

INTRODUCTION

TAWFIQ TUBI HAD EXPECTED LITTLE FROM THE MEETING. It was an unseasonably warm morning in late October 1966 and the elected deputy was just months shy of entering his eighteenth year of service in the Israeli parliament.¹ Until that day, the Palestinian communist had confronted “the Old Man,” as former Prime Minister and Defense Minister David Ben-Gurion was known, only in the Knesset chamber. Starting when he was just twenty-six years old, the young Arab activist from Haifa quickly rose to the helm of the struggle to end Israel’s systematic discrimination against the roughly 150,000 Palestinians who had managed to stay in or return to the country after its war of independence in 1948. During Tubi’s time on the floor, it was not uncommon for his fellow deputies—many of whom were immigrants from Eastern Europe—to shout him down. In the 1950s and 1960s, most Knesset members treated any political opposition from “an Arab” as a sign of impudence toward a nation that had been magnanimous enough not to deport him.

Although he had followed Tubi’s public statements over the years, Ben-Gurion had refused to meet with his junior colleague privately while in office. If there was one conversation the former leader had wanted to avoid, it was the demand to end the military administration that he personally had insisted on maintaining in the roughly 104 Arab villages and towns that had survived the *nakba*, or catastrophe, as Palestinians refer to the wartime ethnic cleansing campaign that wiped their country off the map and rendered those who remained a sudden minority in the new state.² Since then, Israel’s Palestinian citizens had come overwhelmingly to despise the military regime for its despotism, its contempt for due process, and its Big Brother-like insinuation into their lives

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and communities. They reviled it most, however, for its draconian restrictions on their movement and its role as the handmaiden of the colonization of their land by Jewish settlers. Ben-Gurion had been the regime's most loyal champion, but three years had passed since his resignation. Why, Tubi wondered as he approached the door of the former leader's apartment in Tel Aviv, had the Old Man summoned him now?

Tubi had been wise to have low expectations, for his host's paternalism was as fresh as ever. Although Ben-Gurion began by expressing his desire to discuss "the problems between Jews and Arabs," he proceeded instead to fixate on the question of whether Tubi was a first name or a family name. When the Palestinian deputy politely but firmly steered the conversation back to the matter at hand, the former leader, now eighty years old, expressed surprise that Tubi had served in the Knesset for the previous two decades. For the next several minutes Ben-Gurion's deflection persisted. With each charge that Tubi leveled about Israel's maltreatment of Palestinians since 1948, the Polish-born settler and founding father of the Jewish state feigned incredulity: "We expelled people?" he asked. "From which village did we expropriate land?" "Is it true that our universities reject Arab applications en masse?" Exasperated, Tubi at last gave up and invoked the historic comparison between Israel and Western colonial powers that the Jewish public had long vilified him for suggesting. "I do not wish to insult [you, Mr. Ben-Gurion], but [we are treated] like 'natives' [*yelidim*]. This is the sort of relationship that has been created." The official transcript of the encounter between the two men does not indicate whether Ben-Gurion looked uncomfortable or paused to reflect on Tubi's indictment, but it is unlikely. "Under the British," he averred, "we were all 'natives.'"³

This brief exchange—the charge of colonial dispossession and its disavowal—is at the heart of the puzzle that drives this book. What does it mean for a democratically elected representative of a sovereign parliament to identify himself as a colonial subject? Ben-Gurion was, of course, correct that in 1948 the Jewish settler community in Palestine had proclaimed its liberation from the yoke of the British Empire. Under the British Mandate, individual Jews in Palestine had been colonial subjects no less than their Arab counterparts. It was also true, however, that Zionist leaders had lobbied aggressively for the Empire's sponsorship of their collective settler project, and that their patron, with the blessing of the League of Nations, had done much to facilitate the development of a Jewish national home at the direct expense of a people who in 1922 comprised 90 percent of the land's inhabitants.⁴ But this was not

Tubi's point. What concerned him, as the Old Man knew full well, was that, for the Palestinians, the settler-colonial yoke had not just remained in place since 1948, but had grown immeasurably heavier.

