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## **The Israeli Nationality Law – A Blueprint for a 21<sup>st</sup> Century Settler Colonial State**

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### *Abstract*

The author argues that the ‘New’ Israeli Nationality Law is, despite its name, a natural, almost inevitable, product of the Zionist project in Palestine. Besides representing Zionist ideology, the law is part of a long-term attempt by the Israeli government to adjust Zionism to present-day realities and solve the so-called ‘demographic problem’ of the Jewish State.

*Keywords:* Israel – Palestine – Zionism – nationality – nakba – apartheid.

**SUMMARY:** 1. Introduction. 2. The Settler Colonial State. 3. Practicing Settler Colonialism in the Occupied Territories, 1967-2007. 4. The Next Target: The West Bankization of Israel. 5. Further Implication and Resistance.

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## 1. Introduction

The new Israeli Nationality Law – enacted in 2018 - is a natural, almost inevitable, product of the Zionist project in Palestine. In many ways, it is as relevant to the Zionist project as has been President Donald Trump's recent decision to move the American embassy to Jerusalem and recognizing the city as Israel's capital. Trump's decision was very much in line with the policies of previous American administrations. In both cases, we have texts that clearly spell out attitudes and positions that were obfuscated in the past by more cautious discourses. Israeli and American leaders over the years subscribed to the same ideological positions that produced the Nationality Law and the decision to move the embassy to Jerusalem, respectively. The coincidence of these two moments of Israeli and American clarity about Palestine is also not incidental – the policies of both sides dialectally feed each other, with the end result of an ongoing American immunity to the geography of disaster Israel wreaks in historical Palestine.

In this article, I claim that the Nationality Law is a refined Israeli methodology of dealing with the inherent challenge facing any settler colonial project coveting someone's else homeland but wishing to have it without the indigenous population. This methodology was first put in place in the late 19<sup>th</sup> century and is adapted constantly, ever since, to changing circumstances and realities. More specifically, the Nationality Law responds to the reality Israel created in 1948; namely the fragmentation of the Palestinian people into discrete groups that were hitherto ruled by different means and now are been perceived as constituting a similar threat to the settler colonial state. The text of the law, thus, represents both the fundamental Zionist ideology as well as the adjustments of this ideology to present day realities. Texts such as the Nationality Law, which is a Constitutional Law in Israel, have deep origins stretching back to the beginning of the settler colonial project of Zionism in Palestine, and are informed by more immediate developments that give it its final shape. The text therefore embodies fundamental ideological positions of the Jewish State and charts the way forward for the Jewish State in the near and foreseeable future.

The law begins with similar statements to those found in the Israeli Declaration of Independence promulgated on May 14, 1948 stating that Palestine is the historical birthplace of the Jewish people. However, the Declaration talks about the right of the Jews for «self determination based on historical, cultural and constant religious attachment to the land»<sup>1</sup>, while the Nationality Law defines Israel as a Jewish nation-State based on «a moral, religious and natural right»<sup>2</sup>; not just an attachment. Thrown to the wind is the previous Zionist claim that creating a State as a secular project of modernization that would benefit all who live in historical Palestine.

These two concepts, “the land of Israel” and “the State of Israel” are crucial for understanding both the law, the nature of the Zionist project and the future policies of the State of Israel (regardless of which government will be in power). The “land of Israel” reflects the spatial (geographical) dimension of the Zionist settler colonial project while the “State of Israel” represents the demographic aspect of the project. According to the law, there is only one national group within the State of Israel, and there will be only one such group when the State of Israel extends over other parts of

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<sup>1</sup> Provisional Government of Israel, *Official Gazette*, no. 1, 15 May 1958, p. 1.

<sup>2</sup> Israeli Knesset, *The Book of Laws*, Vol. 2743, 26 July 2018, p. 898.

the land of Israel: clause 1.3 assert that «the right of national self determination in the state of Israel is uniquely Jewish (*yihudi lam hayehudi*)». This principle will be applied in the future to any additional part from the “land of Israel” that would be acquired through “Jewish settlement (*Hityashvut Yehudit*)”; namely colonization of parts of the land of Israel which are not yet the State of Israel<sup>3</sup>.

