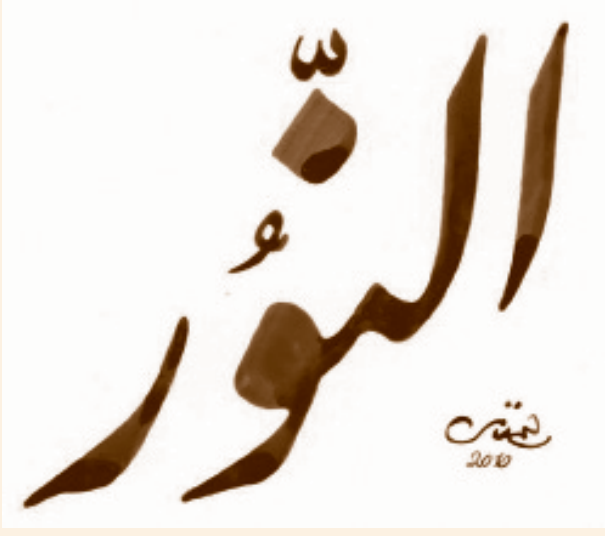

MISSION STATEMENT

Al Noor, **the Boston College Undergraduate Middle Eastern Studies Journal,** aims to: ◆ Facilitate a nonpartisan, unbiased conversation within the Boston College community and beyond about the Middle East. ◆ Provide a medium for students to publish research on the Middle East and Islam. ◆ Promote diverse opinions and present a comprehensive view of the myriad of cultures, histories, and perspectives that comprise the Middle East. ◆

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LETTER FROM THE EDITORS

With the release of the Fall 2024 edition of *Al Noor*, we are excited to share an issue dedicated to the relationship between physical landscapes and identity. From examining the decline of Jewish communities in Morocco to exploring the impact of the Young Phoenicians in the creation of a Lebanese national identity, this edition seeks to shed light on the intricate nature of religious and ethnic identity in shaping the modern landscape of the Middle East.

In her essay "The 1919 Young Phoenicians and their Legitimization of Lebanese Nationalism," Abigail Rabieh provides a detailed account of the formation of national identity in Lebanon. Through an analysis of the publication *La Revue Phenicienne*, Rabieh delves into the principles of establishing a cultural Lebanese identity that transcends religious boundaries. By understanding the importance of Phoenicianism in creating identity, this essay forces readers to assess the influence of perceived cultural belonging in shaping political sovereignty. Through this exploration, readers can not help but question the conventional understanding of nationalism and the extent to which it is inherent, external, or retroactively constructed.

In "Effects of the 'Survey Land' Classification on Illegal Outpost Growth in the West Bank," Charlie Summers delves into the development of Israeli usage of survey land dating back to the Ottoman Land Code. Through a detailed analysis of the ways in which such classifications have evolved and coincide with the rise in illegal outpost establishments in the region, he brings attention to the roles both formal and informal laws play in redefining the boundaries of the West Bank. Such an essay forces readers to closely examine the nature of land and legal circumvention in an area where identity politics has always played a key role.

Yana Levy explores Morocco's history of Muslim-Jewish coexistence in "Colonial Echoes and Modern Reconstructions: Revisiting Moroccan Jewishness," specifically analyzing the effects of French colonialism and its lasting impact on the representation of Jews in Moroccan national identity. She investigates the contemporary Jewish absence from Morocco, challenging the nation's utopian narrative of peaceful cohabitation between citizens of differing faiths. The political incentives behind this division are revealed within analysis of the Moroccan government's peacemaking role, the region's cultivation of industry in tourism, and the nation's relationship with Israel. By tracing the origin of colonial authority in Morocco and the reemergence of French tactics in the monarchy, powerful insight is provided on the role of colonialism to sever certain groups from their national identity.

In his photo essay, Lucas Geromini examines how the street art of Amman, Jordan, turns the city into an "open-air museum" and reflects the identities of its residents. He analyzes how the artists who transform Amman from a dull "white city" into a burst of color focus on the pressing problems of Jordanian society, such as the effects of climate change and poverty on future generations. The essay also explores how the tension between the non-insignificant Palestinian population in Jordan and Jordanian-Israeli policy affects the way in which art can bring the city together. Throughout the work, Geromini probes the reader to think about how artistic approaches to unity reflect the identity of the people in unique ways.

We wish to thank our contributors and readers, who provide us with the support that drives this journal. We hope that engagement with this edition inspires you to reconsider prior assumptions, continue the search for knowledge, and find understanding. Anyone who enjoyed this issue is encouraged to visit our website at alnoorbc.org where you can view past issues and more information regarding our journal.

With warm regards,

Aalok Bhattacharya and Grace Snell
Editors-in-Chief

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The 1919 Young Phoenicians and their Legitimization of Lebanese Nationalism

Abigail Rabieh

Abigail Rabieh is a senior in the history department at Princeton University, pursuing minors in Humanistic Studies, Medieval Studies, and French. Her research focuses on investigating Early Modern French political and intellectual history, and she is currently writing a senior thesis on the politics of the Gallican Church in the sixteenth century. She is a columnist and editor at the Daily Princetonian, as well as an avid violist.

Upon the centennial of famed Lebanese poet Khalil Gibran's birth, then-President Amine el-Gemayel wrote that the number of international "activities" honoring Gibran demonstrated "the distinctive civilizing influence of Lebanon throughout the world."[1] Published in the 1983 program for the Gibran International Conference in Beirut, el-Gemayel's message describes Lebanon in a way that is unusual for an Arab state. Having "civilizing powers" over others is generally thought to be a Western method of influence: as Edward Said wrote, the white "Orientalist" achieves his dominance by shaping Arabs to meet European standards for "values, civilization, interests, [and] goals."[2] Yet el-Gemayel attributes to Lebanon precisely this power, declaring that it has impacted the level of civilization worldwide, and that this Lebanese influence "is as necessary today as it has always been."[3] Why did el-Gemayel use

what Arab scholars would consider the language of Western imperialism to describe Lebanon's place in the world? What was this culture which Lebanon imparted upon others? And moreover, how could Lebanon, a nation which had only existed for sixty-three years, have "always" disseminated these values? The answer to these questions does not lie in the writings of Gibran, whose poetry is understood to have been focused on creating a novel and distinct Lebanese identity "in the face of powerful Westernization," according to Elise Salem.[4] Rather, by declaring that Lebanon has a historical cultural importance that is connected to Western values such as civilizational intentions, el-Gemayel was formulating a narrative of Lebanese nationalism that aligns much more closely with the Lebanese identity expressed by Lebanese writer Charles Corm and the "Young Phoenicians." These writers—Gibran's contemporaries—legitimized the existence of a Lebanese nation based on the earlier civilizational contributions its people had made since they were known to the world as Phoenicians. In el-Gemayel's words, it is possible to hear an echo of the work of the Young Phoenicians, who, unlike Gibran, identified with a national character that embraced the connection of their heterogeneous community to the West.[5]