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This book explores the contradictions that emerged from Israel's foundation as a *liberal settler state*—a modern colonial polity whose procedural democracy was established by forcibly removing most of the indigenous majority from within its borders and then extending to those who remained a discrete set of individual rights and duties that only the settler community could determine. Jewish settler leaders seized the rights *to* the state, granting the newfound Arab minority only a handful of rights *within* it. My choice of language is deliberate. Although Jewish citizens today are largely native-born, they continue to enjoy an array of social and political privileges relative to their Arab co-citizens. These privileges date back to the historical status of Israel's founders as a minority of foreign nationals in Palestine whose separatist political aspirations required them to secure a favored legal position over the indigenous non-Jewish majority. In contrast to conventional wisdom, my argument is that Israel's attainment of sovereignty did not alter the fundamental status of the local Jewish population as settlers. By grappling with the paradoxical status of the Arab minority during the first two decades of independence—as citizens of a formally liberal state and subjects of a colonial regime—my analysis aims to restore empire to the history of post-1948 Israel, and post-1948 Israel to the history of modern imperialism.

IN SEARCH OF A BLACK HOLE

For years the birth of the Jewish state in Palestine was celebrated as the fulfillment of an ancient dream of national liberation; as the outcome of hard work and humanitarian sacrifice; and ultimately, as a miraculous victory for David against Goliath. The indigenous Arab majority of Palestine figured only in the shadows of this narrative, which chronicled the Zionist movement through a carefully selected recounting of the movement's declared intentions. In May 1948, so the story went, duplicitous Arab leaders over the border ordered Palestinians to flee the country so that invading Arab armies could drive the Jews into the sea. These leaders—and no one else—were responsible for the sudden and mass exodus of the Palestinian population from the territory that became Israel. For decades following their dispersion and the destruction of their social, economic, and political institutions, Palestinians lacked the archival evidence

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and institutional backing to counter this narrative—with its ethical and political burden—to any effect.⁵ Outside the confines of Israeli fiction, a handful of inaccessible Hebrew-language studies, and the muted memories of Jewish war veterans, Palestinian accounts of massacres, systematic expulsions, and village destruction hit an iron wall of denial.⁶

In the mid-1980s, in the aftermath of Israel's widely unpopular invasion of Lebanon, a handful of young Jewish Israeli scholars seeking to reconcile these competing accounts availed themselves of newly declassified archival material on the 1948 war. Their findings confirmed the basic parameters of long-standing Arab claims about how the *Yishuv*, as the settlement movement called itself, had marshaled its prewar intelligence and overwhelming military superiority to drive most Palestinians out of their villages and towns.⁷ Unintentionally, their research also catalyzed a transformation in the study of Israel/Palestine as a whole. Whereas earlier accounts had depicted Zionist settlers and Palestinian Arabs as isolated, monolithic, and pre-formed groups that came together only in war, new studies shifted attention to the rich and multiple sites of their social, cultural, and economic encounters.⁸ By demonstrating the mutual formation of Jewish and Arab societies since the 1880s, the new accounts overturned the long-held belief that the separation of the two peoples had *caused* the Zionist-Palestinian conflict. Instead, it was the conflict's result.⁹

The new literature also succeeded in undermining the exceptionalist origin story of the Zionist movement. In particular, a growing body of work that situates the movement within the broader context of European imperialism and settler nationalism has done much to normalize a parochial field of inquiry long burdened by idealism and essentialism.¹⁰ Today, across the ideological spectrum, few historians dispute the social, economic, and cultural ties between the early Zionist settlement project in Palestine and the more "classical" European settler-colonies in North America, South Africa, and Australia. (In terms of land policy, the German colonization of Posen at the turn of the twentieth century was another important model.)¹¹ Although Jewish settlers lacked an imperial patron until the end of World War I, they were determined to make Palestine their home while maintaining European living standards. To rationalize their demands, many embraced the claim that they were doing their part to bring "civilization" to the putatively backward peoples of Asia and Africa. Like other European settler movements, the Zionists often touted the uniqueness of their mission in world history. Notably, this assertion did not stop them from drawing links with other "pure settlement" colonists—those who, for reasons

of economic survival or fear of racial contamination, sought to displace rather than exploit the indigenous majority.¹²

