entitlement to begin with (cf. Wolfe 2006).3 The use of brutal force intended to overwhelm local populations with ‘‘guns, treachery, blackmail, decapitation, and replacement of local leaders’’ (Apoh 2013:355) usually accompanied legal techniques of expropriation. A parallel exists to the situation **in Palestine**—hardly an empty or unknown territory given that it was first incorporated into the Ottoman Empire and later became a British Mandate—where **European settlers fashioned an image of an indigenous population of ‘‘roaming people’’** (cf. Home 2003). **This view effectively constructed the Palestinian people as ‘‘Other’’** and their land as open to long-term occupation by Jewish farming communities. Such a narrative, later popularized by Joan Peters in her 1984 book ‘‘From Time Immemorial,’’ outright ignored the fact that the indigenous Arab population of Palestine comprised both bedouins (nomads) and fellaheen (farmers).4 More importantly, it **brought about arguments according to which the Palestinians—lacking statehood—were incapable of developing a sense of modern national identity**. Ignoring processes of identity-building related to a shared Palestinian history even before the Nakba (catastrophe), **this imaginary was highly desirable for the colonizers in whose eyes the unsettled Palestinian population now became ‘‘removable’’** (Wolfe 2006:396). **This is precisely the kind of imaginary that propels successful settler colonies, which never merely strive to occupy confined enclaves, but seek to continuously expand settlement** (cf. Lloyd 2013**). In doing so, their goal is to ‘‘‘tame’ a variety of wildernesses,’’ which includes managing—by way of coopting, assimilating, extinguishing, or removing**—**what Veracini** (2011:3) **has termed ‘‘indigenous** **alterities**.’’ **The legal doctrines of res nullius** and usucapio **are effective** in organizing such practices, because **they rely on enduring constructions of social difference between colonizer/colonized (as well as corresponding notions of settled/unsettled or civilized/primitive), which are in turn made manifest by way of an oppressive spatial order**.

#### To empty out Palestine, Zionism had to eradicate Palestinians– settlement is continuously expanded and then denied, just as the US and Australia did with indigenous people. Colonialist logics turn even nominal appeals to collective vulnerability into a rationale for settlement and the erasure of the indigenous.– Salih and Corry 21:

Salih R, Corry O. Displacing the Anthropocene: Colonisation, extinction and the unruliness of nature in Palestine. Environment and Planning E: Nature and Space. January 2021. doi:10.1177/2514848620982834 // LHP BT + LHP PS + LHP AB

-in order for epochal consciousness to work, it has to be pre-political – if it’s supposed to produce solutions to this, bc all possible concrete solutions will be partial.departmental

-what ppl refer to as “small” conflicts/differents in aspirations are the sites through which violent processes create extinction of indigenous ppl

With these considerations in mind, let us go back to **Chakrabarty’s notion that the Anthropocene scenario of collective extinction requires that ‘we’ the ‘human’ species activate a ‘common’ ethical or pre-political stance that might take humans beyond the divisive (in)justices of politics**. For that purpose, he borrows the notion ‘epochal consciousness’ from philosopher Carl Jaspers who coined it in the 1950s while contemplating the potential and imminent destruction of the planet by the atomic bomb: An epochal consciousness cannot be charged with the function of producing solutions for an epochal crisis because all possible concrete solutions of an epochal problem—and Jaspers welcomes them all—will be partial or departmental, one important department being that of politics, the specialization of politicians (2016: 146) Epochal consciousness therefore has to be pre-political, leading humans to feel as one whole: ‘It is about how we comport ourselves with regard to the world under contemplation in a moment of global crisis; it is what sustains our horizon of action’ (2016: 146). It is, for Chakrabarty, ‘a thought space that came before and above/beyond politics, without, however, foreshortening the space for political disputation and differences’ (2016: 181). **Despite the notion of epochal consciousness being precarious and at risk of shattering into fragments again, for Chakrabarty ‘it remains a thought experiment in the face of an emergency that requires as us to move toward composing the common’** (2016: 146–147). **What Chakrabarty refers to ‘our smaller histories of conflicting attachments, desires and aspirations’ (2016: 183) are, from the vantage points of Palestinian Indigenous nature and people, shown to be the very sites through which – historically and in the present day – profoundly unequal and violent processes have effected techniques of extinction (fossilisation) of Indigenous Life. The supposed aggregate merging of ‘human’ and ‘natural’ in the Anthropocene is not merely an unfortunate bi-product of economic and technical development or nuclear testing. The pervasive and strenuous – yet unfinished and fractured – endeavour to make the settlers and settler-Nature Indigenous, show the centrality of colonial geonto-politics in ordering and reordering the boundaries between Life and Nonlife. From this point of view, rather than a single species ‘impacting’ upon nature, threatening extinction for a common humanity, it is more appropriate to argue that the very possibility of human and non-human Life is determined by past and ongoing colonial architectures of power. Although the ‘Anthropocene’ offers us a fuller and more complex understanding of the ontological depth and temporal scales of violence, it does not in itself offer hope that this violence might be subsumed under the planetary whole. In this sense, while recognising the heuristic potential of calling for an epochal consciousness in the face of threats of collective extinction, we would argue that a mood of common vulnerability must reinforce and expand, rather than suspend or defer, attention to local and time-bound injustices. Recognising and resolving such injustices should be a necessary prelude to facing, in an ethical mood, the common threat we do face as a species.** This is particularly so when, as the case of Palestine shows, **Indigenous** populations have historically been – and continue to be – de-humanised, disposed of, violently erased or consigned to the sphere of Nonlife. Conclusions In this article, we have explored the historical and contemporary example of settler colonialism in Palestine suggesting that the recasting of the Life/Nonlife divide has been not incidental to, but part-constitutive of, the political operation of this project. As constitutive modalities of settler colonialism, Life and Nonlife are always discursively assigned rather than being straight forward ontological givens, and this assigning is the result of intra-human injustices and political struggles albeit through their entanglement with the nonhuman. By reading settler colonialism in Palestine through the lens of geontopower, we aimed to offer a case in point to challenge suggestions that questions of intra-human justice can be occluded by a more encompassing Anthropocene condition of collective vulnerability. From the vantage point of Palestine, we argue the contrary: **given that power and politics are at the very core of the ways in which nature and humans become enmeshed or forcibly separated, only when these inequalities are conceived, and then foregrounded, is there a possibility of recognising a common or global vulnerability**. **For Palestinian refugees and their nature, the threat of collective extinction is not a future common risk, but a process entrenched in their everyday reality since 1948. Like aboriginal Australians and other native populations,** **Palestinians were ‘fossilised’ and their entanglements with nature were forced to the Nonlife side of the geonto-political distinction** (the ‘desert’ and the ‘virus’, to use Povinelli’s evocative figures). Importantly, however, we also showed how these operations are fractured and unfinished. Drawing from sources as diverse as personal memories, ethnographic explorations, novels and works of art, we showed that ecological ruins not only bring to light what has been destroyed, allowing the recovery of traces of a previous life, but also most crucially have an afterlife, unsettling politically drawn Life/Nonlife boundaries**. Far from a nostalgic claim to a pristine and authentic life-world that preexisted the settler colonial intervention, indigeneity thus signifies an intimate form of reciprocation of native people to their vegetation and animals – an Indigenous entanglement, which proved recalcitrant to taming and fossilisation. It is perhaps no coincidence that Sabr, the Arabic name for the cacti fruits, also means patience and signifies endurance as a natural and human virtue.**

#### Expansionist logic is the legal logic of the NewSpace billionaires appropriating space, in perfect continuity between the structures of capital, the colonial present, and appropriation.

#### JOHNSON 2020

Johnson, M. R. (2020). *Mining the high frontier: sovereignty, property and humankind’s common heritage in outer space* (Doctoral dissertation). <https://opus.lib.uts.edu.au/handle/10453/142380>

**In NewSpace cosmopolitics**, **space mining becomes an act of Lockean ‘original appropriation’**. In the words of Deep Space Industries’ (DSI) CEO David Gump, ‘space resources belong to those who show up’ (2018). **Locke’s individualisation of property rights denies the deep human history of co-operation and collaboration in the use of land and resources. NewSpace, meanwhile, proclaims that private and not common ownership of offworld resources is preferable for the humanising of the cosmos.** **Locke’s project not only justified the racial hierarchy of the Carolina colonies, but it presented an argument that legitimised the white conquest of the entire American continent**. Since he considered that there would always be enough land ‘left in common for others’, the mass appropriation of land from Native American societies was constitutionally legal and morally acceptable. **Much like the terra nullius arguments deployed by the British Empire**, Locke’s argument treated “uncultivated land [as] essentially valueless” and blind to the fact that “at some point the land must cease to be sufficient to support the pre-existing hunter-gatherer population” (Quiggin 2015). Space mining also raises concerns about social hierarchy and over-exploitation, yet these ethical considerations are transformed on the space frontier. The embryonic space mining sector believes it has an inalienable right to own resources extracted from space, because it would be their labour (or at least their capital) that has ‘mixed’ with asteroids and other celestial bodies, thereby “[removing] it out of that common state nature left it in” (Locke 2005, s.31). Space is considered a limitless cornucopia of iron, nickel, platinum, gold, water ice, nitrogen and many other minerals, surely enough to satisfy the Lockean criteria of leaving enough ‘in common for others’… Yet **the ‘first come, first served’ logic of Locke’s labour criterion is likely to perpetuate to Earthly inequalities between and within nations** (Pilchman 2015, pp.142-143). The Solar System has commons of almost unfathomable scale, yet early space miners are likely to pick the low-hanging fruit – the sites of mineral extraction that are easier to reach and more profitable than others. These **reserves could be exploited by American space miners before less developed countries were capable of doing the same (thereby preserving the existing ‘space hierarchy’).** If the alleged promise of in situ resource processing and manufacturing is realised, then **being the first to exploit lunar resources might make one company more capable of exploiting the minerals of near-Earth asteroids, and so on towards Mars and the asteroid belt.** The advantages of being first-movers could increase exponentially. If the use of space resources became important in the future, would **NewSpace – a political movement emphasising individualism and market-based competition – be interested in leaving ‘enough, and as good’ in common for future generations?** Exactly how individual actors (NewSpace or otherwise) conduct off-world resource exploitation remains to be seen, yet it is obviously true that extractive forms of land use irreversibly deplete resources. Capitalism thus requires new frontiers to extract from. Here, we can turn to the notion of the ‘spatio-temporal fix’ proposed by Marxist geographer David Harvey (1981; 2004), whose work has previously been utilised in exploring off-world capitalism (Dickens & Ormrod 2007; Shammas & Holen 2019). Harvey elaborated on Marx’s understanding of capitalism’s crises of overaccumulation: “an excess of capital in relation to the opportunities to employ that capital productively” which, in the absence of the geographic expansion of capitalist markets, would eventually devalue capital (Harvey 1981, p.7). As Shammas and Holen surmise, “Capitalism must regularly discover, develop and appropriate new spaces because of its inherent tendency to general surplus capital…there is no end point or final destination for capitalism. Instead, capitalism must continuously propel itself onwards in search of pristine sites of renewed capital accumulation” (Shammas & Holen 2019, p.5). If capitalism is to be the vehicle by which NewSpace colonialism is realised, then there will be no inherent upper limit to the appropriation of resources and accumulation of capital – and nothing to stop the perpetuation of Earthly economic hierarchies off-world. The very existence of space mining firms is an expression of the economic inequality inherent in the capitalist spatio-temporal fix, as private investment in NewSpace firms “creates a productive (or valorizing) outlet for excess capital” accumulated by investors like Peter Thiel and Jeff Bezos (Shammas & Holen 2019, p.5). The concept of the spatial fix also serves as a reminder that any profits from corporate mineral exploitation would accumulate with company owners and shareholders – **social hierarchies both between and within technologically-advanced capitalist countries would also be perpetuated.**

