

Middle East  
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**Instead of focusing on the details of the current crisis in Palestine, it is important to think broadly about the global implications of this problem. The main observation made in the following is that the Palestinian crisis exposes the deficiencies of the modern international order and the limits of modernity at large. The implications of such an observation reach far beyond Palestine to include almost all the communities that do not neatly meet modernity's requisites.**

Modernity implies the expansion of the domain of the written word at the expense of orality and oral tradition. Stripping modernity from all its complexity and reducing it to a matter of writing is limiting. However, language is at the heart of the problem: at the level of communication; at the level of linkages between writing and legality; and between writing and economic and political empowerment. The modern nation-state is the main instrument of this expansion of modernity and the realm of the written word.

The domination of the written word and the discourse of the modern nation-state and of modernity have brought about a new consensus and cosmology that must be questioned if we are to become sensitive to the plight of fragile communities. The consequences of this worldview and the expansion of modernity are fatal for those who are the objects of such transformations.

Modern politics and modern intellectual trends are about eliminating or suppressing everything that defies the language of the state and does not lend itself to categorization. The sovereignty of the nation-state lies in its power to determine anew who is legitimate, to distinguish between who is inside and who is outside, and to make these definitions stick. The latter depend on a specific language and a specific mode of representation. The lucky ones fall within this language definition and are thus represented as legal persons with political and economic rights; the unfortunate ones fall outside the language of modernity and consequently outside legality and property rights. Everything that self-defines or eludes modernity's categorical grasp or the language of the modern nation-state is a challenge.

### The Palestinian situation

At the heart of the Palestinian problem is the fact that Palestinians are part of a linguistic community that is inaccessible to the West. For some in the West, Arabic is a 'controversial language'. It is the language of emotionalism, or at least has been represented as such. In the current hierarchy of languages, Arabic, unlike English, is not one that defines the world today. A language's ranking is not unrelated to the language of contracts, naming places and possessing and dispossessing land. This hierarchy exists even within a single language. Those forms that fall outside of a particular mapping of the world are marginal and unwritten – this marginality eliminates other forms of claims to land and sometimes to existence.

Since the current international system is a function of modernity, the Palestinians become the victims of three layers of an oppressive structure: modernity, the modern international system, and the Israeli occupation. Thus, the Palestinian situation is unveiled as a triple tragedy and its full complexity must be addressed.

One dimension of the problem is in Israeli hands. The other dimensions of the tragedy lie within the larger contradictions of modernity and the current international system, which caters to sovereign states at the expense of various unfortunate yet distinct communities.

# Modernity's Victims

## The dilemma of Palestine

If we are to adopt such a perspective, the limitations of the current rhetoric of leaving the two parties to arrive at a bilateral solution on their own become salient and the intentions behind it become obvious. It is misleading to present the problem as a 'Palestinian-Israeli' or even an 'Arab-Israeli' problem and absolve the dominant powers in the current international system (as well as that of yesteryears) from their responsibilities towards a problem that resulted from the expansions and contractions of empires. The modern post-colonial state was certainly written in such a way that it obscured a local history. For instance, present-day Guatemala basically promotes a new history of the state and its boundaries, trampling upon the history of the Mayan Indians that exist both inside and outside the country's borders.

Native inhabitants are victims of displacement, either at the level of time and history or at the level of space and place. Modern occupiers or settlers who are written in the language of modernity have more rights than indigenous or aboriginal people. If one takes the issues of Palestinian refugees, or what Oslo calls 'displaced persons', as an example, and contrasts it with Israeli settlers, the contradictions become more glaring. Most Palestinians who live in refugee camps and want to return to their homes in Palestine may not have the written papers to prove ownership of their own homes. A home that has perhaps been in the family for hundreds of years might not satisfy the requirements of the modern nation-state and its criteria for property rights. Palestinians could offer many witnesses to testify that indeed a particular family resided in a certain home for years, but modern nation states listen only to papers and legal documents they can understand.