When the State of Greater Lebanon was created by French Mandate in 1920, the idea that there was a national identity to which the people within its borders could connect was not obvious. Prior to this point, an area called Lebanon whose boundaries extended beyond a small mountain range had never existed.[6] Nevertheless, Charles Corm declared in 1919 that "we [the Lebanese] have always been, despite adversity, the fortification of civilization, set against the darkness of Asia."[7] Distanced from Arabia located to the East—a part of brutish Asia—Lebanon was positioned as enlightened and thus a part of the advanced tradition found to its West. Before the recognition of a Lebanese state, Corm and his ilk envisioned a national identity for the community within the borders of the territory that the French would later recognize as Lebanon.[8] In *La Revue Phenicienne*, a 1919 journal comprising scholarly articles, poetry, plays, and other sorts of literary work and dedicated to constructing a sense of nationalism in Lebanon, Lebanese writers like Corm expressed the belief that they and their neighbors deserved recognition as a nation because they were the descendants of a community which had possessed a national identity for centuries.[9] The Lebanese, the Young Phoenicians claimed, were the inheritors of the ancient sea-faring civilization from which the movement took their name. This history provided the grounds for their right to their own nation, supported by the French, who would hold a mandate over the state. Faced with the problems of governance, communal survival, and identity formation in the post-imperial Middle East, the Young Phoenicians articulated a program for a national identity in the *Revue*, using a historical narrative to legitimize demands that addressed the practical needs of the diverse communities within geographical Lebanon.

Contemporary scholars studying the formation of the modern Middle East often claim that its borders were sketched solely by European decision-makers, who forced disparate groups to find commonality in a community which they did not desire to be a part of. Andrew Delatolla suggests that European use of the nation-state as "a standard of civilization" in the Middle East harmed native communities by imposing alien views upon groups which had alternate ways of organizing themselves and building their own culture.[10] But Kamal Salibi, whose seminal work *The House of Many Mansions* investigated the intrinsic failures of Lebanese nationalism that allowed for the possibility of civil war, notes that the Lebanese in particular "seriously advanced a thesis in support of [their] national validity."[11] Thus, he and other scholars attempt to discover how and why the Lebanese alone among post-Ottoman states collaborated with European powers. Carole Hakim's work gives a history of international interventions in the Ottoman region, focusing on how the establishment of a Greater Lebanon was meant to resolve complex tensions both in the Middle East and Europe and suggesting that the Lebanese Christians consented to being a non-Arab stronghold for the West in the eastern Mediterranean. Franck Salameh's study of Charles Corm and the intellectual development of Lebanese nationalism similarly

argues that Corm's idea of a Phoenician identity was a vehicle to promote French humanist values in opposition to increasingly popular Arab nationalism. By analyzing the development of a secular Lebanese identity, Basilius Bawardi contextualizes the Young Phoenicians in the French culture which they sought to promote and identifies them as ideologues of Western Christian dominance that would only later become pluralistic. Finally, Asher Kaufman studies the history of the rediscovery of Phoenician identity, offering a substantive history of how it came to serve as a national consciousness. He attributes the development of a universal Lebanese identity to reactionary intellectual thought that arose after the creation of the state.[12]

Much of this scholarship, whether it includes an analysis of the *Revue* and the Young Phoenicians or not, fails to fully account for why Phoenicianism was taken up as a political and intellectual tool in the first place. In fact, the creation of Lebanon does not represent a capitulation to European civilizing dominance, but an embrace of Western ideals in order to create a political entity that was never desired by the West. While Delatolla, Hakim, and Salameh see the state of Lebanon as imposed upon its people by foreigners, it was the novel idea that a Phoenician identity provided a basis upon which a nation could be built which convinced the French to establish an isolated Greater Lebanon, separate from Syria.[13] Furthermore, whereas Kaufman, Bawardi, and others identify the development of Lebanese nationalism by Phoenician intellectuals as a reactionary measure to counter Arabism, the articles in the *Revue* indicate that Phoenicianism constituted a different form of identification, promoted earlier than the zenith of early 20th-century pan-Arabism, that both relied on secular and inclusive values and justified an exclusive politically autonomous unit. When the Young Phoenicians drew upon a historic connection to the West and longstanding isolation from the Arabs to justify the creation of Greater Lebanon, they did so to negotiate for the existence of a new state with the French as much as to create a national identity of their own. In the Phoenicianism propounded by the *Revue*, it is possible to find a pre-state legitimization for Lebanon, emphasizing that it was a political unit genuinely desired by some of its people before it was created, and whose identity is in fact founded upon diversity and pluralism. I aim to demonstrate that Phoenicianism was used by its proponents to purposely unite several different peoples not simply through anti-Arabism and pro-Westernism, but by contriving a distinctly Lebanese community.