### Part 2: The Children of Abraham

#### The Palestinians are being eradicated on every front, by self-satisfied tyrants with an Empire to expand. Bezos, Netanyahu, Trump, Khalifa—all repeat the erasure in their violent, exclusionary ideology, claiming to be the children of Abraham. KATTAN 2020:

Kattan, Karim. “A fever dream of dictators.” September 17, 2020<https://www.972mag.com/uae-israel-accords-dictators/>

On Tuesday, U.S. President Donald **Trump**, with much fanfare, **hosted a ceremony for the signing of the so-called peace agreements between Israel, the United Arab Emirates, and Bahrain**. **With smug smiles plastered on their faces**, Israeli Prime Minister Benjamin Netanyahu, Emirati Foreign Minister Sheikh Abdullah bin Zayed Al Nahyan, and Foreign Minister of Bahrain Abdullatif Al Zayani together **hailed the dawn of a new period in the region**. **According to the** poetically-titled **Abraham Accords, the aforementioned heads of state** and their **representatives will work together to achieve a “stable, peaceful and prosperous” Middle East. Peace and prosperity, uttered in the same breath as if they were a single term, were indeed the keywords of the ceremony** and of the years-long process spearheaded by Trump’s senior advisor and son-in-law, Jared Kushner. Kushner is no neutral broker: he sits on the board of his parents’ foundation, which has funded programs in the Israeli settlement of Beit El. Much has been said about **this alleged peace treaty**. It **is mostly a strategic realignment of these countries against Iran and a blueprint for increasing authoritarianism in the region, which follows decades of clandestine relations and sharing of intelligence between Israel and the UAE.** **Yet the accords remain a fiction — the fever dream of dictators. In the seven-page document, far-reaching issues such as the peaceful uses of outer space are repeatedly mentioned, but one would be hard-pressed to find any mention of Palestine.** **It only appears as half of an infamous adjective, when the text refers to the so-called Israeli-Palestinian conflict. The rest of the agreement reads like a business proposal for cooperation between accelerationist theocracies that believe in colonizing Mars and the historicity of Abraham** — **but certainly not in the Palestinians’ right to self-determination, freedom or dignity. That erasure is an attempt to hasten the disappearance of Palestinians as a polity, a territory, and a nation.** **In the text, one character steals the limelight: the eponymous patriarch Abraham**, who is referred to here as if he had really existed, and whose bountiful seed spawned all those present at the ceremony. “**The Parties undertake to foster mutual understanding**, respect, co-existence and a culture of peace between their societies **in the spirit of their common ancestor, Abraham,”** the document reads, **as if peace could only occur between those who shared a common ancestry. This betrays the signatories’ exclusive, wildly ethnocentric vision of what a just world should look like**. **This wouldn’t be the first time that Abraham is used as an ecumenical symbol.** It is a vapid but efficient strategy that requires expunging the Biblical text from its darker elements and flattening our geopolitical realities’ ugly, jagged edges. **According to various religious sources, Abraham left his homeland to become a sojourner in a land promised to him by a god.** **In its brightest interpretations, Abraham’s story is that of exile coalescing into promise**; of belonging that blooms into becoming; of ossified identities surrendering themselves to defiant and vibrant futures**. At its darkest, however, Abraham is an embodiment** **of** religious dogma and obscurity; of patriarchy and enslavement; of violence visited upon innocent children because of blind faith; of **the first colonizer**, **leaving the land of his fathers to settle another’s land.** In short, **everything the oppressive regimes that signed the accords believe in and thrive by**. **On Tuesday, we were afforded the spectacle of religious extremists signing a futuristic manifesto for zealots**. Religious extremists, by definition, attempt to force the world into the shape of their beliefs, often by twisting language and resorting to violence. **The Abraham Accords thus endorse an ethnoreligious worldview, according to which** — though without verifiable evidence — **the Jewish people are descendants of Isaac and the Arabs are descendants of Ishmael, half-brothers now reunited after centuries of estrangement, thanks to the efforts of real-estate developer Jared Kushner and business magnate Donald Trump. A world neatly divided into clear-cut ethnicities and religions** (which, here, are the same thing) **is sure to please Trump’s pro-Israel Evangelical base and Netanyahu’s right-wing voters. It’s an updated version of extremism, enhanced with talk of pioneering technology and techno-optimism to suit the dictatorial city-states of the Gulf and the unhinged colonialism of Israeli society, without shaking their respective bedrocks of religious identity and exclusionary politics.** **Here**, as often is the case with religious extremists, **organized faith is an essential and coercive component of identity, rather than a series of acts and beliefs that can be reinvented, enriched, and liberating.** **Here, much like in Israel proper and in most Gulf states, there is no place for those who exist in liminal spaces and those whose labels are slightly more complicated**. **In the far-right hellscape drawn by this new axis, there is no place for Arab Jews, in their diversity, or Arab Christians, or Muslims who are not Arabs, or agnostics, or any other possible combination of faith, lack thereof, and communities that flourish across our region**. **One shouldn’t be fooled into thinking that the biggest scandal on Sept. 15 was the normalization of relations between the UAE, Bahrain, and Israel**. This would be falling into the trap of pan-Arabism, whose failures and crimes need no demonstration any more. **Those who expected the oppressive Gulf regimes to support Palestinian rights were willfully naïve.** The UAE and Bahrain did not betray Palestine, nor did they stab us in the back. **They were never allies to begin with. Much like Israel, they were built on the corpses, and through the labor, of Palestinians and other oppressed groups. The Abraham Accords are an alliance of repression**. **What was signed on is a shared worldview, violent, dark, and tribal, where peace cannot be an earth-shattering, future-altering reality.** **Peace, to the signatories of these accords, means squashing the voices of the people**. **It is merely a synonym to the “unlocking**” (a favored word of the treaty and of Trump’s “Deal of the Century”) **of the potential for free, unfettered exchanges of technology**, finance, and weapons. **Palestine, an unfortunate collateral damage of these accords, represents a rebellious and dangerous future. This, beyond any other ideological claims, is why they have rejected it to the margins of this text, and of their worlds.**

#### Israel´s techno-optimistic drive toward space appropriation is a political move to strengthen alliances with Arab countries, gain legitimacy, and mask violence against Palestine, BEKUS 2021

Bekus, Nelly. “Outer Space Technopolitics and Postcolonial Modernity in Kazakhstan.” Tandfonline, 25 Mar. 2021, https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273.

