Preface

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The recently published report of the UN inquiry headed by Judge Richard Goldstone states explicitly, over its hundreds of pages, that Israel committed war crimes in Gaza in 2009. Particularly worthy of note among the report's findings is the fact that Israel attacked Palestinian civilians in Gaza who are under its occupation and its military control. The importance of the Goldstone report — like other reports by international bodies on countries such as Serbia and Rwanda — is that it constitutes testimony in real time, and not only in historical retrospect, of how an occupying state employs population management and territoriality to continue its occupation and deny it, at the same time. Israel and its official spokespersons decided to "kill the messenger", arguing that the report's conclusions would undermine the ability of democratic countries to fight terrorism.

Israel's claims that it has ended the Gaza occupation and that it is not the sovereign entity there are baseless. As colonial history has taught us, an occupation can be maintained by remote control, without a permanent military presence and without settlers. Reality on the ground shows that there is still an Israeli occupation regime in Gaza because Israel rejects its elected government, controls the economy in the Gaza Strip, controls the overland crossings, prevents access by sea and air, and because each week the Israel Defense Ministry decides how many calories a Gazan will eat and which products will be permitted into the Strip. The official end to the occupation of Gaza and the accompanying "disengagement" in 2005 did not mark the real end of the occupation, but only its continuation through other means. Colonial history has also taught us that many colonial states refrained from imposing their sovereignty on occupied territories, but nevertheless controlled them through diverse practices of territorialization and population management.

The historical and theoretical interplay between territory and population lies at the basis of the theoretical text we have chosen to translate. We offer the first Hebrew translation of the fourth lecture in a 1977/8 lecture series by **Michel Foucault**

of the College de France, entitled *Security, Territory, Population*. The eye-opening introduction by **Dotan Leshem** traces the development of Foucault's thoughts about governmentality, the moment of birth of the political economy, and the theoretical roots of what is now known as "neoliberalism." This lecture is an important chapter in the history of political thought because it diverts the spotlight from the political preoccupation with the question of sovereignty to mechanisms of governmentality. Foucault argues that the discovery of the "population" liberated the art of government from the stranglehold of sovereignty. Whereas sovereignty is based on law and territory, governance adds the elements of population management, political economy, and the management of life. The practical tools of population management include the fields of statistics and demography, the management of sexuality, questions of wealth and poverty, capital flows, interest rates, and unemployment. Foucault argues that the true ruler does not need a killing machine or sword in order to enforce his hegemony. He needs to be endowed with patience rather than anger, with the sovereign's right to manage life rather than the right to kill. Such an epistemology enables us to examine the way in which population management and life management are bound up with territory and are constitutive of sovereignty. Foucault emphasizes that this does not mean that sovereignty has gone bankrupt. Quite the contrary: he restores the economy to center stage after it has already merged with sovereignty. Foucault turns things upside down. It is not the state that creates the art of government, but the art of government and practices of governance that establish the state. Foucault thereby seeks to sever our connection to law as the central axis of political theory. In another collection of lectures (*Society Must be Defended*) that dialogues with the one cited above, he develops the argument that law "blurs" the discourse of war.

This issue has direct implications for the critical studies of the 1948 war, which offers a prominent example of how the discourse about war was absorbed directly into the law. That war was a civil war, in Foucault's terms, with the Citizenship Law a way to end the war, which has in effect never ended. This approach is accepted today by the critical scholarship on 1948, as in the work of Noga Kadman and Ariella Azoulay.

Noga Kadman's *Erased from Space and Consciousness*[1] is almost certainly the most comprehensive work on the ethnic cleansing perpetrated by Israel in 1948 through the

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[1]   Noga Kadman, *Erased from Space and Consciousness: Depopulated Palestinian Villages in the Israeli-Zionist Discourse*. (Tel-Aviv: Sifrei November, 2008) [Hebrew].