Rediscovering Phoenicianism and Political Autonomy in the 19th Century

The opportunity to redefine the political boundaries of the Middle East came with the collapse of the Ottoman Empire at the end of World War I. In absence of this long-ruling sultanate, which had first established control in the Middle East in 1379, the victors of the War had the chance to solidify spheres of influence in the Mediterranean that they had cultivated for centuries.[14] At the 1919 Paris Peace Conference, Western diplomats engaged in contested conversations to determine how they would divide the territory, with each nation advocating for borders that would give them control over areas where they had previously exercised power. Yet the Peace Conference also included the chance for leaders native to the region to advocate for their own territorial preferences. The most influential of these political figures was Faysal Husayn, an Arab Prince who led the vanguard to form a unified Arab state from the ruins of the Ottoman Empire.[15] In the negotiations between the Allies and the Arabs, geographical Syria—including Lebanon—was a region of crucial importance. Faysal viewed Syria as essential to his eventual Arab kingdom, describing it as the "gem in the Arab crown."[16] In this aim, he was supported by Britain, who felt a sense of duty to fulfill the political aspirations of long-oppressed Sunni Muslims.[17] But France also lay claim to Syria, where it had already established important financial relationships and cultivated a sphere of cultural influence.[18] However, many within Syria who could not identify with a pan-Arab Empire were wary of being a part of an Arab-Syrian framework, whether it was ruled by Faysal or the French. Those who considered themselves non-Arab, mainly Christians, were mostly local to the Lebanese region and instead advocated for the recognition of

an independent Lebanon to safeguard them from Islamic rule. Why was Syria, particularly the Mount Lebanon region within, subject to so many competing interests?[19] In order to understand how Christians, the French, and Arab nationalists converged over claims to rule geographical Lebanon, it is necessary to return to the period of Ottoman rule, in which a variety of foreign actors influenced the relationships of the region's internal groups.

The first time a territory called Lebanon received recognition as a distinct political entity was in 1861 when Sublime Porte constructed a separate governmental scheme for Mount Lebanon.[20] But throughout Islamic rule, which began in Syria after conquering the area from the Mamluks in 1516, geographical Lebanon experienced different treatment than neighboring territories because of its religious diversity. Lebanon under, and directly following, Ottoman rule was home to two unique religious groups: the Maronite Christians and the Muslim Druzes. The Maronites are a Syrian Christian sect which emerged in the 8th century and represented, in the words of Charles Chartouni, a "nativist reaction to the expansion of Islam in the region."[21] Between the 10th and 11th centuries, the Maronites moved en masse to Mount Lebanon to escape Byzantine control over the Orontes valley, their historical homeland, as they maintained a contentious relationship with the Byzantine Church and the Syrians who followed it.[22] Subsequently, the Maronites sustained a close relationship with non-Ottoman authorities, joining with the Roman Church in 1189.[23] Lebanon is also the sole home of the Druzes, a subset of Shiite Ismaili Muslims who, Salibi explains, believed that a particular 12th-century Imam was "the ultimate human manifestation of the unity of God."[24] Two minority sects of expansive and powerful religions found a home in the same region, though it did not afford them isolation from the larger bodies of which they were a part.

The French were one of the most influential external powers in the region, as they had long been interested in Christian development in Lebanon. Their involvement in the Middle East dates back to the Crusades of the High Middle Ages, but was formalized upon the signing of a treaty between King Francis I and the Turkish government in 1535 in order to safeguard Christian interests in the Levant.[26] Since then, the French considered achieving a good relationship with the Ottomans useful, as it helped to even the balance of power against Britain in the West and its surrounding areas of relevance. But in the post-French Revolution period, John Spagnolo notes that France found it increasingly difficult to "serve the interests of the Ottomans" while pursuing Imperial growth.[27] France's defeat in the Napoleonic Wars indicated a damning failure to establish political power in Europe, and the British victory led them to enjoy a greater benefit from preserving the status quo of the Sublime Porte's operation. In response to this shift, the French explored establishing influence which could offset the Ottoman balance of power, and thus that of Europe itself.[28] They became increasingly interested in forming bonds with the Christians in Mount Lebanon, which led, according to Spagnolo, "to a redistribution of power in the Mountain's traditional sectarian mosaic."[29] With a powerful foreign ally, the Maronites gained new power over their Druze neighbors.

The Mount Lebanon region, home to large Christian and Druze populations[25]

The attempts of both Britain and France to open a new theater of influence in the eastern Mediterranean in the 19th century significantly affected the region's internal dynamics. This renewed Western interest integrated local Ottoman economies into a global trade network. In particular, the Lebanese found a highly profitable cash crop in silk, which they mainly

exported to French buyers, strengthening the ties between the two communities. These economic changes heightened religious tensions between the Maronites and Druzes. Whereas the landowners and tax farmers—mainly Druzes—had been the most powerful group in the Mountain, they now became dependent upon the largely Christian merchants.[30] At the same time, the Mountain's political dynamics changed, which further impacted the state of religious friction. The Shihabi Emirate, which had long ruled the Mountain, was taken over by Bashir II, first Maronite successor, in 1788. He reorganized the Mountain's community, eliminating the top tier of the elite class to make leading families report directly to him.[31] These changes mainly affected the Druze community, eroding their authority as the primary beneficiaries of a feudal system which was quickly becoming modernized. In 1840, after the Egyptians demanded the general disarmament of the Mountain following their occupation of Syria in 1831, the Maronites "initiated an insurrection," despite the fact that the same restrictions had been applied to the Druzes years earlier.[32] The rebels "readily accepted the helping hand of the Ottomans and their European allies" to overthrow Bashir II and the Egyptians, according to Hakim, further alienating the Druzes from the political sphere.[33] The economic and social changes of the 1840s turned issues of class into conflicts between communities which had not previously existed as united bodies.

Hakim's research demonstrates that the region's pre-19th-century social hierarchy was ordered on the basis of familial connection and allegiances to various emirs. These family units lacked connection and cohesion, and even groups adhering to the same religious creed did not share a communal identity.[34] However, the Egyptian occupation and subsequent liberation split the Maronites in a new way. The clergy had supported the rule of Bashir II, while the muqata'jis who had lost their privileges as landowners desired a new system of political organization. In response, the Maronite Patriarch Mgr Yusuf Hubaysh sought to heal these divides by embracing communal organization. To do so, Hakim writes that the Patriarch aimed to establish a new Maronite Emirate and "strove to twist matters to the advantage of his community by misrepresenting a historical reality."[35] Despite the fact that Bashir II was the first Maronite Shihabi Emir, which had begun as a Muslim Sunnite Emirate, the Patriarch projected a vision of a continuous Maronite rule into the past.[36] The Maronite favoritism that emerged in the 19th century as a result of the Maronite Emir "came to be viewed by the Maronite Church as an ideal situation that should be at all costs preserved," according to Hakim.[37] Thus, Hakim argues this situation "was adopted as a model, projected onto a mythical past, and adhered to as a norm for the future."[38] As well as idealizing the traditional Emirate, the Patriarch undertook a political program which created a cohesive Maronite identity in order to restore solidarity, even though historically identity had been based on class and familial ties, not religion. This Maronite flourishing caused significant problems in the next decades.