In order to fully grasp the significance of the law and its impact mainly, but not exclusively, on the 1948 Palestinians, one has to recap the applicability of the settler colonial paradigm to the case of Zionism. Only through this paradigm, despite some of the Palestinian criticism directed at it and which I have discussed elsewhere<sup>4</sup>, one can appreciate the law both as an ideological statement and a plan for the future. The paradigm also provides a fresh view about past Palestinian resistance to the Zionization of Palestine as well some indication of how it can be challenged as part of the Palestinian liberation project.

## 2. *The Settler Colonial State*

We make a distinction between settler colonialism and classical colonialism. The settler colonialists are Europeans who were forced to leave Europe due to persecution or a sense of existential danger and who settled in someone else’s homeland. They were at first assisted by Empires, but soon rebelled against them as they wished to re-define themselves as new nations<sup>5</sup>.

Their main obstacle however were not their empires but the native population. Their main challenge was the presence of indigenous populations in their newly coveted homelands. The encounter with the local people activated what Patrick Wolfe called «the logic of the elimination of the native»<sup>6</sup>. In some cases, this led to a genocide, as happened in North America, in others to *apartheid* as occurred in South Africa. In Palestine, the presence of native population led to ethnic cleansing operations that began in the mid-1920, culminated in the 1948 *Nakba* and continued ever since. The settlers also saw themselves as the indigenous and perceived the indigenous as aliens. This self-indigenisation of the settler and de-indigenisation of the native in the case of Zionism was done in the name of the bible. And thus a secular Jewish settler movement demanded a new homeland by using a sacred religious text, the bible, as a scientific proof for their right to national sovereignty in the land. This implied that the Palestinians were the usurpers who took it over. This was a cynical approach, as the first settlers who came in between 1882 and 1914 could have not made it in Palestine without the help of the local Palestinians, but in their diaries and letters back home they described their local hosts as the foreigners who usurped «our ancient homeland and destroyed it»<sup>7</sup>.

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<sup>3</sup> *Ibidem*.

<sup>4</sup> I. Pappé, *Indigeneity as Cultural Resistance; Notes on the Palestinian Struggle within 21<sup>st</sup> century Israel*, in *South Atlantic Quarterly*, Vol.117, no. 1, 2018, pp. 157-178.

<sup>5</sup> L. Veracini, *The Settler Colonial Project*, Springer, New York, 2015.

<sup>6</sup> P. Wolfe, *The Logic of the Elimination of the Native*, in *Journal of Genocide Research*, Vol. 8, no. 4, December 2006, pp. 387-409.

<sup>7</sup> The quotes can be found in I. Pappé, *Settler Colonialism: First and Last Impressions of Indigeneity by Colonised Colonisers*, in *Settler Colonial Studies*, Vol. 2, no. 1, 2012, pp. 39-58.

The settler colonial paradigm is particularly useful to explain what lays behind the massive ethnic cleansing operations of 1948. It differentiates between the will and the planning of Zionism, as a classical settler colonial movement wishing to have a new land without the people on it and the analysis that clarifies what enable this movement to perpetrate the plan so successfully. Hence the quality of the Palestinian leadership, the inability or in some cases unwillingness of the Arab world to help and the genuine or cynical wish of the Western world to compensate the Jews for the Holocaust all created a convenient historical movement for implementing the settler's colonial plan.

This is a very effective argument for the common Western pro-Israeli narrative casting the blame on the Palestinians for their catastrophe. In this respect the Palestinian acceptance or rejection of the UN partition plan was also less crucial in determining the fate of Palestine and its people in 1948. With their consent to the UN partition plan or without it, and with a more effective resistance or without it – the Palestinians faced in 1948 a settler colonial ideology that had the unconditional support of the Western World. In fact, long before the Holocaust, the Zionist settlers acted upon “the logic of the elimination of then native” and the particular circumstances of 1948 provided the opportunity for partial realization of the vision of a de-Arabized Palestine<sup>8</sup>.