The Israeli government was aware of this. Following the June 1967 war, the Israeli military government controlling the West Bank almost immediately terminated a land registration campaign in progress. At the time of the suspension of the programme, approximately 60% of the West Bank was left without a standard form of titled ownership. The systematic demolition of Palestinian homes is also an element of this policy of eradication – an attempt to allow one history to overwrite another. Since the inception of the state of Israel, Palestinian lands were considered *terra nullus*. It is this notion of emptiness that gave the settlers and the Israeli state the power to take over Palestinian land and homes with very little accountability. Even Palestinian homes that are under the control of the Palestinians are often dead assets.

As Hernando De Soto has shown, this is a larger problem that runs throughout what used to be called the third world. Since the homes are not incorporated into legality, it would be extremely difficult for a Palestinian to sell his home or get a loan against it to better his lot. Hence, the exclusion of the Palestinians from the written world has excluded them from the world of legality. It has also excluded them from the world of transactions (economic or other). Thus, it becomes obvious that the Palestinian home is only recognized within the testimonials of

the oral tradition. Its illegibility to modernity and to the language of the nation-state renders it *terra nullus* or nonexistent. Israeli settlers, on the other hand, have become the written people of modernity, both within and outside of Israel. They have access to all the paraphernalia of modernity that offer them legal, economic and political rights.

The dilemma of the Palestinians is that they aspire to be part of a legal system that does not recognize their existence. The Palestinians call for settlement on the basis of the Security Council Resolution 242, which was the result of interstate wars. This resolution relegated Palestinians to the status of a refugee problem; even the current discussion concerning the Madrid Conference and the subsequent Oslo Agreement has been reduced to a conversation over 'land for peace', with little mention of the people.

As we adopt this state gaze and state-centred language, we become unaware that we are trampling upon various fragile communities who were pushed into unfair arrangements. Albanians, Kurds, and Chechens, native peoples of Australia and Canada, are but a few examples. Across the globe, there are many communities within states that are tightly bound by the words of dominant idioms. Their distinct rights are hidden from view.

For any Palestinian story to be heard, Palestinians have first to be written. Only when a Palestinian refugee is written, can he or she gain access to modernity, become a legal personality and consequently acquire economic and political rights. Thus the issue at hand not only concerns the independence of the Palestinian state, but also, and perhaps even more so, the improvement of the economic conditions of the Palestinians.

Because of its exclusive type of nationalism, Israel does not accept the incorporation of the Palestinians into a bi-national modern state with similar legal and economic rights. Modernity is limited by the nature of the Israeli state and the state of Israel is limited by modernity's parameters. The only recourse for a Palestinian family is to appeal to international law, but international law deals only with sovereign states and the Palestinians have not yet acquired this sovereignty.

By no means is Israel the only modern state in the region that uses violence as a means of domination. The rest of the states in the region, such as Turkey or the Arab states, resort to violence as a way of dominating their own unwritten societies. However, none of these states use helicopter gun ships against stone throwing youngsters. States speak a common language, no matter how many translators they employ to write their treaties. And it is only in moving away from the agreed-upon ignorance of this master tongue, this meeting ground where words are supposed to meet as equals, that we might begin to notice how little our ears can serve us in this case. To really listen implies, not some tricky rejection of these shared ways of forming words and setting them down, but a different way of considering what is real for political actors. How can they hear and how much can their words of state keep them from understanding?

Finally, the politics of reconciliation is about forgetting past atrocities and injuries, but the birth of a modern state is about registering and writing a history and a national narrative through schools and various other institutions. The Palestinians are required to build institutions of remembering the birth of a state and are simultaneously asked to adopt a politics of forgetting for purposes of reconciliation. These are the limits of modernity.

As stated above, the Palestinians are victims of a triple-tiered oppressive structure of modernity, the current international system, and occupation. It is therefore incumbent upon all of us to reflect, not only upon those who are included in the world of modernity, but also upon modernity's victims. ◆

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