As Christians coalesced, the Druzes found their attempts to rebuild their privileges consistently thwarted. This led to an outbreak of violence in 1860, after which the Christians suffered a major defeat by the Druzes in Damascus. In Europe, this mass killing of Christians was viewed as the result of "an Ottoman-Druze conspiracy to slay the innocent Maronites in the Mountain."[39] Fellow Christians in Europe mobilized to protect their suffering brethren, with the French constituting a particularly supportive audience. Hakim declares that the French moved to protect the previously "ill-defined privileges of the Mountain…as an acquired right warranted by alleged historical antecedents" because of the new dangers facing the Maronite community.[40] A European commission designed to reconsider the organization of the Mountain decided to establish a semi-autonomous Lebanon, known as a *mutasarrifiyya*, in which the Ottomans would appoint a Christian governor to rule the region alongside an administrative council representing the main communities in the Mountain.[41] These decisions were expressed in the *Règlement Organique*, which established for the first time a single administrative region over the Mountain that was guaranteed internationally.[42]

However, the *Règlement* did not solidify a French sphere of influence in Lebanon, as the region

remained an area in which multiple nations competed for and strengthened authoritative power though the early 20th century. The French Expeditionary Forces, which had dispatched to Beirut in order to restore order to the region, wanted France to achieve a semi-independent Lebanon, with borders far beyond that of the eventual *mutasarrifiyya*.[43] Beaufort d'Hautpol, the leader, hoped to expand Lebanese territory beyond the mountain by claiming that it accorded with the territory that the Emir Fakhr al-Din II ruled, and what Bashir II effectively led, appealing to a historical past in which the Lebanese interacted with Western, and thus civilized, cultures alongside their own development.[44] But instead, the Mountain was divided in half, with one administrative region for the Druze and one for the Maronites.[45] Thus, Mount Lebanon was a place where multiple power struggles converged in the 19th century. As the British, French, and Ottomans struggled for control over the eastern Mediterranean following the end of the Egyptian occupation of Syria, religious divisions between the Maronites and Druze—who Europeans saw as uncivilized Arabs—became violent and entrenched. These were the competing interests which the Paris Peace Conference had to negotiate in defining the territorial boundaries around and within geographical Syria.

The Need for a Nation: Mapping Territorial Boundaries Through Historical Analysis

While the Allies attempted to resolve issues of international political importance by dividing Middle Eastern territories to give each foreign power its due, Lebanese natives contributed a theory which considered nation formation from a different perspective. The writers of the *Revue* provided an alternative to a government predicated on an ideal of religious or ethnic homogeneity. They sought to create a pluralistic and comprehensive identity to support an inclusive nation that would heal the wounds of the 19th century. These thinkers, known as the Young Phoenicians, were primarily Lebanese Christians who were educated by Jesuits, and thus heavily influenced by French culture.[46] Charles Corm, their leader, was the son of renowned artist Daoud Corm and an active member of youth nationalist movements.[47] A businessman throughout his life, Corm founded *La Revue Phenicienne* in 1919 to be the "political, cultural, and literary mouthpiece" for those working to reclaim the Phoenician ancestry of Lebanon, according to Claude Doumet-Serhal.[48] These Young Phoenicians aimed to mobilize a connection with the French via their Phoenician ancestry to achieve an independent Lebanese nation, formulating a seemingly new set of foundations for legitimate nationalism in the process. Nations, they argued, were not modern inventions to solve contemporary problems, but territorial recognitions of historic communal organizations that corresponded to natural truths. Both practical and existential threats to survival could be rectified by reinstituting a political unit over a naturally connected group of territories. Thus, a significant portion of the *Revue* is devoted to outlining the problems faced by the Lebanese and contextualizing them as the result of 19th-century changes to the veracious composition of the Lebanese state.

To argue that a land has a natural political composition, it is first necessary to find a time in which this model of organization was recognized—both to prove that it is true, and that it is good. In "the Political Constitution of Administrative Lebanon," published in July 1919, Auguste Adib Pacha retells the history of the region under Ottoman rule to emphasize that even the most barbaric rulers could see that it was of a different character than its neighbors. In the first volume of the *Revue*, Pacha argued that though the contemporary boundaries of Lebanon—those of the *mutasarrifiyya*—were unjust, they legitimize the area's status as unique and deserving of autonomy in the Ottoman world.[49] The Ottoman Empire, which had unjustly split Lebanon, was an unenlightened and improper government, according to Pacha. Until 1861, Lebanon was under "a social and political regime recalling the feudal system which subsisted in France and in a part of Europe until the end of the Middle Ages."[50] Not only were the Lebanese ruled by a stifling political system, but it was one which had been abandoned centuries prior in the West. When the feudal system was replaced by the *Règlement Organique*, Pacha writes, the principality's absolute ruler was replaced with an "autonomous administrative system" which

was headed by a governor appointed directly by the Ottomans.[51] While Pacha criticizes the new system for its "faulty" administrative council and the ease with which the Ottomans were able to deprive the Lebanese of their tax revenue on imports and exports, he nevertheless commends its recognition of Lebanon as deserving of some level of sovereignty.[52]

Pacha argues that the *Règlement Organique* provided a legitimate historical basis for recognizing Lebanon's independent status, writing that the laws "confirmed the inviolability of a Lebanese territory."[53] Despite the fact that the *Règlement* negatively impacted Lebanon's development, reducing it "to bare peaks and rocky hills," he uses them to prove Lebanon's individual status.[54] If even the Ottomans, he implies, could respect Lebanon's right to its own administration with particular efforts made to ensure that the government used its power appropriately, then it should not be too hard for the new European boundary-drawers to do the same. At the same time, however, he bemoans how the reforms deprived Lebanon of "the cities of Beirut, Tripoli, and Sidon, which belong geographically, historically, and economically to it."[55] Although Lebanon's historically isolated political identity had been affirmed by the *Règlement Organique*, Pacha argues that its historic political borders had been ignored. This is not only unjust, but harmful: by reducing the territory of the nation, Pacha indicates that its ability to survive has also been limited. He thus separates two elements that constitute a nation from each other: the geographic boundaries of the place, and the political autonomy with which it is granted. Pacha claims that both may be merited by a sense of historical possession, space, and freedom. But Pacha recollects the Ottoman decisions only to argue that they represent a time in which Lebanon's history was affirmed, not to say that the world should return Lebanon to its 1860 status. In fact, he implicitly refers to a much older history: that of the ancient Phoenicians.