However, in 1948, the Israeli forces expelled “only” half of the indigenous population and took over “only” 78% of the coveted new homeland. The inability to get rid of all the Palestinians and to takeover the whole land is an incompleteness that explains the Israeli policy towards the Palestinians ever since 1948.

This incompleteness left a Palestinian minority with the newly found Jewish state and the settler colonial basic strategy informed the harsh Israeli policy towards these Palestinians left within Israel, the 1948 Arabs as they are named by the Palestinians or the Israeli Arabs as they are referred to by Israel. Until 1956, this community was subjected to further ethnic cleansing operations – this time against Palestinians who were citizens of the Jewish State whose Declaration of Independence promised to protect them, and yet they were expelled by the settler State (dozens of villages were depopulated in that period)<sup>9</sup>. Then they were put under a punitive military rule that robbed them of any normality in their life, where soldiers could arrest, shoot or banish them at will. The settler colonial State saw its Arab citizens as aliens with a potential of becoming hostile aliens at any given moment.

The settler colonial paradigm explains also the Israeli policy leading to the June 1967 war as well as its policy in the early years of the occupation of the West Bank and the Gaza Strip. In a recent book, «The Biggest Prison on Earth; A History of the Israeli Occupation», I have analysed the decision to occupy the West Bank and the Gaza Strip in the June war of 1967, not as a defensive response to an all Arab attack (which is the common narrative), but rather as an Israeli solution to the incompleteness of the 1948 operations<sup>10</sup>. The geographical incompleteness of the settler colonial project in 1948 frustrated important sections of the Israeli political and military *élite* and they contemplated ever since the takeover of the West Bank and the Gaza Strip. The plans

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<sup>8</sup> See the articles in the journal, *Settler Colonial Studies, Past is Present: Settler Colonialism in Palestine*, Vol. 2, No. 1, 2012.

<sup>9</sup> On the Israeli policy see: N. Masalha, *Imperial Israel and the Palestinians*, Pluto, London, 2000.

<sup>10</sup> I. Pappé, *The Biggest Prison on Earth, A History of the Israeli Occupation*, Oneworld, London and New York, 2017.

moved into a more practical stage when in 1963 the principal politician, who objected to such a takeover, David Ben-Gurion, was removed from a significant role in Israel's political life. In that year, a group of senior officers and officials drew a plan, called the *Schaham* plan, that would be implemented in 1967, to abolish the military rule imposed on the Palestinians inside Israel and moving this apparatus and impose it on the Palestinians living in the West Bank and the Gaza strip after their planned occupation.<sup>11</sup>

The military rule was only one method employed by Israel in the post 1967 period in its attempt to engage with the incompleteness of the 1948 operations. The State used a mixture of legal and practical methods of policing the unwanted population, with different variations for different localities and the Nationality Law is yet just one more, additional, link in this chain of Israeli searches for what its leaders constantly call “the demographic problem” of the Jewish State.

### ***3. Practicing Settler Colonialism in the Occupied Territories, 1967-2007***

Already four years before the actual takeover, it was clear that with the coveted new territory, the settler state would have had new demographic problems. Like all settler colonial movements before them, the Zionist movement was troubled by the need to balance space and people on the way of turning a colony into a State. The more territory you get the more natives you rule. How to eliminate them as a demographic problem was the question, and the answer and methods depended on the capacity, circumstances and the ability of the indigenous population to resist. In this respect, the Nationality Law is the culmination of this trajectory that began in 1967.

In the immediate aftermath of the June 1967 war, the decision of how to engage with the new territory and dealing with the new demographic challenge to the settler State rested with the 13<sup>th</sup> government of Israel. It was the most consensual government Israel ever had or will have. Every shade of Zionism and Jewish orthodox anti-Zionism were represented in this unity government. This explains its ability to carve out a strategy that is still adhered to, today.

The decision was not to annex officially the new territories, but also never give them up as part of the space of the future Jewish State. The settler State took over the remaining 22% of “the land of Israel”, under the pretext that the borders of 1948 were deemed indefensible and that the ancient biblical sites in the West Bank were sanctified as the heart of the ancient land of Israel without which the new nation State would not thrive. This is how the geography, the space, issue was solved.