The term ‘**technopolitics’ was coined in order to account for ‘the ability of competing actors to envision and enact political goals through the support of technical artefacts’** (Gagliardone [2014](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273), 3). During the Cold War, spectacular scientific and technological achievements served to manifest geopolitical status, and to demonstrate the success of the modernization and development model. **Initially, the question regarding the political use of technologies was dominated by studies in technopolitics from the perspective of the major geopolitical actors, namely the United States, Europe and the Soviet Union** (Bills [1990](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273); Leslie [1993](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273); Cathcart [1994](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273); Nardon [2007](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273); Mieczkowski [2013](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273)). Nuclear power, computer science and space represented the three main technological systems where the competition between two ideological blocs was played out. These technologies have not been in and of themselves technopolitical, as Edward and Hecht (2010, 256–7) acknowledge, but the practice of using them in political processes and/or with political aims in mind constitutes technopolitics. **Examining the social and political working of technologies in contexts situated outside the sphere of superpower competition allows us to see how a wider spectrum of meanings is attributed to technopolitics. From the 1950s to the 1970s, in countries such as India, China, South Africa or Israel, technopolitics offered an answer to multiple concerns, such as anxieties about global status, decolonization, the prestige of scientists and engineers, and a strong desire to develop modern scientific and technological infrastructures** (Gagliardone [2014](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273)). This wider transregional perspective on technopolitics reveals how the **symbolic and material apparatuses of technological systems have become intertwined with nations’ search for a coherent and convincing self-image at various stages of consolidating their nation-state profiles in the global arena.** For some countries, postcolonial India in the 1950s and 1960s among them, technological achievements were seen as a means that could be used to bolster a newly emancipated national identity by indicating progress, modernity, independence and national rebirth. Indian scientists and technologists believed in technology as a way to advance their nation’s postcolonial emergence. The primary goal of the Indian nuclear programme, in spite of all the controversies and moral dilemmas, was to put India on the international scientific and technological map (Perkovich [1999](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273), 282). **A similar drive for the affirmative avowal of a nation’s prestige and the obtaining of the status of a technological power in the international arena underpinned the Israeli space programme. In 1961, when the official announcement of the country’s first rocket launch was made, prime Minister David Ben Gurion declared that this launch ‘proved the ability of Israeli scientists. The entire rocket is made in Israel’** (Haaretz [2010](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273)). **On the website of the Israeli Space Agency (established in 1983), the history of ‘Blue and White space’ is depicted as the story of the remarkable technological achievements of the Israeli nation, which had become the eighth in the world to launch satellites into space. It also reaffirms that involvement in space has served to ensure Israel’s prominent place in the world.** According to Moltz ([2012](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273)), with the end of the Cold War the world entered ‘the second space age’, which featured new geopolitical taxonomies of space exploration programmes. The international system of the new era is constituted by a multiplicity of greater and smaller actors involved in space exploration, rather than bipolarity. It is also characterized by increased interdependencies and exchange, as the typical space corporations are nowadays multinational, relying on the use of technologies from more than one country, and marketing their products and services worldwide (14). **What is also emblematic of the second space age is the fact that a new epicentre of space activity is now situated in Asia: besides the United States, Russia and the countries that make up the European Space Agency** (ESA), multiple rapidly developing space programmes are located in this region. Alongside China, India, Japan and South Korea, countries that have traditionally taken the lead in Asia where space is concerned, such as Australia, Indonesia, Malaysia, North Korea, Pakistan, Singapore, Taiwan, Thailand and Vietnam, all now have significant space plans of their own. **The countries of Central and South America as well as those in the Arab world have also engaged in the development of space science, which has been reinvented as new ground upon which national and regional interests intersect with international effects and cosmopolitan thinking about the globe** (Determann [2018](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273); Johnson [2020](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273)). Kazakhstan with its aspiration to join the club of spacefaring countries shares many of the same motives as the other semi-peripheral countries for developing space programmes, including scientific–technological progress, national security and status within the global arena. Essentially, **where semi-peripheral or postcolonial states that have recently gained independence are concerned, ‘internationalization’ is not simply a condition, but a cherished value that helps to boost their symbolic standing both on the global stage and in the domestic arena** (Bekus [2021](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273)). Involvement in the development of space technology that relies on international cooperation in this context emerges as one of the constitutive elements of the desired international perceptions of the country. Affirmative modernity of outer space Much like nuclear technologies in the 1970s and 1980s, **space has come to represent ‘modernity’ and the promise of gaining new economic and social benefits from the application of advanced space technologies to current problems.** Spacefaring capabilities have long been associated with progressive nationhood, providing spectacular evidence of a nation’s technological prowess and standing on the world stage (Mieczkowski [2013](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273)). **As in the case of many postcolonial states, the space programme in Kazakhstan initiated by elites embodies complex dilemmas regarding the country’s development and its place on the global map**. Official Kazakhstani technopolitics has met with resistance from those who define the realm of Kazakh culture, tradition and science as lying outside the Soviet modernization project, which they deem external and anti-Kazakh by definition due to its intrusive and transformative nature. This confrontation reproduces the postcolonial process of creative tension between ‘modern’ science and technology and vital elements of a socio-cultural heritage that can be observed in many countries of South Asia (Arnold [2000](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273)). The Kazakhstani state seeks to equip the retrospective national idea with a technological aspiration – the space programme – which is meant to elevate the landscape of history and tradition and to embody its future. The outer space programme in Kazakhstan emerges as the privileged instrument of identity management and state advancement. In a bid to demonstrate involvement in a scientifically advanced space programme, which can stand in for development, the state seeks to produce a modern fetish. The link between space technology and a refashioning of national selfhood invokes the capacity of the artefact to signal a complex, polyvalent message, what Appadurai (1986) has called the ‘semiotic virtuosity’ of the object. **The transformative power characteristic of the fetish is associated with the belief held by ruling elites that becoming a spacefaring nation would bring about affluence, recognition and a respected status on the global stage. The mere possession of something owned by the West, namely, ‘rich world technology’ (Edgerton** [**2006**](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273)**), is seen as ‘synonymous with the re-creation of the structures of “advanced” production, lifestyles, histories, and societal context within domestic space’** (Krishna [2009](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273), 72). A technologically advanced artefact, such as the space programme in Kazakhstan, is expected to be both integrated into the narrative of national identity and to describe the trajectory of its future development. Space technology and promises of the nation’s bright future thus function as methods to secure this same future (Brown, Rappert, and Webster [2000](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273), 10). The perception of the Soviet space legacy in Kazakhstan differs essentially from that of its nuclear weapons facilities, which the country had inherited from the USSR and gave up in 1993.[1](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273) This decision on the part of Kazakhstan’s leadership could be seen as a form of de-Sovietization and the assertion of a new state sovereignty by virtue of its entering the global community with the status of a non-nuclear state (Abshaparova [2011](https://www.tandfonline.com/doi/full/10.1080/02634937.2021.1893273), 1541–2). The space legacy of the Soviet Union, on the contrary, became effectively recycled in the creation of a new image of the Kazakh nation.

#### Post-colony, Settler-Colony, Capitalist – linked in an authoritarian quest for space and control, hiding under a thin veneer of desire for peace. This year’s Ramadan could have been different, but silence about Israeli violence has been deafening from the UAE and other Gulf States. The Abraham Accords are not a peace agreement, they’re a tool for oppression. The aff is key to avoid complacency and cooption. Vote aff in genealogical echo of Palestinian voices rejecting the Accords and the structure of colonialism.

#### MATAR 2020.

[Matar, Haggai. “If You're pro-Peace, Reject This Peace.” *+972 Magazine*, 29 Oct. 2020, [www.972mag.com/zionist-left-netanyahu-abraham-accords/](http://www.972mag.com/zionist-left-netanyahu-abraham-accords/). DOA: April 23, 2022]

**Something quite unique happened in the Knesset on Oct. 15. The much-lauded agreement between Israel and the United Arab Emirates was presented before the parliament for a vote**, a few weeks after Prime Minister Benjamin Netanyahu signed them on the White House lawn. **An overwhelming majority of 80 Knesset members ratified the agreement — from the liberal Zionist Meretz party, to Netanyahu’s right-wing Likud, to Naftali Bennett’s nationalist-religious Yamina. Only 13 of the Knesset’s 120 members voted against the deal: all of them were members of the Joint List, the alliance of four parties largely representing Palestinian citizens of Israel. How did we reach the point where the most pro-peace party opposes such deals with Arab countries, while the Jewish-Israeli right supports them?** **The answer, in short, is that these deals** — including the later ones with Bahrain and Sudan — **are not truly peace agreements: they are tools of oppression.** **Peace**, as even the Oxford Dictionary stipulates, **requires a preexisting state of war or hostilities. Yet not a single Israeli soldier has ever been killed in battles with Emiratis**, and residents of Manama never had to fear an Israeli airstrike. In fact, Israel has for years fostered warm strategic and business ties with Gulf countries, which included Israeli companies offering the UAE and Bahrain (among others) advanced spyware to be used against their own citizens. Instead, from the Israeli right’s perspective, the main purpose of these agreements is to solidify its power and to further weaken the Palestinian struggle against occupation and apartheid. As a bonus, these agreements invite some positive coverage to the otherwise deeply unpopular administrations of both Netanyahu and Trump — both of whom are failing to handle the coronavirus pandemic and its economic repercussions, and who are facing legal consequences and public pressure over their corruption. Pressuring Palestinians to cave in For his part, **Netanyahu is extremely straightforward about the link between his normalization agenda and Israel’s occupation. “The Palestinians say we should retreat to the ‘67 borders and divide Jerusalem, which is absurd,”** he told Israeli Army Radio in August, after the Abraham Accords were announced. “I presumed that we should approach an entirely different concept: peace in exchange for peace, peace out of strength.” For the prime minister, whose opposition to a Palestinian state is well known, **the accords are proof that the “land for peace” formula that defined previous peace efforts were a mistake. “We have broken this terrible and dangerous doctrine, and I am proud of it,**” he said. Put more bluntly, **the key goal of these new alliances is to pressure Palestinians into caving on their central political demands** — demands that are rooted in international law and UN resolutions. **As far as the Israeli government is concerned, Palestinians,** like the UAE, Bahrain, and Sudan, **should settle for “peace for peace” — with no territories handed over, nor a share of Jerusalem, nor an end to military rule, nor repatriation for refugees.** U.S. President Donald Trump and Israeli Prime Minister Benjamin Netanyahu during the prime minister's visit to the White House, Washington DC, February 15, 2017. (Avi Ohayon/GPO) U.S. President Donald Trump and Israeli Prime Minister Benjamin Netanyahu during the prime minister’s visit to the White House, Washington, February 15, 2017. (Avi Ohayon/GPO) **For decades, one of the Palestinians’ main strengths at the negotiating table has been the backing of Arab states**. **A bargaining chip was set by the 2002 Arab Peace Initiative, ratified by the Arab League several times since, which promised full and official normalization with Israel in exchange for its ending of the occupation. In Netanyahu’s view, this consensus meant that Palestinians were holding Arab countries “hostage to the most extreme demands.” By slowly chipping away at that united front one country at a time, Netanyahu and Trump are taking away yet another form of Palestinian leverage — one of their last.** **The more dovish selling point for these accords**, as presented by Bahraini leaders and Israeli Zionist leftists like Meretz Chair Nitzan Horovitz**, is that they have fended off Netanyahu’s plans for unilateral, de jure annexation** of parts of the West Bank. Yet formal annexation was dead in the water even before the accords were announced, due to both international pressure as well as opposition within the settler right and Netanyahu’s coalition government. **Meanwhile, de facto annexation** — boosted by Trump’s “Deal of the Century” — **is continuing on the ground across the West Bank at full speed**: on the lands of Battir near Bethlehem, **through new settlement outposts** and roads, in East Jerusalem **where the Jewish National Fund is allying with settler groups to deepen Jewish control of the city**, and more. **Any hopes that the deals with Gulf countries would slow down annexation were soundly erased this month, when Netanyahu announced a new wave of settlement construction, which went unopposed by the UAE and Bahrain**. **As a senior Emirati official expressed to** Israeli news site Ynet, **Israel** **can expect “a warm peace, which can even withstand a crisis like a war in Gaza.” Thus, not only do the accords do nothing to promote the end of the occupation of Palestinians — they actively cement it.** As the Balad party chair Jamal Zahalka recently put it prior to the announcement of the normalization deal with Sudan**, the Abraham Accords are essentially an alliance of three apartheid states: Israel with its apartheid against Palestinians; Bahrain and its Saudi-backed Sunni oppression of the Shia majority; and the UAE, where a million Emirati citizens live with eight million “foreigners” with no rights.** Putting the Zionist left on the spot **This brings us back to the rupture within the Jewish-Israeli left, whose fault lines can roughly be drawn around its relationship with Zionism. While anti- or non-Zionist Jewish leftists support the Joint List’s position against the agreements, Labor and Meretz are voting and speaking out in favor of them**. The latter’s position is echoed on the pages of Haaretz, Israel’s main liberal Zionist newspaper, which in a recent editorial hailed the accords as “an extremely important event in the history of the Israeli-Arab conflict… Netanyahu is entitled to reap the credit for this breakthrough, and Israel owes U.S. President Donald Trump its thanks for his efforts and the pressure he exerted, without which this ceremony wouldn’t be taking place.” **For Meretz and Haaretz, the accords are not a hurdle or detour, but a stepping stone toward peace with the Palestinians**. Chairman of the Labor party Amir Peretz and Meretz leader Nitzan Horowitz and party members hold a press conference in Tel Aviv, March 12, 2020. (Tomer Neuberg/Flash90) Chairman of the Labor party Amir Peretz and Meretz leader Nitzan Horowitz and party members hold a press conference in Tel Aviv, March 12, 2020. (Tomer Neuberg/Flash90) **This position, unsurprisingly, completely ignores the voices of Palestinians themselves — from activists to analysts to politicians, from inside Israel to the occupied territories to the diaspora — who have stressed that the agreements are being used as a cloak to further entrench apartheid.** **What is abundantly clear to Palestinians and the Israeli right is somehow lost on liberal Zionists.** Given that Netanyahu’s gambit is being weaponized against the Israeli peace camp as well as the Palestinians, the Zionist left’s warm response to the accords may seem surprising. **For years, the left has relied on two main arguments for peace with the Palestinians: to end violence and bloodshed, and to gain legitimacy and normalization with Arab countries. Netanyahu has rendered both these incentives redundant. The number of Israeli casualties to the conflict has decreased tenfold over the past decade, reducing the occupation’s cost in human life. Now, with these “peace deals,” it is becoming apparent to Israelis that they do not even “need” the Palestinians to access the wider Middle East. All the while, Israel can continue profiting from the occupation, from “cheap” (read: stolen) land for housing, to water and other natural resources, to a captive market and labor force, and so on. As with the case of the Boycott, Divestment, and Sanctions (BDS) Movement, the question of the Abraham Accords puts Jewish-Israeli leftists on the spot. True resistance to the colonial situation requires putting our privilege in check and, in this instance, resisting “peace agreements” that benefit Israelis only**. Such a position, which opposes giving Israel “carrots” for its criminal actions and supports wielding “sticks” through international pressure, is a hard sell for the Israeli public, which explains why the Joint List is left so glaringly alone in its position. **And yet, it is the only way to promote true peace, freedom, equality, and democracy in this land. We — Israelis on the ground, and allies of justice internationally — need only listen to our Palestinian partners to understand this.**