Although Pacha does not mention the Phoenicians directly, it is safe to assume that an understanding of their status as ancestors of the Lebanese was a guiding concept for his work, as this first volume of the *Revue* begins with an introduction extolling the Phoenicians, and firmly establishes the Lebanese as the inheritors of this tradition. In "Phoenicia," a short story written by "History," the ancient Phoenicians are lauded as the "most celebrated navigators of high antiquity."[56] The author declares that each of the cities, which formed the foundation of the community, possessed its own "autonomous government."[57] These included Tyre, Sidon, Berytus, Byblos, and more. These cities, Pacha writes, were unjustly separated from the Lebanese autonomous region under Ottoman rule. The Phoenician sphere of influence was not restricted to the cities forming its core territory; they possessed colonies from Carthage to Lilybaeum which they "initiated" into "civilization, commerce, and industry," resulting from their "liberal and pacifist" ruling qualities.[58] The Phoenicians were not simply the historical ancestors of Lebanon, but they were righteous ones. In "That which is our Patrimony," also published in the first volume, Jacques Tabet emphasizes the pioneering nature of Phoenician civilization across the ancient world. He argues it is to them that modernity owes the origin of civilized development and ideals—from "democracy" to "honorability" to "knowledge"—and writes that the ancient Phoenician city of "[Tyre] was really the light and the brain of the antique world."[59]

Articles in the first volume of the *Revue* emphasize the liberated nature of the Phoenicians and their status as "superior in riches and in civilization" to their peers.[60] This perspective is crucial to both the historic and contemporary tradition of the Young Phoenicians. By declaring that ancient Phoenicia imparted civilizational effects upon its neighbors—the Greek and Semitic peoples whose authority as sources of ancient knowledge was well-established by the twentieth century—the Phoenicians can be understood as forefathers of modern society.[61] Thus, it is easy to understand how their descendants are both a righteous people and fundamentally different from those around them. Returning to Pacha's article with this context, his argument that the territory deserves autonomy because of its history becomes even more convincing, for it builds legitimacy not on precedent from the last century, but from the truths of antiquity. The Phoenicians, he argues, were different from those around them and could not be ruled by others. And if the Ottomans could recognize that, so must

the Europeans. But political autonomy was not the only goal of the Young Phoenicians; the territory they desired had meaningful and particular boundaries.

Paul Noujam defends the boundaries of a proposed Lebanese state in the second volume by arguing that the geographic contours of the land imbue its people with the natural desire to be politically unified, and noting that internal strife only arises when division is introduced. Noujam is a pseudonym for Bulus Nujaym, who was a vocal advocate for the establishment of an "independent Christian entity in Greater Lebanon" that would be guaranteed by France prior to the end of the war.[62] His article "The Question of Lebanon" shares the same name as his 1908 book, published in Paris under a different pseudonym, M. Jouplain. Both texts emphasize the importance of the geography of Lebanon in defining its national character.[63] In a lengthy article detailing a history of the rulers of the Lebanese region supported by multiple datasets tracking its economic and population shifts, Noujam writes from the premise that "the history of Lebanon rests on the geographic character of the country."[64] Tabet gave a history of the Phoenician people; now, Noujam writes the annals of the Lebanese land. The Phoenicians, Noujam writes, were placed "in the center of the ancient world" which has "constituted, from the origin, a node of roads… which is the center of advanced civilization and intense human activity."[65] Because the location which the Phoenicians were granted is a point through which all the other great peoples must have passed, they naturally participated in the dissemination of global culture. However, the mountainous nature of the region favored "extreme division and is thus opposed to an ethnographic and political unity."[66] Noujam uses this fact to explain their conquest by the Turks and later the Arabs, but notes that this did not inhibit the later formation of intercommunal relations. Groups were able to establish lines of communication under the Byzantine emperors, but it was the Crusades and the creation of Christian communities which formed "insoluble links."[67] Later, in the 17th century, Noujam claims that Fakhr al-Din II "awoke in all the Lebanese the consciousness of their national unity."[68] While the geographical disadvantages of the Lebanese territory temporarily hindered its people from manifesting their unity, Noujam explains that solidarity was not absent, only latent.

But for Noujam, a commitment to maintaining the historical borders of Lebanon was not justified simply by recognizing them as the essential conduit of Lebanese history. It required the affirmation of their composition as "natural."[69] Lebanon is not only a group of people who deserve administrative autonomy—he writes that it is not possible to "reduce [Lebanon] to this sterility."[70] Noujam instead proposes that the "national unity" of the community is tied to the borders that they have historically inhabited, for it is only by possessing these that its growth has been enabled. Holding on to the geographical makeup is the only way Lebanon can continue to find its future. Discussing the regime changes of the 19th century, Noujam calls the divisions of land introduced by the Ottomans "mutilations" and "amputations."[71] He declares that the *mutasarrifiyya*, or post-1860 Lebanon, was "a body from which the important members have been amputated by those who want its regeneration and rebuilding," probably referring to the fact that it was the French who helped draw the borders which the *Règlement Organique* imposed.[72] The fact that the Ottomans partitioned Lebanon as punishment, he concludes, affirms the necessary nature of the land to their survival.

Noujam argues that poverty follows when these borders are not respected, attesting to the fact that disallowing Lebanon to exist according to its historic geographic limits is an unnatural offense. Furthermore, he details the conflicts of the 19th century with an interpretation that indicates Lebanon, left to its own natural organization, can flourish peacefully and independently. Unlike modern historians, who identify religious division as a cause for the mid-century violence, Noujam argues that the 1860 massacres resulted from "a class conflict between the lords and the peasants."[73] These, he says, were caused by the intervention of the Sublime Porte and European powers, which led to a period of "troubles and anarchy."[74] By characterizing the Druze-Maronite conflict as one caused by economic downturn initiated by meddling in the Mountain, he is able to place the blame for internal

"The Lebanese nation holds an identity which cannot be sustained without full possession of the land which they have historically accessed."

conflict upon external actors. This is a productive line of argument, particularly because the Lebanon for which Noujam argues is intractably religiously diverse. In 1912, "Actual Lebanon" was inhabited by 496,559 people, including 290,770 Maronites and 56,748 Druzes.[75] However, he estimates that "Natural Lebanon" at the time of his writing would include a population of 846,145 people, with 279,618 Maronites and 50,023 Druzes, with a large growth of over 150,000 Muslims.[76] It would be rhetorically difficult to contend that such a religiously diverse society should exist as one community when historically the tensions have been understood to turn violent. Thus, Noujam recontextualizes the violent outbursts between these groups in the past not as expressions of issues inherent to the land, such as plurality, but conflicts arising from imposed changes. The *Règlement Organique*, intended to resolve these tensions, were in fact sins against the natural disposition of the country—geographically, politically, and economically. As such, they caused conflicts that a Lebanon left to its own devices would avoid.