For all the advances of the “imperial turn” in the historiography of Israel/Palestine, perhaps its most vexing characteristic has been its cursory and static coverage of the early state period.¹³ Outside of pathbreaking socio-legal histories of land expropriation, most archive-based narratives cease abruptly before the start of the 1948 war or after its formal cessation in the spring of 1949.¹⁴ The story resumes occasionally in 1967, with the inauguration of Israel’s settlement project in the surrounding Palestinian, Egyptian, and Syrian territories that it occupied during the June war.¹⁵ This nineteen-year breach in our account of the identifications and disavowals of Zionism as a settler-colonial project defies basic evidence, including the intimate political and ideological ties that Jewish settlement leaders fostered with British imperial officials, as well as Israel’s nearly wholesale adoption of the British legal system within days of declaring independence. It also flouts basic methods of historical reasoning by perpetuating an image of the post-1967 settlement enterprise as emerging in a vacuum, closing down an investigation of continuities in legal systems, intelligence gathering, disciplinary tactics, cultural practices, and actual personnel, precisely when scholars should be prying this case open.¹⁶

For many decades, the black hole in our account of Zionism as a settler-colonial movement resulted from a popular nostalgia for the first two decades of statehood as Israel’s golden age of majority-rule democracy and the rule of law—a “high point of universalistic, civic, and liberal fulfillment.”¹⁷ According to this fantasy, which emerged shortly after the 1967 war and has surged since the collapse of the state’s political negotiations with the Palestine Liberation Organization in 2000, it is fanatical settlers and a reactionary strain of Jewish nationalism that bear responsibility for undermining Israel’s international legitimacy and for bringing its “political culture to the brink of an abyss.”¹⁸ This fantasy has always been predicated on “forgetting” the violent dispossession and destruction that created Israel’s Jewish majority, and on sidelining the post-1948 military regime as an anomaly in the state-building process. Looking forward rather than back, adherents to this narrative suggest that an end to the Occupation would bring about a return to a fundamentally different political project.¹⁹

BEYOND THE CONCEPTUAL STRAITJACKET

The popular proclivity for burying uncomfortable historical truths endures. Yet, the misplaced yearning for the “small and beautiful Israel” (*erets yisra’el*)

ha-ktana ve-ha-yafa) of the past can no longer explain the elisions in our account of Zionism as a settler-colonial movement.²⁰ Research over the past three decades has produced an unassailable body of evidence pointing to the state's deliberate policies that aim to alienate indigenous Palestinians from their land while keeping them economically dependent and politically divided.²¹ Although many archives remain sealed, the opening of thousands of formerly classified records since the 1990s has yielded a host of innovative studies on nationalism, state power, and the relationship between Palestinians and Jews in the early state period. In the meantime, Palestinian personal memoirs have proliferated, and it has become easier than ever to review old runs of the Arabic- and Hebrew-language press.²²

Today, the nostalgia that informs the prevailing tendency to ignore these continuities has been reinforced by our failure to recognize that the history of Israel/Palestine is part of the global history of liberalism. As elsewhere, liberalism in Israel was never a prepackaged bundle of rights to dignity, representative democracy, and the rule of law. Fraught with contradictions since its emergence in eighteenth-century Europe, liberal thought has always been predicated on exclusions of gender, religion, race, and class in the name of public order, while the idealistic pursuit of the "common good" has served regularly to justify coercion against individuals or groups who do not fit its definition.²³ The point is not simply that liberal ideas have produced a wide range of political forms, but that their very oscillation between freedom and compulsion, universalism and particularism, has helped to fuel Western imperial conquests in Asia, Africa, and the Pacific, where the same tensions have infused the techniques and rationalizations of rule.²⁴ Appreciating this history is critical if we are to grapple with Israel's extension of citizenship to Palestinians under a regime that even many Jews viewed as a colonial administration, a system of rule whose laws and practices shared commonalities with French rule in Algeria and white rule in South Africa.