There was a debate on how much of the new territory should be annexed officially or directly (a debate that was not resolved until today). However, a Zionist consensus, still intact today, evolved that the guiding principle for making such decisions is partition; namely, the West Bank and the Gaza Strip could be best controlled if they were divided into a Jewish and non-Jewish area; or in the discourse of the Nationality law to the State of Israel and the land of Israel. The right wing in Israel still strives to turn most of the land of Israel (today areas A and B of the West Bank, according to the Oslo accord, and if possible, the Gaza Strip) to the State of Israel (which *de-facto* exists in area C in the West Bank and might be *de jure* annexed at any given moment); the shrinking left and

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<sup>11</sup> I. Pappé, *The Biggest Prison on Earth*, cit., pp. 14-16.

centre wish to exclude the densely populated Palestinian areas (areas A and B) from the State of Israel, while hoping to annex part of area C (it is important to mention that area C is more than 60 per cent of the West Bank).

The first post 1967 partition map was offered by Yigal Allon, one of the leaders of the Labour government. The Jewish space would be determined, he said in June 1967, by colonization (*uvodt hityashvoyot*). The same method is offered by the 2018 Nationality Law. Allon drew a strategic map that left only densely populated Palestinian areas out of the Jewish West Bank and Gaza Strip. The problem for the 13<sup>th</sup> government and the ones that followed it, the Golda Meir and Rabin governments, was that the new messianic movement, *Gush Emunim*, had a different map of colonization, based on the bible and the nationalistic imagination of Israeli archaeologists. They wanted to settle Jews precisely on densely populated Palestinian areas (which allegedly were situated on ancient biblical Hebrew places). This twin effort from above and below by 1974 had already defined the West Bank in particular as a partitioned space between a Jewish West Bank and a Palestinian one. The former continuously growing, the latter continuously shrinking.

The State had to decide how to incorporate the territory without changing the demographic balance inside the Jewish State. The solution was found in the immediate aftermath of the war, and long after it. It was to enclave the people of the West Bank and the Gaza strip in mega prisons, that by now a third generation of hundreds of thousands of Israelis is involved in policing and maintaining. This reality created on the ground looks to them as normal and acceptable, despite wide international condemnation.

The same government that decided to divide the 1967 occupied territories to “ours” and “theirs” also made the first and crucial decisions on the fate of the people living in. After some hesitations and quite substantial forced transfers of population, it was decided not to ethnically cleanse the population. The *status* of the population was to have some official connection with the previous powers, namely Jordan and Egypt, but basically, they were to remain as long as possible citizen-less citizens. The nationality law of 2018 at least clarified how this *status* would change should some of the Palestinians continued to live in areas annexed officially by Israel. At best they will be Israeli citizens, but under the confinements of the Nationality Law, and almost like newcomers, the law could be translated into harsher policies against them, if at all they would be granted full citizenship. Quite a few of the Palestinians in East Jerusalem, due to the annexation of the city, became Israeli citizens, yet they live a far more precarious legal life than Palestinians inside Israel. This could be also the best case scenario for Palestinians in a future annexed area C. If not they will remain inhabitants – *Toshavim* – or subjects – *Netinim* – of the Palestinian Authority if it continues to be in charge of what would remain of areas A and B in the West Bank.

The next resolution was not to announce these decisions and engage in a peace process, with the help of the Americans, the aim of which was to obtain international, and if possible, an Arab, and later on even Palestinian, legitimization, or at least consent, to the way Israel wishes to have the territory without the people. The hope was that this legitimization would turn the Israeli plan into the end game of a future peace process. It was taken for granted that there will be genuine public debate in Israel about the future of the territories and some friction with the USA, but in the end of the day,

the Israeli interpretation of what is peace and what is a solution will prevail. Nothing in what happened in the next 52 years indicates that these politicians did not get it right basing their hope on Palestinian fragmentation, Arab impotence, American immunity and global indifference.

The other constituent element of the settle colonial policy after 1967 was how to rule and police the citizen-less citizens. In that last 52 years, the settler State employed two models for running millions of citizen-less citizens. Both models are mega prison models, with the logic of a prison and with only one difference, you can leave the prison and become a refugee with no right of return<sup>12</sup>.