(4:12)

### Part 3: Settlement Encroaches Everywhere

#### The coalition between the authoritarian regimes of the UAE and Israel is built on Israeli private space and agreements explicitly framed as for *business* and *industry*. They claim peace even as they expand to new worlds and make billions. BELL 21 (:45) (:29)

Johnson, M. R. (2020). *Mining the high frontier: sovereignty, property and humankind’s common heritage in outer space* (Doctoral dissertation).

**The UAE Space Agency has joined forces with the Israel Space Agency** to boost cooperation in scientific research, space exploration and knowledge transfer, state news agency WAM reported on Wednesday. **It is the latest in** a string of **bilateral business agreements** achieved between the two Middle East nations **following the** signing of the **Abraham Accords** peace agreement a year ago. For all the latest headlines follow our Google News channel online or via the app. Sarah bint Yousif al-Amiri, Minister of State for Advanced Technology and **chairwoman of the UAE Space Agency, said**: “**Sharing knowledge** and expertise is a key part of the **UAE’s vision to create an attractive and competitive national space industry.**” “If you look at the most successful global space programs in history, the common denominator is collaboration. **Israel has a globally recognized space industry** and developing bilateral and multilateral partnerships has never been so important as we embrace a new era of space exploration.” **She signed the agreement with** Orit **Farkash-Hacohen, Minister of Innovation, Science and Technology of Israel**, [during Expo 2020 Dubai’s Space Week](http://english.alarabiya.net/News/gulf/2021/10/20/UAE-ministers-say-space-is-a-key-sector-for-the-future-launches-new-tech-challenge-), held in association with the UAE Space Agency. **Farkash-Hacohen said: “Governments sign agreements but people and collaborations are the ones that truly make peace**.” “Israel is an international leader in the worlds of research, space, science and hi-tech. Today on behalf of the Government of Israel, I am pleased to sign a series of agreements for cooperation with the UAE Space Agency in important and groundbreaking fields. I thank the Minister of Advanced Technology Sarah Al Amiri for the significant, collaborative work done in the last year between the two agencies. Thanks to this work, we are already launching advanced initiatives for the benefit of our children’s education and joint research. I share Minister Al Amiri’s vision of harnessing science and space not only as an economic stimulus but also for bringing hearts together and educating our next generation.” Both parties will enhance collaboration and cooperation in a wide range of strategic fields, including exploration, research, data analysis, education and more. **The UAE will exchange research and develop scientific instruments for Israel’s Beresheet-2** **mission to land a spacecraft on the Moon by 2024** as part of the landmark agreement. Universities in Israel and the UAE will also launch collaborative research projects. They include exploring red tide phenomenon, analyzing red palm weevil infestation which threatens date palm cultivation, and mapping aerosols – solid and liquid particles suspended in the atmosphere. Vegetation and environmental data gathered by a microsatellite used by the Israel Space Agency and the French Space Agency will also be shared with the UAE. **Israel has witnessed near-unprecedented** **developments** **in** **space research,** advanced technologies **and** **the expansion of its private sector in recent decades**. Including becoming the eighth country in the world to successfully launch and position satellites in space. The [Emirates’ space program](http://english.alarabiya.net/News/gulf/2021/10/18/Expo-2020-Dubai-s-Space-Week-explores-humanity-s-relation-with-the-final-frontier) started in 2006 with a knowledge transfer program that saw Emirati engineers working with partners around the world to develop the UAE’s spacecraft design, engineering and manufacturing capabilities, launching a series of earth observation satellites designed and built by Emirati engineers.

#### Even in their own propaganda, there is no separation between the Israeli state and Israeli private space: Beresheet 2 is a *private* space mission, but they claim it as Israel’s, full stop. Jerusalem Post, 2021: (:23)

https://www.jpost.com/breaking-news/uae-and-israel-to-collaborate-on-beresheet-2-space-mission-682514

**Israel** **and** **the U**nited **A**rab **E**mirates **signed a historic deal regarding space missions**, Ynet reported on Tuesday, **which will include collaborating on the Israeli rocket ship “Beresheet 2”** space project [bound](https://www.jpost.com/israel-news/israel-and-the-uae-should-have-a-combined-space-program-morris-kahn-says-669871) for the Moon. As part of the agreement, the two nations will work together on data-based development and research from the Israeli-French satellite Venus, while students from the UAE will work with Israeli students on a new satellite tracking the Moon. **The Beresheet 2 is Israel's second attempt at launching a lunar mission**. The first – named “Beresheet” after the first word in the Torah meaning "in the beginning" – was launched in 2019 with the goal of landing on the surface of the moon, making Israel just the fourth country on the planet to attempt a moon landing. **SpaceIL, the company behind the Beresheet rocket ships, would have become the first private entity to reach the Moon, as well as the first Israeli mission to make lunar contact.** The original Beresheet mission almost succeeded, until SpaceIL lost contact with the craft just minutes before it was meant to touch down and it crash-landed onto the Moon. The mission is still considered a success because it got so close to landing while being the smallest and least expensive spacecraft (approximately $100 million) ever designed to fly to the Moon. In the spirit of Israeli resiliency, however, SpaceIL announced the Beresheet 2 project just days after the crash landing, their second attempt to land a spacecraft on the Moon. The project was expected to take about three years and another $100 million to complete.

#### Deploying so-called private appropriation for the purposes of colonialist statebuilding has a long, long history in Israel. NewSpace is no different. Aleweil 20

Allweil, Y. (2020). Neoliberal settlement as violent state project. *ACME: An International Journal for Critical Geographies*, *19*(1), 70-105.

**Postcolonial scholarship of Israel’s occupation as imperialist territorialism, for example Gregory’s concept of the “colonial present,” clearly assumes capitalist accumulation underpins this project** (Gregory 2004, Lobao et al. 2007). **The postcolonial perspective on Israel’s settlement is therefore perplexing since this project involves no resource extraction or goods production, while the metropole invests significant public resources in the colony**. **Neglecting to show what form of extraction is involved in Israel’s settlement project has been the strongest drawback of postcolonial scholarship**. A useful approach to the capitalist implications of settlements can be found in Gutwein’s study of the settlements in the context of Israel’s neoliberalization since the late 1970s, on par with well-discussed processes in the US and the UK involving deep socio-cultural changes—including public acceptance of reduced government involvement, private property, and individual responsibility for basic needs (Guttwein 2004, 2017; Harvey 2007; Ram 2013). **This approach conceptualizes neoliberalism as the privatization of any meaningful social interaction, its relegation to the market and subsequent transformation, to a set of quantifiable measures of productivity and profit** (Harvey 2005, Springer 2015). The concept of governmentality articulates the privatization of the responsibility of governance to the realm of the individual, the latter expected to bear the burden of self-providing social services previously cared for by the state (Chatterjee 2004, Gordon 1991, Ong 2006). Housing, which has served as the key element of post-war “benevolent state” social contracts, is where state-desertion has been experienced most broadly by publics worldwide (Brenner et al. 2008, Brenner et al. 2010, Marcuse 1978, Swyngedouw 2005). **The application of neoliberal theory to Israel’s occupation may seem contradictory—since neoliberalism involves reduced governance—when few doubt that West Bank settlement is an Israeli state project.** Nonetheless, **considering settlement in the context of neoliberalism frames the colonization of the West Bank via citizenry settlement**, what Weizman and Segal **have termed “civilian occupation,” as a neoliberal state project rather than a state-socialist or a state-capitalist project** (Segal et al. 2003). Scholars have generally discusses Likud right-wing government as state-capitalism that in the 1990s veered to neoliberalism (Ram 2013), however recent scholarship on Israel’s political economy has identified neoliberalism as a state project unfolding since the 1977 regime change (Guttwein 2017, Maron and Shalev 2017). Neoliberalization, understood as reduced state bureaucracy, was a means to undercut the previous regime’s hold on state bureaucracy and executive mechanisms, most notably the Ministry of Housing (Maos et al. 2004, Shadar et al. 2011). **The transition from state-socialism to neoliberalism in Israel is assumed to have included a meaningful period of state-capitalism like in other Western countries. Yet the Israeli case seems to challenge one of the core premises of neoliberalism—state disengagement—with the bold proposition that a neoliberal political economy may be largely a state project** (Maron and Shalev 2017). **This state project meshes capitalist interests in reduced government with political interests in limiting state responsibility for the settlement enterprise, challenging some of the theoretical assumptions regarding neoliberal policy**. **Zionism as Housing Regime Zionist nation-building is based on housing as its main strategy for sovereignty, arguably over other much-discussed strategies such as obtaining military superiority or providing a space for Hebrew culture** (Cohen 1998, Helman 2002). Housing enabled the gradual accumulation of Zionists as future citizens of the Israeli nation state, state consolidation by **naturalizing immigrants as citizens via individual housing**, and extending state territory via citizen housing outside state borders since 1967 (Allweil 2017). **Much of the scholarship on Israeli state-building points to state mechanisms, primarily the Ministry of Housing**, and to its uses of planning and architecture as main tools (Efrat 2004, Kallus and Law-Yone 2002), together with other well-known examples of state building by instruments of architecture and urban planning, notably Brasilia and Chandigarh (Scott 1998, Swenarton et al. 2014). **Israel’s major shift to the political right in the 1977 regime change is historicized as replacing state-socialist nation-building with an overwhelmingly profit-driven capitalist landscape**, housing being the most affected realm (Ram 2013). This approach interprets any form of state-supported settlement as a benevolent-state public housing enterprise and considers the formation of Israel’s settlement project as a public housing exception to the state’s neoliberal framework (Handel et al. 2017, Tzfadia and Yacobi 2018). **Nevertheless, the 160-year-long history of Zionist settlement has largely been a history of small-scale housing enterprises initiated by the dwellers themselves, rather than by central planning**, including Zionism’s two leading settlement forms: the Kibbutz and the Hebrew city (Gordon 2008, Kahana 2011, Perugini and Gordon 2015, Zertal and Eldar 2014). Moreover, Israel’s much- discussed 1951 national masterplan (the “Sharon plan”) is still the exception to this norm—whereby the majority of planning efforts, both before and after statehood, occurred at the regional and settlement levels rather than at the state level (Sharon 1951).1 **The Israeli case is exemplary of planning and housing production beyond state initiative**s, as discussed in a recent ACME special issue dedicated to revisiting Engels’ “The Housing Question” in view of the contemporary housing crisis (Larsen et al. 2016). The settlement project was initiated by citizens in manipulation of state mechanisms, operative both before and after the 1977 regime change, unsettling a historiography that distinguished a period of state planning (1948–1977) from a period of market-driven development (1977–present). The Israeli landscape in Israel-proper and the West Bank alike is historically shaped by small-scale production of housing—Zionism’s basic unit of national and urban development—defining a distinct nation-building mechanism differing from master-planning-led development (Handel et al. 2017). The agents producing this built environment included not only leaders, settling agencies, and governing institutions, but also the future dwellers themselves as key figures in initiating, producing, and inhabiting settlements. **Much of the political discussion lamenting the lack of state rule over the settlers neglects the fact that housing and settlement by the dwellers themselves have a long, and arguably more important, history than state housing in the Israeli context** (Allweil 2017). What follows is a historiography of three distinct periods of West Bank settlement as real-estate, dweller-initiated housing and militarism: (1) experiments with neoliberalism (1967–1994), (2) outpost militarism (1994–2005), and (3) “real-estate-ization” (2005–present).