combined use of territorial mechanisms and governmentality. Kadman shows that the Judaization of space is also the Judaization of memory, and vice versa. She is fully justified when she states that "an examination of the attitude of Israeli society to the Arab villages that were depopulated in 1948 ... can serve as an indication of the extent of Israel's willingness to reach an enduring solution to the conflict."[2] The erasure of Arab history diminishes the Arabs' presence in the conflict as Israelis understand it, thereby reducing their scope of options as well.[3] This is an important conclusion. Israeli ignorance of history, from the perspective of the Nakba, is not merely an educational failure but a moral failure as well. Official Israel still insists, like someone with a skeleton in the closet, on sealing off any discussion of 1948 by means of mnemonic technologies. Textbooks, for example, do not address the overall history of the 1948 war, but present only the canonical Jewish version. The question of 1948 has also been blurred in the Israeli concept of citizenship and in the political thought that formulated the notion of a "Jewish and democratic state" through the use of convoluted regimes of justification. In May 2009 the Knesset even approved on preliminary reading a bill that prescribes a prison term for anyone who denies Israel's "Jewish and democratic" character; in parallel the ministerial committee on legislation proposed a bill that would criminalize the observance of Nakba day. Although the Knesset did not pass the bill, it is an indication of official Israel's fear of reopening the question of 1948.

Another work that points to the simultaneous use of territory and population is Ariella Azoulay's photo exhibit, which was displayed at *Zochrot* (We Remember).[4] The official photographs indicate the mechanisms used for ethnic cleansing: selection, the creation of racist time patterns, the separation of population from land, the separation of women from men, the establishment of prisoner-of-war camps, acts of murder and rape, intimidation, the erasure of villages, and expulsion. Azoulay describes the Kafkaesque process whereby some of the 1948 refugees were turned into "prisoners of war" in their own land, and then transferred to Jordan at the end of the war as "released prisoners." The new Israeli law has turned them into permanent refugees. Some of the Palestinians who remained within the borders of the Green Line found themselves in "temporary spaces" that eventually became "temporary camps"; some of them remained in urban ghettos. In parallel the Jewish National Fund did its best to cover up the ethnic cleansing

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[2]   Ibid., p. 14.
[3]   Ibid., p. 128.
[4]   See Ariella Azoulay, *Constituent Violence 1947–1950: A Genealogy of a Regime and "A Catastrophe from Their Point of View"* (Tel-Aviv: Resling, 2009) [Hebrew].

and expropriation of land, in part by planting forests on top of destroyed villages. As Israeli citizens, Palestinians could no longer oppose the establishment of the Jewish state, because such opposition had become an act of sedition overnight.

Here I return to Foucault. According to him, the law, and politics dictated by the law, are a continuation of war through other means. In saying this he inverts Carl von Clausewitz's famous dictum that war is the continuation of politics by other means. The war of which Foucault speaks is a war of classes, races, and nations — or a mixture of all of these, which existed before the legislation of law — a war that will go underground after law is legislated. Here Foucault outlines a new method of understanding history: instead of the universal discourse of rights (primordial rights, natural rights, property rights, the right to life, the right to vote, the right to freedom of expression) he uses the discourse of war — for instance, the war that did not end in 1948. This new path leads to the scholarly contribution by **Gish Amit**, the author of the lead article in this issue of *Theory and Criticism*. Among other things Amit mentions the fact that the 1948 war is not yet over. He illustrates this claim by shedding light on a less familiar aspect of the 1948 war: the collection of tens of thousands of books from Palestinian libraries and from the abandoned houses of Palestinians who were forced out of the western neighborhoods of Jerusalem and their "rational" theft by the National Library. The article shows how the National Library and the Hebrew University of Jerusalem served as the cultural arms of the occupation, theft, and dispossession under the pretext of "state goals," and how the "rational" cataloguing and classification systems prevented any possibility of returning the plundered books to their owners. Amit also compares the looting of Palestinian books with the international rules promulgated following similar instances of plundering during World War II.

This issue contains six articles on other topics. **Daniel Boyarin** takes issue with the canonical interpretation of the Babylonian Talmud. He argues for the existence of dialogisms in the Talmudic text, which not only express disagreements but also pose a challenge to the entire halakhic field. Drawing on the insights of Mikhail Bakhtin, Boyarin reads the Talmud as a literary text in order to mark the connection between the pious or serious language of the Babylonian Talmud and its feral and grotesque verbal formulations and to demonstrate its true dialectic.