The open prison model is based on allowing freedom of movement inside the Palestinian areas and a controlled movement outside the Palestinian areas and between the West Bank and the Gaza Strip. No spatial growth for the Palestinians, no new villages or towns built on any land coveted for present and future Jewish settlements. The settler State did not tolerate any resistance to the geopolitical reality it created on the ground, but a certain level of autonomy was allowed in running municipal affairs.

The first open prison was run between 1967 and 1987. Life was constantly monitored by the army and since 1981 by an outfit called the civil administration ruled by a set of regulations that gave the military unlimited power in the life of the citizens-less citizens. They were arrested without trial, expelled, their houses and business demolished, wounded and killed at the discretion of soldiers quite often of lower ranks.

This was on offer between 1967 to 1987 for the first time and then between 1993 and 2000 for the second time. It is on offer for areas A and B in the West Bank since 2004. Every new model of an open prison is worse for “the inmates” than the previous one. Privileges granted in the first term are reduced as long-term punishment for resisting the model. Thus, the second open prison, what one can call the open prison model of the Oslo accord which created mini prisons in areas A, B and C and the Gaza Strip, is far less open than the one in act until Oslo. This didactic approach is inbuilt into the Israeli perception – supported by Israeli orientalist – how best to teach the Palestinian lessons that would docile them and disempower them to the point of submission.

The first Palestinian resistance to the open prison model was in the first *intifada* in 1987. The punishment was replacing the open prison model with a maximum-security prison. Between 1987 and 1993, it included short term punitive actions – mass arrests without trial, wounding and killing demonstrators, massive demolition of houses, shut down of business and the education system and most importantly, further expropriation of land for sake of Jewish settlements.

The Palestinian were offered a sophisticated open prison model in Oslo (regardless of how Palestinians and the world saw the accord). This is why the end of the occupation is not mentioned in the accord and the latter did not promise any end to the intensive Israeli involvement in the life of the Palestinians, even if the Palestinians would implement every other Israel demand within the Oslo accord.

However, this model included the long-term punishment, the didactic one. Since 1994 there was no freedom movement any more inside the Palestinian areas, let alone outside the Palestinian areas and the Judaization of the West Bank increased. The Gaza Strip was encircled already in 1994 with a barbed wire and the privileges granted in

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<sup>12</sup> I. Pappé, *The Biggest Prison on Earth*, cit., pp. 14-16.

the first model of the open prison for the Gazans to work in Israel was withdrawn. Another permanent punishment was the allocation of more water to the Gush Qafif settlements and cutting the strip into two parts controlled by Israel.

If life under the first model of open prison was unacceptable to the Palestinians, the second one was worse, both in objective terms but even more importantly as it was presented as part of a peace process. The years devoted to Oslo and its implementation were creating life under conditions which were far worse than those in the first open prison model.

The second uprising generated yet again a punitive maximum-security model: far worse in its short term punitive actions and the long term punishments. The massive use of military power included F-16 and tanks against civilian population in particular during the 2002 Defence Shield operation. An urbanicide we had witnessed in Syria, Iraq and Yemen recently and which was a prelude for the use of such power in the third model of the maximum security prison imposed on Gaza after the *Hamas* took over the strip in 2006.

In 2007 the two models clearly transpired in the way Israel ruled the West Bank and the Gaza Strip, still loyal to the main decision the 13<sup>th</sup> government took in 1967: not to annex, not to expel and not to withdraw. The only decision discarded was the need to present it all as temporary measures pending peace, or to describe the open prison model as a peace plan. Even the Israeli public and politicians got tired from this charade and adopted what Prime Minister Ehud Olmert called unilateralism. Where there is collaboration there is an open prison model, in areas A and B, which include the long-term punitive actions: hundreds of checkpoints and an *apartheid* wall meant to humiliate to the point of submission millions of people under the belief that this would discourage a third uprising. The checkpoints are the recruiting ground for a cruel network of informants that is meant to attack the dignity and self-respect on a whole nation that miraculously still succeeds in rearing human and steadfast today. And the closure of whole towns and villages with only one exit controlled day and night by the army and recently by private companies.