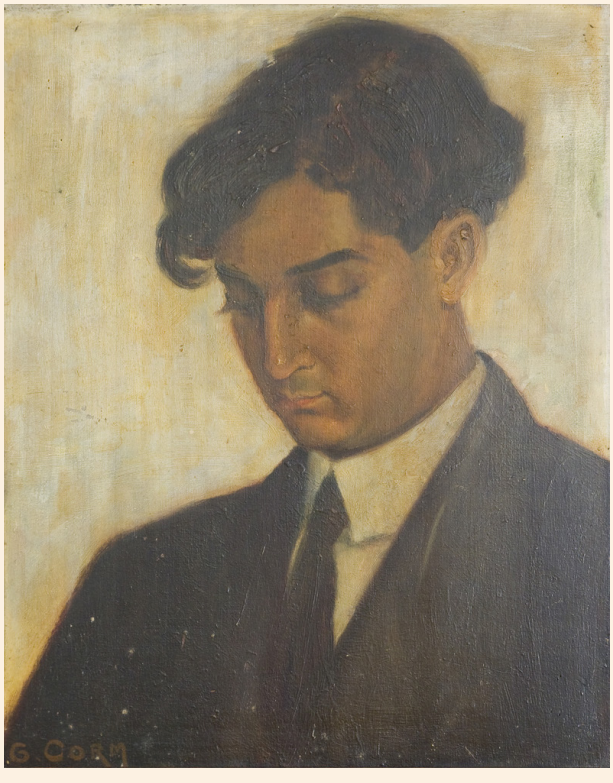
According to Kaufman, Noujam "claimed that geographical facts set the history and ethnicity of Lebanon," arguing that the people are who they are because of their land and its makeup.[77] He proclaims that the land is essential to the flourishing of the people, and that changing the territorial limits of Lebanon does not only attack their rights to their land, but their very ability to exist as a group. Accordingly, the stunted Lebanon is "poor in her physical constitution, poor in her agricultural and industrial production, poor in her poverty."[78] Noujam declares that this is a large injustice, as it impedes Lebanon's ability to exist as a state. This cannot be permitted in a civilized world, as he declares that "the right to life does not belong only to the individual, it also belongs to nations!"[79] Whereas a state can be built anywhere, with any government and any people, Noujam thinks that the existence of a nation requires more. The Lebanese nation holds an identity which cannot be sustained without full possession of the land which they have historically accessed. The innovation to nationalist ideals that Pacha and Noujam contribute is one which suggests that nations are natural expressions of communal organization, and that without intervention, this land and this people would inherently assemble. In the 20th century, the Young Phoenicians reconsidered the historic problems of the Mountain, declaring them to have been caused by external influence. Thus, they argue that Lebanon's contemporary problems would be resolved if they were granted the same liberated autonomy as the ancient Phoenicians possessed.[80]

Anti-Orient: Forming Pre- and Post-Christian Identification with the West

Though the writers of the *Revue* contend that the mess of the 19th century was caused by foreign influence, they do not advocate for the expulsion of all non-Lebanese from their political sphere. Instead, the Young Phoenicians premise the success of their national aims on having the support of the French. These are not simply platitudes paid to the power that would decide their fate. The *Revue* acts not as an appeaser, but an innovator, advocating for a Lebanese territory with borders the French found undesirable.[81] It also describes a connection between the two peoples which is of deep cultural import.[82] Rather than tie their national claims to the necessity of complete sovereignty, the Young Phoenicians articulated that a national character does not end in identification with the nation itself, but with a culture that has an international importance. While Pacha and Noujam argue for Lebanon's ability to exist and flourish on its own—as well as to convince external observers that such is their right—the Young Phoenicians also had to characterize a Lebanon which its diverse inhabitants related to and preferred over the alternative

nationalistic theories proliferating across the Levant. By appealing to a national identity beginning in the pre-Christian past, the Young Phoenicians projected a vision of homogeneity upon Lebanon, in which religious diversity is rendered meaningless because the communal character is defined in non-religious terms. This identity is defined as the heritage of the ancient Phoenicians. But, to bring this past into the present, the *Revue* included articles which name the French as the purveyors of this culture, acting as the conduit through which the Lebanese can reconnect to their ancestry. Combating the threat of Arab nationalism to the realization of an autonomous Lebanese entity, the Young Phoenicians funneled their eponymous identity through the ideals of French culture, and to a broader extent, that of the entire West, to inculcate a sense of cultural norms that bypass the boundaries of religious and regional divisions.

Portrait of Charles Corm, one of the central figures in the Phoenicianism movement[83]



For the Young Phoenicians to take up this theory as a nationalist identity represented a curious mingling of both Jesuit and French influence upon Lebanon. In the 19th century, French intellectuals began inquiring into Mediterranean history as a French nationalist project. According to Kaufman, "research into antiquity evolved into a national objective" of the French, particularly as they failed to establish a successful sphere of influence in Europe following their defeat in the Franco-Prussian war.[84] As France had a clear connection with the cultures of the Mediterranean by virtue of their accessibility from their southern coast, they considered interaction with such cultures a part of their "personal heritage."[85] Thus, the French government began significant archeological efforts in the 19th century in order to discover their national heritage. In this manner, they uncovered knowledge about the Phoenician past, a civilization which had previously only been known to modernity through Biblical stories and from the works of Greek and Latin authors. Claude Doumet-Serhal argues these findings "put Lebanon and its antecedents on an almost equal level of importance with the ancient Greek and Egyptian worlds."[86] With this discovery, the French found a direct heritage which could link them to a glorious history and open up a new sphere onto which they could project political influence.