#### Thus, the advocacy: the appropriation of outer space by Israeli private entities is unjust.

### Part 4: Exile, not Colonizer

#### The Role of the Ballot is to vote for the debater that best exemplifies the exilic intellectual in discursive spaces, mediating nationalist and universalist impulses. Instead of the image of Abraham the colonist, exemplified in the Abraham accords, we must embrace Abraham the Exile. The Exile acknowledges personal experiences like the Nakba not in a vaccuum, but as part of larger structures lost in a hyperspecific focus. Only this view of politics and history creates a future Palestine free from the imperialism of post-colonial Arab states, paving the way for a newly emancipated world, (:1:19) (1:16)

Pappe, Ilan. “(PDF) Diaspora as Catastrophe, Diaspora as a Mission and ...” Researchgate, SAGE Journals, June 2010, [https://www.researchgate.net/publication/237976957\_Diaspora\_as\_Catastrophe\_Diaspora\_as\_a\_Mission\_and\_the\_Post-Colonial\_Philosophy\_of\_Edward\_Said. //](https://www.researchgate.net/publication/237976957_Diaspora_as_Catastrophe_Diaspora_as_a_Mission_and_the_Post-Colonial_Philosophy_of_Edward_Said.%20//) LHP AB

**The crystallization of Said’s universal humanism provided a common basis between him and post- Zionists in Israel.** When this dialectical association matured, **it allowed Said not only to elucidate even more forcefully than before, in political terms, his wish to bring an end to Zionist supremacy in Palestine but also to express a hope for a substitute far removed from the contemporary Arab nation-states around Palestine.** **This was helped by his growing critique of Arab politics.** His **disapprobation of Arab politics** and politicians was **connected in his mind with the Palestine tragedy a long time before his interest in Zionism, and particularly post-Zionists, in Israel was formed.** When, in 1959, a friend of the Said family in Egypt, Farid Hadad, was murdered by the Nasserite security forces, **Said divorced Arab radicalism from socialism.** He continued to be **dismayed by the more negative face of Arab nationalism and this discomfort was constantly linked to his vision of Palestine as a different political entity – different from Egypt as well as from Israel.** This association is touchingly illuminated by the dedication of *The Question of Palestine* to Farid Hadad (Bayoumi & Rubin, 2001, pp. xxi-xxii). In 1999, Said’s friendly relationship with the Israeli academy reached a peak when he was invited, as keynote speaker, to the annual meeting of the Israeli anthropological society. He came out from that encounter with mixed feelings. On one hand, he witnessed how his deconstructive approach to Orientalism was gladly and enthusiastically employed by post-Zionist scholars. On the other hand, **he realized that the post-Zionist critics found it easier to employ his prism with regard to the cultural reality of Israel than to adopt, in any meaningful way, his political vision for the future of Palestine.** In other words, **they shared his narrative on Nakbah and dispossession, but not his vision for a bi-national state to which all refugees would be allowed to return.** In the last two years of his life, however, this situation changed. **In a timely awakening, the more alert among the post-Zionists and political activists tapped into Said’s recurring theme in his frequent sorties into the history and essence of the Palestine question: that the Jews and the Palestinians have chosen each other for an almost insoluble conflict, a destiny that requires mutual understanding of tragedies, national traumas and collective fears**. In those two years he talked directly to the Israeli public, first in a rare and long television interview and then in an extensive interview in *Haaretz*. The questions in both cases were typically Zionist, and Said dealt with them easily and with great respect and honour, and, in the case of the television appearance, even with empathy and reverence. The running theme in the interviews – as in his memoirs which had been translated into Hebrew – was exile (Said, 2001b). **Said ‘the exiled intellectual’ or, more precisely, ‘the exile intellectual’ was attractive to Jewish intellectuals far more than Said ‘the Palestinian’. The picture, however, was more complicated as this exilic, almost Jewish intellectual, was still the voice of Palestine in the West.** He was still in those days, and until his death, the sharpest critic of Oslo 462 *Diaspora as Catastrophe* and its follies. **Said’s critical books on Oslo were not published in Israel, nor were they mentioned anywhere, and his criticisms were not addressed either in the interviews or his memoirs.** The **hesitant post-Zionist embrace thus did not solve the dilemma of the man who was both the Palestinian intellectual voice – employing a national discourse and presenting a national agenda – and the universal intellectual – marginalizing the importance not only of the nation but even that of the homeland. Abdul J. JanMohamed found for Said a special term, ‘the specular border intellectual’** (1992). There are two border intellectuals according to JanMohamed: the syncretic one and the specular one. In a very simplistic form one can say that the former is an intellectual at home in two or more cultures and thus busy fusing and combining hybrid influences. **The latter is not at home with either, although he or she is quite familiar with them, and thus preoccupied with the deconstruction and critique of both** (JanMohamed, 1992, pp. 96-120). We can inject into this definition Said’s own typology of intellectuals (Said, 1994c): first, in the footsteps of Walter Benjamin, the preference for the watchdog of the society over the articulator of its truisms; then the combination between the organic intellectual of Antonio Gramsci affiliated to a grass-root movement, such as nationalism, but nonetheless committed to the purest forms of freedoms of expression and thought, as proposed by Julien Benda (Said, 1996, pp. 183-184). **The centrality of ‘exile’ as an epistemological construct is the product of time, and not only of principle.** In his post mortem text, Said focuses on the theme of late style, ‘the way in which the work of some great artists and writers acquires a new idiom towards the end of their lives – what I have come to think of as a late style’ (Said, 2004a). Said was aware he was coming to the end of his life and this is why his own work was transforming not only idiomatically but also thematically. And this is where the discussion of exile is so mature and ripe. What the latter process achieves, as becomes clear in Said’s last interview with Charles Glass, is the maturation of his contrapuntal dialectical approach to harmonious and complementary affiliations and values (Said, 2004b). **He can tell Nubar Hovsepian that he takes a lot of luggage with him because he fears he will never return – a sad reminder of his 1948 experience – and yet he defines exiles like him, fortunate enough, unlike political exiles, to treat home as a temporary base which allows freedom of thought and spirit. As a Palestinian, exile, in the first instance, is traumatic; as a universalist intellectual, it is an asset.** At the beginning of the twenty-first century there was no need to apologize for or to reconcile this contradiction (Hovsepian, 1992, p. 5). But is it a circle closed? **Has Said left us with a clear answer of how a society can be both wedded to nationalism and yet secure individual liberties and criticism?** Whether from a Marxist or a liberal point of view, the critics of nationalism produced a dire picture of it; whether they treated it as an ideology, a construct or an interpretation of reality, they presented it as a reductionist mechanism of identity and interpretation that serves the ambitions of a few at the expense of the many. **Said the refugee could not** easily allow himself to **join in the celebration of demythologizing nationalism. His Palestinianism,** so to speak, **had to coexist,** uncomfortably, **with his universalism. Time made this necessary coexistence an asset, not a liability**, and this in fact was his political legacy for the future: **Jews and Palestinians would have to reconcile to a similar existence as does the national intellectual in exile.** Like Said himself, **future society in Palestine would have to live on the border between two and more cultures** (including national ones), a society that would represent alternative narratives to reality – instead of or next to the master national narratives – as part of a process of restitution. **In fact he called for such a future, in a more abstract way, in his most ‘postmodern’ article titled ‘Opponents, Audiences, Constituencies, and Community’ (Said, 1981). But he shunned postmodernism and others took it from there and constructed similar visions, as ideal types, for future societies**. Gilles Deleuze & Felix Guattari defined these as ‘deterrritorialized’ societies built on the collapse of master narratives (Deleuze & Guattari, 1986). Said would probably have lived more comfortably with a less postmodernist approach to deterritorialization, such as the one offered by Henry Giroux in his pedagogic attempt to reconcile modernist and postmodernist critique as part of what he termed the pedagogy of ‘Border Crossing’ (Giroux, 1992). If one projects Giroux’s view onto the political scene **one could chart in post- conflictual Palestine a society in which identity is fragile, dynamic and moves easily between origins, spheres and languages. The multifarious perspective on life is the one that is encouraged, as** 463 *Ilan Pappe* **an existential, not moral, imperative and it will, precariously, survive in a dialectical connection with a democratic Western political structure. Said’s Post-conflictual Vision** Said never went that far off course. **He left us only with guidelines for where the intellectual**, not the rest of the society, **would ideally find herself**. Indeed, **where would such an exilic intellectual live**, if he were a Palestinian refugee? In an ideal world, **this would have to be a country that allows intellectuals to be both organic and paragon keepers of liberties**. Or, at least, a political structure that would allow him or her to be a combination of Gramsci and Benda. But **no nation-states of the kind that exist in the Middle East, nor the state of Israel, can guarantee even such a minimal existence.** Even, or maybe obviously, the United States, as Said noted in one of his last books, has in recent years rejected such intellectualism. But maybe we should not take the concept of the ever-inquisitive and critical exilic intellectual loyalty to his national identity as a rigid position vis-à-vis cultures or political realties. After all, Said died while being engaged in dialectically, but not solving, the contradictions between being a Palestinian intellectual exile and a voluntary exilic intellectual. **This dialogue, towards the end of his life, recommended, or at least allowed, unsolved situations and long pauses in ambivalent stations pending further thought and even, as Said so clearly says in his last interview, unsettled epistemological questions.** **Exile, therefore, is a very dynamic concept: you are both on the border between cultures, or options, but you are also leaving the border zones to either cultures or to one of two opposing realities** (for instance, **you can be silent about nationalism, criticize it or even embrace it in Palestine – no need, always, to look for a way of reconciling it with your universal outlook**). In Said’s late style mode, the **exilic intellectual was able** not only **to offer a path into a future liberated from both Zionism and Arab tyrannies, he could be more modestly a Palestinian refugee who returned to become a citizen in either a bi-national state – one which reduces Zionism and Palestinian nationalism to an ideological construct weaker than similar ideologies in nation-state situations – or in a state of all its citizens. Nationalism could be** conveniently **reduced if principles** rather than political structures would **form the basis for a solution.** In other words, the political structures can become not an end by themselves but rather means for implementing some principal guidelines. I extracted three such guidelines from Said, which I term as the three ‘A’s: **acknowledgement, accountability and acceptance.** They are unbinding extrapolations of his writings. The first is a **global *acknowledgement* of the Nakbah to be led and formulated by the few Benda- like intellectuals on the Jewish side and accepted by the organic intellectuals on the Palestinian side as an achievement greater and more important than statehood or independence**. The second is **Israeli *accountability* for the ethnic cleansing in the name of universal rather than national principles**. This is a call for implementing the right of return as a human right and not a national issue. A return for the sake of nationhood would endanger other liberties no less valuable than repatriation. **A return to the place of necessary co-living and sharing may preserve also the more exquisite traits of an exile – adaptability, tolerance and moderation.** And finally an **Arab *acceptance* of Jewish suffering as part of a newly bridged and written historical narrative, integrating the millions of Jews in Israel into both the future political structure and the Arab Middle East as a whole. This would be achieved through** recourse to the two imperatives highlighted in *Culture and Imperialism*: **constructive dialogue and opposition to an obsessive return to a past** culture **cleansed of foreign impact** (Said, 1994b, pp. 17-19). The first is the need to have a **constructive dialogue between offenders and victims in a post-colonial era, one that can be supplemented by the recommendation in the *Politics of Dispossession* (1994a) of a dialectical recognition of the Holocaust and the Nakbah as formative chapters in shaping the present.** Second, from *Culture and Imperialism*, **the future relationship with the past can be based only on a consensual refrain from cleansing ideologies or what Said called the culture of ‘return’: the wish to cleanse your culture** from the admixture the whole world is shaped by because imperialism was so encompassing in the last two centuries; the need to fuse rather than defuse the future nation of Israel/Palestine into a society where intellectuals could still annoy everyone, but will have to seek virtual, instead of real, 464 *Diaspora as Catastrophe* diasporas so as to be loyal to the role Said accorded to them: constantly being near power, but sufficiently far from its corrupting lure and to be part of a group whose ‘main goal is to give utterance not to mere fashion and passing fads but to real ideas and values, which cannot be articulated inside the position of power’ (Said, 1996, p. 185). So maybe, **instead of a crescendo, we reduce the vision, in the end, into a search for a political structure that would tolerate such intellectualism rather than intellectuals who will tell us what their ideal typical future would** (or ought to) **be**. After 2000, many critical voices in Israel subsided and the **academics who had produced knowledge relevant to the present political predicaments reverted to eschewing the consensual interpretation of reality.** It is **therefore difficult to assert how significant or unique is this chapter in the Israeli history of ideas and ideologies.** It may prove to be a passing moment, as alas it seems so now, or the precursor to a more radical future, **if we were to take a more optimistic view on the chances of peace and reconciliation in the torn land of Palestine** (Pappe, 2002). Whatever the future entails, **it is important to reaffirm these criticisms as they constitute the possibility for a different reality in Israel and Palestine**. They are **simultaneously a critique of the past and a vision for the future. Within this sober appreciation of their present in/significance, we can justifiably highlight Said’s important impact on the part of post-Zionism that developed as a local version of post-colonialist critique and even more so in affecting the concrete deconstruction of the Zionist and Israeli scholarly writings that helped to sustain the Jewish state’s control over space and time.**