A similarly myopic treatment of colonialism has perpetuated our inability to make sense of the coexistence of liberal citizenship and colonial rule in post-1948 Israel, and to wrestle historically with the complexity of Palestinian experiences within it. In recent years, for instance, historians have paid growing attention to the unique legal and social dynamics that have distinguished colonialism of settlement from colonialism of extraction.²⁵ Nonetheless, we continue to carry an image of colonies as clearly demarcated, overseas possessions whose conquerors openly and proudly affirm them as such.²⁶ The hazard in

relying on such affirmations is that colonial administrators and proponents of imperial expansion have long disavowed their intentions and past violence. Instead, more often than not they have insisted on the unprecedented universality, enlightenment, and benevolence of their missions—claims that some sincerely believed.²⁷

Professions of exceptionalism can be traced back to the entangled rise of liberal nationalism and imperial expansion in nineteenth-century Europe, but it is instructive to see how they assumed new forms over time and space. Middle East historians, for example, have examined the contradictions spawned by the European “mandates” over the new states created in the region after World War I—a reconfigured imperial system that pledged to prepare its inhabitants for self-rule on the premise that they would eventually be “capable” of realizing their right to self-rule.²⁸ Meanwhile, studies of the US occupations of the Philippines, Hawaii, and the Mariana Islands (among others) have shown how the purportedly unique ambivalence of Americans toward the idea of empire was more the imperial norm than the exception at the turn of the previous century.²⁹ So was the US propensity to present itself as non-imperial (if not anti-imperialist) by inventing new designations such as “trusteeships” and “unincorporated territories,” and by creating what one scholar has described as “sliding scales” of sovereignty and rights.³⁰

The attempt of Western imperial states to write themselves out of colonialism reached a fever pitch in the decade after World War II, the same period in which Jewish settlers attained sovereignty. As colonized peoples in Asia and Africa became more militant in their demands for national independence, they pressed the United Nations to enforce the principles of human rights and national self-determination outlined in its 1945 Charter. They drew particular attention to Chapter XI, which called on the “administering powers” of “non-self-governing territories” to effect a gradual transition to self-rule in those territories and to report regularly on their progress. Not surprisingly, the imperial powers involved in drafting the UN Charter had signed off on this language only because they had banked on the exemption of their territories from eligibility. Indeed, the Charter failed to specify what constituted a non-self-governing territory, much less a “people” with national rights. It also declined to list the criteria by which to measure if and when self-rule had been achieved, or to impose any enforcement obligations on the UN or the administering powers.

It was in this legal vacuum that Britain, France, Portugal, the United States, and others responded to indigenous demands by pledging to “integrate” or

“assimilate” their subjects, and by offering them full or partial citizenship status and suffrage rights as a way to remove their colonies from the list of territories eligible for independence.³¹ The game was largely over by the late 1960s, with the critical exception of the indigenous minorities of former landlocked settler colonies in Australia, New Zealand, and the Americas. As with the Palestinians who remained in Israel after 1948, the UN’s respect for the sovereignty of existing member states and its commitment to “international security” would consistently trump the rights of their native inhabitants.³²

Just as the question of empire is absent from our accounts of Israeli society before the 1967 war, the history of pre-1967 Israel is absent from histories of settler-colonialism and late imperialism. It is true, as a recent volume points out, that the Zionist project in Palestine was the only twentieth-century settler movement to attain majority status and internationally recognized statehood.³³ It is also true that Israel’s particular fusion of procedural rights with settler sovereignty was unique. The question that few scholars have asked is *why* and *in what way* Israel became a historical outlier, and how its unique political form shaped its ongoing colonial project.

LIBERAL SETTLER SOVEREIGNTY

The chapters that follow chronicle Israel’s formation as a liberal settler state within, rather than outside, changing global norms of republican sovereignty after 1945. The entrenchment of the colonial relationship between Jewish settlers and native Palestinians after 1948 *in tandem with* the provision of citizenship and suffrage rights to the newfound Arab minority is the argumentative thread that ties them together. Drawing on multiple archives, memoirs, oral histories, film, music, and an extensive reading of the Arabic and Hebrew press, the book also weaves a far messier tale than other works that have characterized the period of military rule as a more or less orderly program of displacement, exclusion, and repression.³⁴ It is a tale, in fact, woven of contradictions: Israel’s citizenship law was formulated ultimately not to enfranchise the Jewish majority but to combat the unanticipated determination of Palestinians to remain in or return to their homes from exile. Palestinians were not only neglected and marginalized. They were also actively recruited into the state’s public culture in order to reassure Jewish labor leaders, school principals, commanders, and civil servants that they had internalized their defeat, and that they were grateful for it as well. Whereas the government viewed the military regime as the single most important tool in the continuation of the Zionist struggle to conquer Arab land,

the army thought it was a joke and refused to allocate it any resources. And the crack of political maneuver that Palestinian activists and intellectuals courageously forced open as citizens all but sealed their fate as colonized subjects.