The Jesuits were key, however, in elaborating the first intellectual theory which affirmed Levantine Christian separateness from their Muslim neighbors territorially, ethnically, and religiously.[87] They established the St. Joseph University in Beirut in 1875, a French language institution which would become a central educational institution for Lebanese elites.[88] In 1902, St. Joseph University acquired an Oriental Faculty, who strove towards the creation of a "Christian national home" in Lebanon.[89] Thus, the Young Phoenicians combined an identity that was initially rediscovered by the French with a sense of separation taught by the Jesuits. Nevertheless, they envisioned a community that, while not being Arab, was not Christian either.[90] In Phoenician history, they found an identity that could surpass the religious particularism which Maronite and Jesuit clerics promoted, offering a national home justified by a secular culture infused

with French values.[91] This strategy worked to remove French opposition to establishing borders in which the Maronites were not the majority, and flattered them into supporting the nation.[92] Additionally, focusing on the Western values which the Phoenicians imparted allowed the Young Phoenicians to fully explicate a distinctiveness from their Arab neighbors.

Charles Corm was the main proponent of a values-based understanding of Phoenician identity, in which it is considered as the foundation of Western civilization. His consideration of Phoenicianism, according to Franck Salameh, is defined by an "expansive, syncretistic, humanist approach to selfhood," which values cosmopolitanism as a corollary to nationalism.[93] In a short play published in the *Revue*'s first volume, Corm, using the pseudonym Chinalef Relame, dramatizes the conflicted feelings towards French culture of the Lebanese youth and their parents' generation. In "French as it is Spoken," Corm demonstrates that the Lebanese must embrace French cultural values, as those ideals are the nation's own heritage because they stem from the Phoenicians themselves. Corm's play begins amidst an argument between two members of a Syro-Lebanese family: Henrietta, a young activist, and her Uncle. While Henrietta wants to go to a protest in support of the French arriving to carry out their Mandate, the Uncle prefers for her to stay back. He claims that the protest is not safe, for "the French are not kind to those who like them."[94] Their argument introduces an unusual dynamic between a mandatory power and its mandated population: the latter supports the former, while the former rejects, or at least hinders the expression of, these sentiments. This perhaps refers to the confused French policy in Lebanon at the time of the volume's publication, which could not decide what to do with Faysal, the Sharifian claimant to Syrian rule, but gave him warm welcome in Beirut in the spring of 1919 and indicated a French willingness to "sacrifice Lebanon's autonomy" to control Syria as a whole.[95] Indeed, it demonstrates a crucial part of Corm's argument: mobilizing an affinity with France to challenge French policy.

According to the Uncle, the poor interactions with the French were the fault of the native population. Upon French entry into their land, the Lebanese all "became Clemeanceau's and Wilsons and Edward Greys," he declares.[96] "Politics became a general epidemic, and orators a public calamity!"[97] In referencing a slate of Western politicians to characterize an engagement with governance, the Uncle suggests that it is not his tradition to do so. He comprehends political engagement as an unnatural cultural practice for Arabs such as himself. After Henrietta disobeys him and departs for the protest, his wife suggests that ascribing this powerful practice to the French places unfair expectations upon them as well. It is not possible for a group to be considered as universally politically influential. If they are idolized as an intellectual race, she worries that "we will want the French to all be heroes, poets, superhumans, demi-gods; and we will not be able to admit that they are men, simple men, and brave people."[98] According to her, political expression and involvement cannot be a cultural practice. To do so would be to expect a standard from a group which they cannot possibly uphold.

Upon Henrietta's return, however, the opposite view is introduced. It is not that the French are activists by nature, or that neither the Lebanese nor the French are, but in fact that the Lebanese possess this quality to a greater degree than their supposed leaders. Henrietta brings a French captain back to her home, who cannot communicate with the family. After years as a soldier during the War, he speaks the broken language of the trenches. The Lebanese, fluent in French, cannot understand him. This disconnect suggests that they are even more French than the French themselves, possessing a greater grasp of their shared cultural heritage. After a wild turn of events in which it is revealed that Henrietta and the Captain have been communicating by letter for months, he declares his shame upon seeing her "write the language of Racine more purely than [he] could do [himself]."[99] This confession, directly from a Frenchman, affirms that the Lebanese are worthy of political and cultural engagement with Western values—they are able to do so even better than their supposed instructors. Although the play does not discuss Phoenician identity directly, considering its place at the end of the volume, and thus the previously expressed sentiments of Corm, it is safe

to consider Lebanese in this context as direct descendants of the Phoenicians. Drawing upon the lineage that prior authors have created, this play rejects a typical premise of cultural relationships between groups involved in a Mandate. While the French, by virtue of holding the mandate, are assumed to be tutors in Western civilization to the Lebanese, Corm suggests that it is in fact the ruled who know such values better than the French. This can be explained by their Phoenician heritage, for it is from the Phoenicians that Western ideals derive.

A series published across the second, third, and fourth volumes of the *Revue* address the fact that the Phoenicians inspired what is contemporarily celebrated as Western civilization. In "The Words of a Frenchman," E. Le Veilleur, another pseudonym for Corm, addresses the connection between the French and the Lebanese, who receive them gratefully and unlike any other subject populations in the post-Ottoman world.[100] The first article is a conversation between a narrator and a French soldier named Jean Joseph Dumanet. Dumanet asks the narrator why there are Phoenician archeological remains in his French hometown. The narrator, in his reply, bemoans the erasure of the Phoenicians by the Greeks and Romans, noting the primacy of Phoenician influence upon the West. He declares that "Marseille was first our gate to the Celtic countries, before being your gate to the Orient."[101] Whereas Dumanet, a French soldier present in Lebanon presumably to carry out the Mandate and help govern its population, may have thought that the French culture was superior to the Lebanese, the narrator declares that it is the Phoenicians who were the initial explorers, who expanded beyond their territory to reach new lands. He appeals to a pre-Christian past, characterizing his culture as being carried by Melqart, a Phoenician god and the deity of Tyre. Dumanet expresses his wonder at this, declaring that while he thought that "you were a French colony," it turns out that "I am a Syrian colony."[102] He notes that this past can be seen in the contemporary equal relationships between the two peoples, as "in a colony, the people receive you as their masters. Here, we are received as friends."[103] But the narrator does not retain an air of superiority over his interlocutor. Rather, he acknowledges the help from the French that the Lebanese require "to construct a State, to construct a port, and to aid us in reconstructing the grand Lebanese house."[104] Only the French, he says, can be trusted as appropriate tutors, because "we have communicated in ideas as great and beautiful as Civilization and Liberty" over the centuries.[105] In you, he says, we knew "the words of our ancestors."[106] The Phoenicians once influenced those in France with their enlightening ideals, Corm indicates. Now, the Lebanese can rebuild their great society by recalling the lessons of their ancestors as transmitted through their former French students.