Yuval Evri analyzes *Outcast* (Hebrew title: *Ve-Hu Aher*), the novel by the Iraqi Jewish writer Shimon Ballas, in order to trace broad theoretical contours for understanding the relations between nationalism and ethnicity and for understanding

the politics of identity in the modern nation-state. Through the national allegory Ivri points to the identification of the character of Haroun Soussan, an Iraqi Jew who has decided to convert to Islam, with Iraqi nationalism, and thereby reveals its fragile and ephemeral condition. But the reverse is also true: Shimon Ballas uses the Hebrew language, the language of the Zionist nation, and effectively acts within the language. The process of de-territorialization that Ballas puts the Hebrew language through enables us to deconstruct the binary division between Arab and Zionist space and to create an interpretation that joins the two spaces.

Daniel De Malach criticizes the globalization discourse that has developed in Israel; he argues that its structure and basic premises marginalize the national and ethnic oppression that goes on here. De Malach does not try to claim that the global discourse is irrelevant. On the contrary: he suggests that we examine the ethnic and national oppression within its global context, but in a different manner than that proposed by the canonical globalization discourse. He particularly emphasizes the impact of the "empire" in its broad sense, and the prop provided by the American empire, which serves to maintain the status quo in Israel and the Middle East.

Tali Lev and **Yehouda Shenhav** use documents from police intelligence files, recently discovered in the State Archives, to analyze the relations between the Black Panthers and the anti-Zionist Matzpen movement, which were active at the same time — in the early 1970s. Historians (even critical historians) have long assumed that Matzpen supplied the information and ideological tools for the Black Panthers' activities. The information in the documents clearly shows otherwise. The state and especially the Israel Police claimed there were links between the Black Panthers and Matzpen in order to delegitimize the Panthers. The supposed ties were woven into the public discourse in a manner that confirmed the ethnic hierarchy between the two groups. The Ashkenazim of Matzpen were characterized as intellectuals and the Mizrahim as uneducated and devoid of leadership ability. Lev and Shenhav argue that Matzpen's agenda of class consciousness was in fact incompatible with the campaign based on Mizrahi identity.

Alberto Spektorowski and **Dana Mills** mount a formidable challenge to multicultural thought. Their article focuses on the relations between ethnic and racial communities and the democratic nation-state. They describe a strain of racist right-wingers who use the liberal model of multiculturalism to exclude populations on the basis of class and race. They argue that the radicalization of the multicultural discourse plays into the hands of the New Right in its attempts to create apartheid with

a new justification and has in fact subverted the entire model. This is an argument that is voiced in Israel, too, by the left-wing opponents of multiculturalism, who supplement it with their own claims regarding the class and gender aspects of the phenomenon.

Oren Barak invites us to reflect — with all due caution — on a comparison between Lebanon and the Land of Israel/Palestine in order to better understand both cases and to take a critical view of the model of the nation-state that developed in Western Europe. According to Barak, these two national projects have created two types of postcolonial states: a state that is militarily weak but is nevertheless considered legitimate by the great majority of its citizens, and a political entity characterized by substantial military and economic might that increasingly suffers from a crisis of legitimacy. Barak's article addresses the crux of the main political issue Israel faces: its place in the Middle East and how the political model it has created can cope with political and cultural variety.

The books section contains three reviews. **Almog Behar** compares two periodicals, *Ha-Kivvun Mizrah* and *Ho!* through interviews with their editors. **Ari Engelberg** surveys the singles phenomenon in Religious Zionist society. And **Yaar Hever** and **Yair Adiel** discuss Hebrew philology through a reading of two recent books on the subject.

In addition to the books section, this issue of the journal contains five essays: **Noam Yuran** analyzes the financial crisis through the lenses of Marx and Veblen; Michal Ben-Naftali translates **Julia Kristeva**'s speech when she received the Hannah Arendt prize in political theory; **Efrat Rotem** crosses theory and autobiographical fragments in order to discuss the butch body; **Itzhak Benyamini** reads Lacan's names-of-the-father; and **Yael Mishali** analyzes Mizrahiness from a lesbian perspective.