#### AND, educational spaces are central in combatting Israeli erasure. Palestinian youth & student movements have been uniquely key in anti-colonial struggle.– 2:46

Abu Samra, Mjriam. 2021. .Palestinian student and youth movements in protracted settler-colonialism.

The (re)elaboration of strategies of liberation.. Am.rica Cr.tica 5 (2): 179-188. <https://doi.org/10.13125/americacritica/5077>

The role of student movements in bringing about political and social transformations has been acknowledged by several studies that have demonstrated how **students’ activism has become the driving force beyond social and political change**. However, while it is well documented that **during the “era of decolonisation**” youth and **students have often acted as the .most effective agency of anti-colonialism**. (Benda 1962: 237), the transformation of young generations’ role in (re)elaborating strategies of resistance in a prolonged and ongoing project of settler colonialism has received little attention. **How do new generations born in exile contribute to the anti-colonial struggle of their people despite geographical fragmentation and the changing socio-political context at the domestic and international levels?** How does the persistence of the settler colonial project impact on different generations and shapes their role in the liberation struggle over time? How does the generational shift required by the protracted context of colonisation and exile impact on the struggle for liberation? The study of Palestinian youth participation in the liberation movement aims at answering these questions. There are two factors that render the Palestinian case particularly worthy of examination for the study of youth and student role in anti-colonial struggles: its unique condition of geographical dispersion and its historic persistence. **Palestinians have long been the world’s largest refugee population. In total, 7.1 million Palestinians (67 percent of the total population) have experienced displacement.** **The unique condition of statelessness and refugeness of the majority of the nation is the consequence of Zionist settler colonialism in Palestine and its attempt to eradicate the indigenous population**. The geographical fragmentation that characterises Palestinian society has historically impacted on the political strategies and modus operandi of the liberation movement: **transnationalism has become a constitutive element of political mobilisation for a nation forced to reorganize in exile**. As a matter of fact, in the aftermath of the Nakba, **Palestinians have overcome regional and global boundaries reorganising their socio-political structures transnationally; they established numerous political parties and movements, women’s groups, camp committees, unions and professional associations operating across borders**. Youth and **students have historically contributed to the emergence and development of these structures and have played a pivotal role in the reorganisation of Palestinian society and its political texture**. Moreover, the length and perpetration of the Zionist settler colonial project in Palestine has impacted on the way new generations of Palestinians (re)define their identity and understand their role in national politics: born in exile, geographically disconnected from the homeland and the rest of the Palestinian people, growing up in other countries, exposed to other cultures, traditions, languages and political systems that shape their everyday life, **young Palestinians develop a “hybrid identity” and have to undergo a process of political reflections in order to encompass all these diversities** in a overarching understanding of “Palestinianess” (Schulz 2003). In this sense, the historical persistence of the Palestinian cause offers a long timeframe and a rich historical repository for examining continuities and discontinuities in youth and students role in different phases of national liberation. **Several analyses of student political activism in anticolonial struggle have highlighted its major contribution to the decolonisation process in Asia and Africa and, more broadly in the Third World**. In Student Politics Perspectives for the Eighties, Altbach points out that student movements in Third World nations have been more effective than those in industrialised societies in bringing about revolutionary transformations. Unlike in Western countries, “students in the Third World are a consistent, important, and even a legitimate part of the political equation” (Altbach 1981: 5). In another work, Altbach develops this concept further and suggests that students are often considered .spokespersons for a broader population. and a .conscience of their society. which can organise and mobilise larger sectors of society (Altbach 1989: 14). While the literature on the role of student movements in national liberation struggles is not exhaustive, the studies available account for student contributions in articulating anti-colonial and anti-imperialist discourses, and in shaping national movement strategies for achieving liberation and cultural emancipation (Barnejee 2003). **Students were identified as one of the first sectors of colonised societies to be drawn to prevailing ideas of radicalism and nationalism and to introduce and disseminate these modern ideologies amongst their own society**. This article builds on, and intends to specify further, this body of scholarships, by looking at the experience of the Palestinian transnational student movement. It aims to analyse how **Palestinian transnational student activism has contributed to the development of the anti-colonial framework and discourse of their struggle in different times of Palestinian political history: it investigates the changes in the role and strategies of student movements in national liberation struggles.** After a short section on methodology, the article will provide a brief analysis of how **Palestinian student movements have contributed to the reorganisation of the scattered Palestinian society and the re-articulation of the political discourse in the aftermath of the Nakba.** In particular, it refers to the experience of **Palestinian student activism in Beirut and Cairo. It** will then elaborate on the political role of the General Union of Palestinian Students (GUPS) in the development of the Palestiniawn resistance’s anti-colonial vision and strategies and the transformation undergone by the Union over the decades. Finally, it will introduce contemporary Palestinian student and youth initiatives in light of the political changes and dynamics that have characterised Palestinian politics. Taking the Palestinian Youth Movement as a case study, this paper aims to highlight the contemporary **Palestinian youth articulation** of political discourses and goals. It will particularly address how **PYM came to address some of the contradictions Palestinian new generations have to face and elaborate a new understanding of Palestinian identity for the youth scattered across the world through the (re)production of a polity which problematized and abandoned the ‘state building’ and ‘civil society’ rhetoric inherited by the previous generation**. In this article I argue that **Palestinian youth and students are a fundamental actor of Palestinian politics: the protracted condition of colonisation requires a constant generational shift in order to sustain the struggle for liberation. I suggest that Palestinian young generation have been able to play a vanguard role as long as they understood their struggle within an anti-colonial framework**. **Despite the discontinuities and challenges Palestinian politics faces, new generations are reorgansing in order to reclaim their central role in the struggle and in the reelaboration of successful strategies of liberation based on anti-colonialism.**