Where there is resistance as in the Gaza Strip the maximum security, prison has turned into a ghetto, with Israel rationing food and calories, undermining the health and economy to the point of creating a human catastrophe as acknowledged by the UN prediction for the de-development and unsustainability of the Gaza Strip from next year onwards<sup>13</sup>.

#### **4. The Next Target: The West Bankization of Israel**

All the Zionist parties of Israel in one form or another subscribe to these two models as the only game in town. The dominant political powers in Israel wish to import this twin model into Israel proper, *vis-à-vis* the Palestinians in Israel and they might succeed in doing so and the newly passed nationality law is an indication that this is indeed the future policy. This can also be seen when comparing the attitude to the Palestinian citizens by the two main parties that competed in the April 2019 elections: the *Likud* and *Kachol-Lavan* (Blue and White) party. Both declared clearly they do not see the

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<sup>13</sup> I. Pappé, *The Biggest Prison on Earth*, pp. 14-16.



Palestinian parties as legitimate partner for any future coalition or government and do not oppose the Nationality Law.

The same methodology employed of turning what remains of the land of Israel into the State of Israel is used in Israel proper. In the West Bank this *modus operandi* was an admixture of actions from below (by the messianic movement of *Gush Emunim* and other settlers off shoots) and from above (through government housing and expansion policy). These mixed policies of allegedly unauthorized colonization (quite often legitimized in hindsight) and planned Judaization is also employed inside Israel. This admixture consists, among other projects, of planting zealot settler communities on the seams of mixed towns in Israel (such as al-Lid, Acre, Jaffa and Ramleh); using archaeological excavation to cleanse the old city of Acre and Silwan, while governmental supported NGO, ELAD, is ousting people from their homes in Shaykh Jarah. There are also the more veteran programs of the Judaization (*yihud*) of the Galilee and the Naqab. The spatial take over, very much as in the case of the West Bank, precedes the final definition of the status of the “unwanted” population. This has been the method of the Zionist colonisation of Palestine from the outset and it’s the way most settler colonial projects developed in the past.

The right wing parties in Israel, in power since the late 1990s, like their Labour predecessors, do not particularly wish to leave such “national projects” in the hands of *vigilantes* (this is why after 1948 the government preferred a systematic and orderly looting of the possessions left behind by the Palestinian refugees and struggled against individual acts of robbery and pillage). As a national project from above the only difference between the Labour establishment and new centre-right one is the move from *de facto* actions on the ground to *de-jure* legislations.

The *de-facto* actions are spatial strangulation, partition and settlement. The need to move a to *de-jure* policy stems from the wish to determine in a more final way the status of the Palestinian population as it is constantly perceived as the main strategic challenge for the success of the settler colonial project of Zionism. This was the main challenge for the settler colonial project of South Africa and the *apartheid* regime needed its own constitutional law to settle this challenge in 1948 – the slow rise to power of the centre-right collation in Israel delayed the legislation in full until the 2018 Nationality Law.

The Labour party imposed Judaization and partition on both sides of the green line by that dimming the difference in the existential realities for all the Palestinians living in historical Palestine (apart from the Gaza Strip) through the construction of purely Jewish spaces (from small settlements to towns) in the West Bank as well in Greater Jerusalem, the Galilee and the Negev and maintaining a discriminatory system in every aspect of life (although it was, and still is, in terms of individual freedom to hold Israeli citizenship for freedom of movement, employment and education). The centre-right coalition governments legalised, or in a way openly declared, this spatial *apartheid* policy with a series of legislation that began with a law in 2011 that allowed Jewish communities and settlements inside Israel to reject any Palestinian citizen of Israel wishing to live there.