These and other discrepancies etched into the foundation of the Israeli state grew, I contend, out of two ordinary seeds. The first was the unprecedented colonial bargain that the Yishuv was forced to accept in order to gain international recognition of its sovereignty in 1948. Israel was not the first state in history to emerge from a settler-colony that extended citizenship and voting rights to its indigenous inhabitants, but it was the first to do so in the midst of its ongoing quest for their land. Whereas the United States, for instance, spent two centuries attenuating the land base of Native Americans before offering them citizenship in 1924, the norms of self-determination, republican citizenship, and human rights that rose from the ashes and hypocrisies of the two world wars precluded the possibility that Israel would enjoy the same luxury. The Palestinian national movement is a case in point. Although it crystallized only in the 1920s, it posed a formidable challenge to Zionism with which earlier European settler projects did not have to contend. This challenge would culminate in 1947, when the United Nations recommended that Palestine be partitioned into two states for the “two peoples”—a category defined in positivist racial terms—who inhabited it.

My use of the term *race* may surprise some readers. Correctly, many will point out that the Zionist leaders—unlike, say, the architects of the original US Constitution, with their “three-fifths of all other persons” clause, or the authors of South Africa’s apartheid policy—neither developed nor drew upon a specific biological theory to justify its political claims. But the search for scientific racism alone can obscure other forms, particularly in the context of settler societies and nationalist movements in the early twentieth century.³⁵ The term *race* appears here in two senses. The first is the near impossibility of Arab religious conversion to Judaism, which has made birth (that is, blood) the sole path to membership in the settler community. Second, and more salient, is the way the construct of race (as a category of difference) and the charge of racism (as a moral indictment) took root in local law and the public imagination during the decades leading up to and following the establishment of Israeli statehood. As in colonial Algeria, the juridical concept of nationality in Israel both complemented and reinforced a preexisting racial logic.³⁶

The second, and related, root of these contradictions is the Yishuv’s distinction as the first modern settler-colony to reverse its minority status through the

mass displacement, but not annihilation, of the native majority.³⁷ Because most Palestinian refugees were scattered along the ceasefire lines of the new state and clamoring to return home, and because for many years there were not enough Jews willing or able to farm their lands, Israeli officials worried that the permanence of their wartime conquests was imperiled. Compounding their fear was the fact that 90 percent of the Palestinians who managed to stay put or return to land inside Israeli lines during and after the war were concentrated in areas designated for the Arab state of Palestine whose establishment the UN had endorsed—regions where Jewish settlers had barely made a dent during the course of the Mandate.

Israel's dilemma, in short, was how it could secure its wartime gains while sharing political power with the very people who—by virtue of their desire to hold onto their lands and bring home their relatives, friends, and compatriots—would want to reverse them.

In reconstructing this history, we can see how and why military rule helped to contain the contradictions of liberal settler sovereignty, at least at first. Israel's regime of checkpoints, travel permits, and other restrictions on Palestinian freedom of movement, for instance, impeded the ability of its Arab citizens to mount direct challenges to the state. However, in large part *because they were citizens*, Palestinians soon developed subtler means of contesting power within the Israeli polity and highlighting the injustices of the liberal settler state before a global audience. By the mid-1960s, the political costs of maintaining military rule would prompt Israel to abolish the outward manifestations of the regime in Palestinian towns and villages—but not their legal basis or the other pillars of the state's "sliding scales" of citizenship.³⁸ Those contradictions have never gone away; they have only been elided and disguised from view by the conquests of the 1967 war, which, in the eyes of the world, created a larger paradox whereby Israel was both a democracy and a belligerent occupying power.