#### Discussion of Palestine is key – it combats the logic of the Nakba Law, enabling remembrance that is necessary to combat oppression and deligitimize Israeli oppression. GUTMAN & TIROSH 21

https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033

Gutman, Y., & Tirosh, N. (2021). Balancing Atrocities and Forced Forgetting: Memory Laws as a Means of Social Control in Israel. *Law & Social Inquiry,* *46*(3), 705-730. doi:10.1017/lsi.2020.35

Two **Israeli laws dealing with the 1948 war provide good examples of both balancing atrocities and forced forgetting in order to control public debate**. As Israel has been engaged in active and prolonged conflict with the Palestinians, the past at issue carries high stakes for the present and for any future conflict resolution. The Jewish majority and the Palestinian minority within Israel perceive the subject of the two laws—the 1948 war—very differently. **The Jewish majority celebrates the country’s formative War of Independence or War of Liberation as a national holiday on, or close to, 5 Iyar in the Hebrew calendar** (which corresponds to May 14 in 1948), **while the Palestinians mourn their extensive loss and displacement in the 1948 war, which they term al-Nakba** (the catastrophe, in Arabic), on May 15. The 1948 war carried consequences for Jews who lived in Arab countries as well, for they faced sanctions by increasingly hostile Arab governments. Many of these Jews immigrated to Israel in the 1950s, where they experienced a consistent, long-lasting, and systematic marginalization by the founding elite who saw them as inherently inferior. **The 2011 Nakba Law addresses the Palestinian minority in Israel.**[**Footnote1**](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#fn1) **It places budgetary sanctions on the commemoration of the Nakba during Israel’s Independence Day celebration as well as three other types of public expression that are related to criticizing the nation-state**.[Footnote2](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#fn2) The law is an example of **forced forgetting because it puts sanctions on Palestinian memory and, by so doing, forces the public to forget one group’s experience** (the Palestinian minority) in order **to amplify the memory of another’s (the Jewish majority).** The 2014 Jewish Nakba Law, which is officially titled the Exit and Deportation of Jews from Arab Lands and Iran Day, addresses the Jews who immigrated from Arab countries—collectively called Mizrahi Jews[Footnote3](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#fn3) —after the establishment of the Jewish state in 1948.[Footnote4](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#fn4) It creates a new commemoration day for their displacement and dispossession by Arab governments. **The 2014 law is an example of balancing atrocities: it was framed by the legislators and state officials as commemorative, a correction to the historical injustice of excluding Mizrahi culture and experience from Israel’s official memory and popular culture, which is mostly Ashkenazi** (of Western origin) (Aderet [Reference Aderet2015](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r5); Ababa [Reference Ababa2015](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r1)). Yet **it also carries a political aim, which, as its popular name, the Jewish Nakba Law, suggests, creates an analogy between Palestinian displacement and redress claims from 1948 and those of the Mizrahi Jews who immigrated to Israel in the 1950s by dislocating the term “Nakba” from the Palestinian context to the Mizrahi context** (Gabai [Reference Gabai2014](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r38); Aderet [Reference Aderet2015](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r5); Shragai [Reference Shragai2016](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r110)). As we will show, the law’s analogy complements the Nakba Law; officiating the long overdue commemoration of Mizrahi experience and memory is meant to further hinder the commemoration of Palestinians. The context for the legislation is rooted not in history but, rather, in contemporary political legitimacy or the lack thereof: the increasing disapproval, both domestically and internationally, of Israel’s treatment of the Palestinians, with Israel’s half-century-long occupation of the Palestinian Territories in the West Bank, its decade-long siege of Gaza, and the ongoing discrimination against Palestinian citizens in Israel (Robinson [Reference Robinson2003](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r91)).[Footnote5](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#fn5) Since these two laws pertain to different groups of citizens in Israel and were legislated four years apart, they may seem to be unrelated. They also have opposite stated aims: the first limits the historical commemoration of a minority group, while the second officiates the memory of a different minority. However, examining the debates about the two laws and the context of their legislation, this study concludes that both laws serve the same political objective—namely, **a combined effort to block domestic and international criticism against the discrimination of Palestinians and to gain legitimacy for the current state of conflict**. Both laws are tied to the issue of Nakba memory, as their popular names indicate, which has been dialectically related to the self-perception of Israel’s legitimacy (Jamal and Bsoul [Reference Jamal and Bsoul2014](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r55)). **They are the only two Israeli laws that seek to control public debate over Israel’s difficult past** (Vinitzky-Seroussi [Reference Vinitzky-Seroussi2002](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r123)).[Footnote6](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#fn6) This article shows the merit of merging memory studies with law and society scholarship. **Viewing collective memory as an object of legislation and social control expands our understanding of the interrelations between law and society.** Adding to the study of the cultural and symbolic dimensions of legislation, memory laws reveal more than the tensions of institutionalizing history and memory (Gutman [Reference Gutman2016](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r45)); they are a discursive area in which larger social issues are debated and political struggles over power and legitimacy take place (Löytömäki [Reference Löytömäki2013](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r68)). The study’s contribution to considering law within the context of memory studies is threefold. First, connecting memory to social control is a line of research that has seldom been investigated (with notable exceptions, including Cohen [Reference Cohen2001](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r22); Savelsberg and King [Reference Savelsberg and King2005](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r97); Dudai [Reference Dudai2017](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r31)). Applying the lens of memory laws as social control to the Israeli case proposes a complementary explanation to the one provided by postcolonial studies of Israel’s treatment of both the Mizrahi Jews and the Palestinians. While the two memory laws can be explained as another moment in Israel’s continuous efforts as a settler colonialist regime to forcefully erase the cultural memory and disregard the dispossession of both Palestinians and the Jews of non-Western origin (Kimmerling [Reference Kimmerling1983](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r59); Shafir [Reference Gershon1989](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r108); Shohat [Reference Shohat1999](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r109)), we show that institutions and ruling elites can use histories of displacement as a powerful tool of social control. However, as we will show, such utilization also carries contradictions and raises critiques that reveal the limits of state power. The second contribution to memory studies is theorizing the central role of the law in shaping memory politics. Memory scholars focus on the construction of social memory in sites, acts, and narratives about the past, without realizing that such legislation is significant in shaping all three. Studying the legislation process of memory laws, in particular, reveals conflicts between competing perceptions of the past and struggles over inclusion and exclusion. **The third contribution joins a growing body of studies that demonstrate that forgetting is an active and intentional act of cultural memory construction** (Zerubavel [Reference Zerubavel2006](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r129); Assmann [Reference Assmann2008](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r8); Connerton [Reference Connerton2008](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r25), [Reference Connerton2009](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r26); Vinitzky-Seroussi and Teeger [Reference Vinitzky-Seroussi and Teeger2010](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r124); Lemarchand [Reference Lemarchand2011](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r65); Beiner [Reference Beiner2013](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r14)a, [Reference Beiner, Kelly and Lyons2013](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r15)b; Rieff [Reference Rieff2016](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r94)). We show that forgetting can be an intentional and increasingly popular act of controlling and silencing what and who may undermine dominant structures and efforts. In the Israeli case, **Palestinian and Mizrahi experiences and counter-memories undermine the ongoing governmental effort to enforce a boundary separating Jews and Arabs, Israelis and Palestinians, which maintains the current state of conflict** (Shohat [Reference Shohat1999](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r109); Shenhav [Reference Shenhav2002](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r106)). Moreover, the two laws **combine forgetting and remembrance in a joint effort to control public debate about the shared past**. THE PALESTINIAN NAKBA AND ISRAELI INDEPENDENCE The Nakba Law is Amendment no. 40 to the 2011 Budget Principles Law.[Footnote7](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#fn7) It fines state-supported institutions that mark “Independence Day or the day of the establishment of the state as a day of mourning.” It is the Palestinians, who account for approximately 20 percent of the population, who mourn on Israeli Independence Day. When Israelis celebrate the War of Independence as a miraculous victory against all odds that resulted in many casualties (1 percent of the population), Palestinians mark their loss in the 1948 war, which resulted in their massive displacement and dispossession, also known as al-Nakba. This is why the law intended to fine Palestinian commemoration is commonly known as “the Nakba Law.” Israelis and Palestinians commemorate the war through opposite national narratives. In the dominant Zionist narrative, it is similar to David’s miraculous victory over Goliath, who represents the Arab countries who fought alongside the Palestinians (Auron [Reference Auron2013](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r10)). However, the Palestinian national narrative construes the events of 1948 as a tragedy inflicted on unequipped and unprepared peasants who were betrayed by both Britain and the Arab countries and subjected to an organized campaign of ethnic cleansing by Israeli military forces (Khalidi [Reference Khalidi1992](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r57); Abu-Sitta [Reference Abu-Sitta2004](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r3)). From the 1950s onward, Israelis erased the Nakba from their national landscape, history textbooks, and their dominant collective memory (Shai [Reference Shai2007](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r102); Kadman [Reference Kadman2008](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r56)). **Palestinians within and outside Israel have been struggling against this erasure in order to maintain their memories and identities as rooted in their villages and neighborhoods in pre-1948 Palestine** (Abu-Lughod [Reference Abu-Lughod, Sa’di and Abu-Lughod2007](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r2); Bresheeth [Reference Bresheeth, Sa’di and Abu-Lughod2007](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r23); Davis [Reference Davis, Sa’di and Abu-Lughod2007](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r28), [Reference Davis2011](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r29); Slyomovics [Reference Slyomovics1998](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r117)). A surge in Nakba commemoration emerged around its fiftieth anniversary in 1998 within and outside of Israel (Hill [Reference Hill2005](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r50)). In the late 1970s, Jewish Israeli historians began to reexamine the Zionist narrative of the 1948 war in academic publications and in the pages of Haaretz (Ram [Reference Ram and Morris2007](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r89); Nets-Zehngut [Reference Nets-Zehngut2011](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r78)). Instead of a miraculous victory against five Arab armies, as their predecessors had portrayed the war, they described it as an intentional campaign of a **stronger and more organized Israeli military force to expel Palestinians** (Flapan [Reference Flapan1987](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r36); Morris [Reference Morris1987](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r73), [Reference Morris1988](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r74), [Reference