Another set of laws went beyond spatial confinement and strangulation. Long before the Nationality Law, the centre-right governments of Israel, attempted by law to deny the right of any form of self determination for the Palestinians in Israel (while

“tolerating” it in areas A in the West Bank and unable to impact it in the Gaza Strip unless Israel decided to re-occupy it). A law enacted in 2011 enabled the State to define any Palestinian citizen identifying with the actions of Palestinian resistance as a traitor or terrorist. The *Nakba* Law on that year banned public commemoration of the 1948 events as a catastrophe by anyone connected to the State (such as schools or community centres)<sup>14</sup>. According to the Palestinian NGO, MADAR, the Israeli *Knesset* between 2015 and 2018 passed 185 racist laws meant to consolidate an *apartheid* regime on both sides of the green line<sup>15</sup>.

Hence the Nationality Law is the summation of these laws and not a new law. Like all the other laws and the politics on the ground, these are the 21<sup>st</sup> century solutions to the *conundrum* of settler colonial project of a State wishing to be regarded as a democracy and can not implement massive ethnic cleansing.

### **5. Further Implication and Resistance**

The Nationality Law is thus both a culmination of a wave of legislation meant to help the settler state to adapt to changing realities, and within a wider historical context, yet another method of dealing with both the incompleteness of 1948 and the need to find a balance between exclusivity over space and overcoming “demographic threats”. The law also indicates a search in the future for a similar methodology for dealing with both Palestinian communities in at least part of the West Bank (in area C) and the Palestinian in Israel.

It is quite possible that the bottom up and policies from above, inspired by this law, will continue in the future. From below, further expansion of exclusive Jewish spaces (or a municipality like Afula taking a vow never to allow Palestinian citizens to live in the city) will be followed by policies outlawing any further challenge to the Nationality Law’s definition of the Palestinian citizens as the people who speak a language that has a “special *status*”. Delegitimising the Islamic Movement was a first step that can be followed by further outlawing other Palestinian parties, such as *Balad (Tajamu)*. Outlawing Palestinian parties or movements will be part of what one may call the West Bankization of Israel.

The attempt to re-define who the Palestinians are encountered some unexpected hitches in the law as it included automatically also the “good Arabs”, such as the Druze who by serving in the Israeli army feel that they should be part of the privileged community of the Jewish society. The law defined exclusion according to a mother tongue, and not just service in the army. But all in all, the Zionist parties will continue to debate the best tactics for achieving the basic goal of the settler state – having the space without the indigenous people, but will not question the logic of its search; hence the correct prediction of many pundits that there is little hope of change from within the Jewish society in Israel.

Palestinian resistance has never ceased from the very beginning of the colonization of Palestine. The incompleteness of the 1948 ethnic cleansing and the continued

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<sup>14</sup> See more about this law in ADALAH’S website: <https://www.adalah.org/en/content/view/7771> (consulted on April 8<sup>th</sup>, 2019).

<sup>15</sup> *Special Report*, 19 April 2018, in ALMADAR website: <https://www.almadarnews.com/> (consulted on April 8<sup>th</sup>, 2019).

preoccupation of the settler state with the demographic *conundrum* are a testimony of its successes (as well as of failures). The struggle against the eviction as well as the struggle against the overall ideology and future plans are daily, quite often feeble and hampered by disunity and objective imbalance on the ground, the region and the world.

There are however achievements that in time may prove as enhancers of a more successful liberation struggle in the future. Recognizing the settler colonial nature of Israel is quite common now among Western civil societies and beyond. There is therefore an increasing awareness that what is needed is not peace but decolonization, not just of the areas occupied in 1967, but of the whole of historical Palestine, one which will include the implementation of the Palestinian refugees right of return.

Even beyond the civil society and among a growing number of Palestinians, there is a willingness to revisit the two-state solution as an open prison model and find a way in which one democratic State for all can be established. Two things have to be taken into account however: the first is the continued adherence of the representative bodies of the Palestinians until today to the two states solution; the second is that there is already a one settler *apartheid* Israel all over historical Palestine. *Ergo*, there is anticipation for a Palestinian change of mind, and international endorsement and measures such as those offered by BDS movement, as preliminary steps before there is no hope for generating a change from within the Jewish society.

The Nationality Law can be a trigger for invigorated new definitions and strategy of liberation or alas we will have to wait for even a clearer, if it is at all possible, exposure of the real nature of Zionism and the State of Israel.

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