Morris1990](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r75), [Reference Morris and Morris2007](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r76); Shlaim [Reference Shlaim1988](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r115), [Reference Shlaim1995](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r116); Pappé [Reference Pappé1997](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r83)a, [Reference Pappé1997](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r84)b, [Reference Pappé1998](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r85); Ram [Reference Ram1998](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r87), [Reference Ram2006](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r88), [Reference Ram and Morris2007](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r89)). In the 1990s, with the Oslo Peace Accords looming large, Jewish Israelis were more open to this revisionist discourse. In the following decade, however, the atmosphere changed. The outbreak of the Al-Aqsa Intifada, a second upheaval in the Occupied Palestinian Territories in 2000, and the killing of twelve Palestinian citizens by Israeli border guards during protests within Israel, marked a new and violent chapter in the history of the conflict. In June 2002, the Israeli Cabinet ordered the erection of a separation barrier in the West Bank, which further exacerbated the physical separation between Israelis and Palestinians. Israelis and Palestinians further fortified their national narratives, pitting one national identity and history against the other (Auron [Reference Auron2013](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r10)). However, scholarly, artistic, and activist knowledge about the Nakba continued to be produced by Jewish and Arab-Palestinian citizens in Israel, despite a growing backlash by the state and right-wing groups. The initial proposal of the Nakba Law in 2009 attempted to stop such knowledge production by criminalizing Nakba commemoration (Jamal and Bsoul [Reference Jamal and Bsoul2014](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r55); Gutman [Reference Gutman2017](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r46)). THE MEMORY STRUGGLE OF JEWS WHO IMMIGRATED FROM ARAB COUNTRIES The term “Mizrahi” is a socially constructed identification that evolved in Israel in the 1950s to describe the Jews who immigrated to Israel from the Middle East, Northern Africa, and the Balkans (Khazzoom [Reference Khazzoom1999](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r58); Kimmerling [Reference Kimmerling2001](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r60), 53–54). Indeed, ethnic tensions between Jews of different origins are among the most conspicuous aspects of the deeply divided Israeli society (Smooha [Reference Smooha, Sprinzak and Diamond1993](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r111); Peled [Reference Peled2014](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r86)). These tensions are a result of deep-seated structural and cultural differentiation between the Ashkenazim (plural of Ashkenazi) and the Mizrahim (plural of Mizrahi) and the latter’s institutionalized discrimination by the former. The Ashkenazim comprised the vast majority of the prestate Yishuv, which was the Jewish community in British Mandate Palestine. When Israel was established in 1948, the Yishuv prestate institutions were transformed overnight into Israeli government agencies. Jews of Western origin became the political and bureaucratic elites who managed the absorption of the Jews of non-Western origin who were immigrating to Israel during the 1950s. The absorbing institutions perceived the Mizrahi Jews as inherently inferior and as a group in need not only of modernization and assimilation into the hegemonic Ashkenazi culture but also of de-Arabization (Shenhav [Reference Shenhav2002](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r106); Shalom-Chetrit [Reference Shalom-Chetrit2004](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r103)). Living side by side with Muslims in their countries of origin “threatened to affect the coherence of the homogeneous Israeli nation and to blur the boundary between Jews and Arabs” (Shenhav [Reference Shenhav2002](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r106), 28). Therefore, Mizrahi Jews were asked to abandon the Arab world in which they grew up to join an Israeli collectivity that views Arab societies as the other. The Mizrahi past was deemed illegitimate in Israel (Dahan Kalev [Reference Dahan Kalev and Bishara1999](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r27)). In Israel, Mizrahi Jews experienced a consistent, long-lasting, and systematic marginalization that appears in almost every aspect of social mobility (Kimmerling [Reference Kimmerling2001](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r60); Schejter [Reference Schejter2007](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r99); Biton [Reference Biton2011](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r19); Dobrin [Reference Dobrin2015](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r30); Swirski, Konor-Atias and Zelingher [Reference Swirski, Konor-Atias and Zelingher2015](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r119)). A Mizrahi struggle movement emerged in the initial years of the state’s founding (Shalom-Chetrit [Reference Shalom-Chetrit2004](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r103)). In 1959, a community member’s arrest in the city of Haifa initiated violent clashes with the police, an event known today as the Wadi-Salib Riots (Smooha [Reference Smooha2008](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r112); Weiss [Reference Weiss2011](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r125)). Twelve years later, Mizrahi activists from Jerusalem established the Israeli Black Panthers, a movement that vociferously tackled inequalities between Jews from Western and Eastern origins (Lubin [Reference Lubin2016](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r69)). In 1977, it was Mizrahi activism and popular support that helped the Israeli right wing win national elections for the first time (Filc [Reference Filc2009](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r35)). Currently, Mizrahi organizations focus primarily on cultural claims (Kizel [Reference Kizel2014](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r61)), including a systematic reformulation of the Israeli national narrative to include the forgotten history of Mizrahi Jews as equal “contributors to the Zionist ideology and mythology” (Schejter [Reference Schejter2007](https://www.cambridge.org/core/journals/law-and-social-inquiry/article/balancing-atrocities-and-forced-forgetting-memory-laws-as-a-means-of-social-control-in-israel/9FADAED12A0911943D5319888BF19033?scrlybrkr=9944954b#r99), 929). This last demand is being slowly and partly answered by the right wing government, led by Benjamin Netanyahu since 2009. The government that ruled between 2015 and 2019 partially embraced the recommendations of an official committee that dealt with the empowerment of Mizrahi Jews within the Israeli educational system. The Biton Committee recommended the inclusion of Mizrahi history and literature in school colloquium and universities, through national media and online websites and portals, as well as the establishment of dedicated museums. Its predecessor government approved the Jewish Nakba Law, on June 23, 2014, which officially marks the suffering of Mizrahi Jews in their countries of origin in a national memorial day. Although the legal field plays a central role in struggles for collective memory, it has been under-theorized in the sociology of culture and memory. Scholars of memory tend to favor sites or acts of commemoration, such as memorials and museums, or the construction of narratives about the past. The **law is central in shaping these sites, acts, and narratives, and, while it is often seen as institutionalizing state perceptions and interests** (Savelsberg and King Reference Savelsberg and King2005), **the process of legislation is a discursive arena in which contrasting perceptions of the past compete (albeit unequally) in an attempt to change people’s views about present problems** (Löytömäki Reference Löytömäki2013). When we speak of society’s memory, we refer to the construction of a “sense of past” (Confino Reference Confino1997) by a social group in the present (Halbwachs [Reference Halbwachs1925] Reference Halbwachs1992; Olick and Robbins Reference Olick and Robbins1998; Tirosh Reference Tirosh2016) and not to the evaluation of what “actually happened.” As such, memory processes are always contested and influenced by power relations and political struggles (Olick and Robbins Reference Olick and Robbins1998; Rowe, Wertsch, and Kosyaeva Reference Rowe, Wertsch and Kosyaeva2002; Tirosh Reference Tirosh2016). While society’s memory has been discussed by many scholars who have used different terms, we use the term “cultural memory” to describe the collective remembering of the past in an institutionalized, formalized, objectified, and crystallized form that eventually concretizes group identity (Assmann and Czaplicka Reference Assmann and Czaplicka1995). Often, as suggested earlier, national laws and **the legal realm** **determine** which events and narratives will be part of society’s cultural memory and **which narratives will be sidelined**, **ignored, or actively forgotten**. A variety of national laws address the historical record or the shared perception of the past—**for example, laws that control hate speech, establish the social calendar of memorial days, and create institutions that house the historical record and cultural memory, such as national museums and archives** (Zerubavel Reference Zerubavel2003; Fronza Reference Fronza2006, 29; Savelsberg and King Reference Savelsberg and King2011; Tirosh and Schejter Reference Tirosh and Schejter2015). Such laws are usually shaped **in line with the hegemonic perception of the national past and, in turn, help to fortify this perception while excluding national minorities** (Gellner Reference Gellner1983; Anderson Reference Anderson2001; Nora Reference Nora1996). For example, **hate crime laws are shaped according to the dominant perception of certain atrocities in the nation-state’s history and democratic tradition** (see Savelsberg and King Reference Savelsberg and King2011), **and laws that dedicate memorial days, ceremonies, and archives assist the educational system in disseminating these perceptions and memories in society** (Durkheim [Reference Durkheim1912] Reference Durkheim1995; Nora Reference Nora1996; Zerubavel Reference Zerubavel2003). **Memorial day laws**, in particular, often **include specific narratives about the nation and people and, by so doing, centralize and unify national commemoration around the majority while excluding national minorities** (Gellner Reference Gellner1983; Anderson Reference Anderson2001; Nora Reference Nora1996). **In Israel, for example, significant events in the history of Palestinian citizens have always been excluded from memorial day laws or laws that establish memory institutions or archives. And, until 2014, Mizrahi memory was also almost absent from the national calendar. Such omissions of minority or marginalized groups from the social calendar are not merely accidental—an unintended amnesia that results from giving preference to majority memory but a central part of memory**. As Guy Beiner (Reference Beiner2013a, 9) writes, as active and deliberate as remembrance, “forgetting is not the antithesis, but an integral component, of memory.” **Forgetfulness can be publicly advocated**, especially in transitions to peace and democracy; in post-socialist Poland and post-Franco Spain, the public was asked by the new government to forget the violence in order to create stability and solidarity for the present and future (Boyd Reference Boyd2008; Connerton Reference Connerton2008; Beiner Reference Beiner, Kelly and Lyons2013b). In other cases, including the Israeli case, **forgetting is enforced through the social calendar, the education system, and memory laws** (Connerton Reference Connerton2008; Gutman Reference Gutman2017). Yet memory laws take the omission of minority memory from the social calendar and public speech a step further, making them a form of social control. Unlike memorial day laws, **memory laws center not on how the past will best be transmitted to the next generations but, rather, on how to control public debate on the past in the present** (Gutman Reference Gutman2016). **They are intended to protect** a certain ideal of the nation **from critical** **disputes** on historical events, but**, in practice, they determine who will be included in shaping the collective view of the past and who will be excluded** (Gutman Reference Gutman2016; Koposov Reference Koposov2017; Uladzislau and Gliszczyńska-Grabias Reference Uladzislau and Gliszczyńska-Grabias2017). Memory **laws institutionalize the silencing of particular groups** more forcefully than memorial day laws: **they target specific groups and criminalize their interpretations of the national past in order to exclude them from public debate** (Gutman Reference Gutman2016). While legal scholars tend to focus on the language of the law and memory scholars center on the sites and events resulting from the law, studying the interaction between law and memory through public debate in the process of legislation uncovers the social struggles over memory and the issues underlying these struggles, which the official outcome—the law or sites of memory—does not always reveal. The legislation process of memory laws, in particular, gives publicity to conflicts between different perceptions of the past that are expressed and compete for legitimacy.