The second iteration of this column, published in October, discusses the difficulty of building this Lebanese nation because of the harm which had been done to it throughout history. Dumanet and the narrator, discussing the physical space which Lebanon occupies, think of all that it has gone through in being "tossed from master to master by the covetousness of conquering races."[107] How, the narrator asks, can they become a nation when they are so weak? As he considers the Lebanese soil, he hears the voices of his dead ancestors, crying "I'm hungry! Us, Christians, Druzes, Greeks, Maronites! I'm hungry! We want, we want…liberty!"[108] Drawing upon the civilized ideals that the first article named theirs, the narrator declares a passion for liberty, the desire of all the diverse ancestors making up the history of Lebanese people. Comparing what he heard to the voices Dumanet would have heard during the war at great battles such as Flanders, he likens his fight for the liberation of his ancestors to that which the French underwent for the freedom and protection of their own nation. In doing so, he strengthens an emotional attachment between the two peoples, making it impossible for the French to do anything but support a cause that is so convincingly explicated to be the same as the one to which they already committed their lives. In the last edition of "The Words of a Frenchman," Corm draws heavily upon the French military commitments to argue the necessity of their commitment to the Lebanese cause. Discussing the arrival of General Gouraud, the commander of French forces in Syria and Lebanon, the narrator uses terms which characterize him as the

personification of French nationalism.[109] Gouraud's love of country, the narrator claims, makes it so that when he salutes the flag "in a sublime gesture…[it] calls to souls, and makes them rise from their dying bodies."[110] Recalling the previous article, in which the narrator heard the voices of his dead ancestors, it is easy to understand why this image of death is repeated. Where the Lebanese need revitalization, the narrator tells Dumanet that Gouraud possesses the cure. Just as he affirmed in the first article, the Lebanese need to learn from the nationalistic designs of the French, who can breathe life into dead history, because the French nation ultimately owes its existence to the Phoenician ancestry for which they search.

Across several literary articles in the *Revue*, Corm constructs the values of the Phoenician identity that he argues define the Lebanese nation. These characters: linguistic mastery, devotion to their heritage, love of liberty, and commitment to cosmopolitanism, are completely secular in nature. In doing so, Corm separates Phoenicianism from the Maronite clerics who would advocate for a Christian nation, and even from the religious identity of the Young Phoenicians themselves. However, removing religion as an agent for division also erases a clear feature that differentiates the Lebanese from the Arabs who surround them. Thus, Corm maintains that these Phoenician values are also French values, who learned them from the Phoenicians and can now oversee the opportunity for the Lebanese to reconnect with their ancestral heritage. In doing so, he defends the separation between Lebanon and the Arab or even Syrian nationalism surrounding it, characterizing its people as distinctly Western.

Who's In and Who's Out: Defining the Spiritual Boundaries of Lebanon

As Corm and the Young Phoenicians were redefining, and perhaps creating, the Lebanese community, other Lebanese and Syrian intellectuals were engaged in active diplomacy with the Allied powers to finalize the redistribution of the former Ottoman territories. Throughout 1919, Lebanese, Syrian, and Arab nationalists traveled to Paris to engage with European diplomats at the Paris Peace Conference.[111] A variety of Lebanese delegations ventured to the conference, including both Christian groups and contingents arguing for separation from a political perspective, despite the presence of clerics within. But diplomacy was not limited to Paris. The American King-Crane Commission was sent directly to geographical Syria in order to assess the political needs of the inhabitants.[112] Furthermore, the Marseilles Chamber of Commerce hosted the Congrès français de la Syrie, which was led by former Syrian nationalists Chekri Ganem and George Samné, who had begun advocating for a Lebanese nation after Faysal and his Arab nationalism grew more popular in Syria.[113] These appeals proved useful. By the end of 1919, France had fully approved of the political demands which aligned with the Phoenician message: to create an independent Lebanese nation under the guidance of France, with borders corresponding to the 1861 map of the French Expeditionary Forces as desired by the Lebanese nationalists.[114] Kaufman writes that these achievements can be attributed to the Young Phoenicians, for "in 1919 the entire movement for the formation of Greater Lebanon was labeled 'Phoenician.'"[115] The December volume of the *Revue*, published one month before France began fully supporting the establishment of Greater Lebanon, contains articles written by leading policy advocates who had been in direct correspondence with the French government.[116] Articles published in the *Revue*'s last edition demonstrate how the Phoenician identity worked as both a diplomatic and intellectual tool which was concretely utilized to realize the Lebanese nation.[117]

The same issue contained an article by Henri Lammens, a great supporter of the Syrian Separatist movement. In "Historic Evolution of Syrian Nationality," Lammens, a Belgian Jesuit and thus an arguably unbiased source, argues that there are people in the Levant that are not Arab, naming the Syrians the descendants of the Phoenicians. The article makes no distinction between Syria and Lebanon, and even though the Syrian and Lebanese national movements had opposed each other, the editors of the *Revue* published the article anyway. This demonstrates the dominance of Lebanese Phoenicianism, as the Young

Phoenicians now felt secure that any appeals to a historic reading of non-Arab nationalism would support Lebanon's creation.

An article by a leading Lebanese diplomat also confirms the significant role the Phoenicians played in realizing the territorial composition of Lebanon. Elias Pierre Hoyek was the Maronite Patriarch and the president of the Lebanese delegation to the Paris Peace Conference.[118] In "Lebanon's Claims: Memories of the Lebanese Delegation to the Peace Conference," Hoyek affirms the central role the Young Phoenician ideology played in his representation of the Lebanese needs to the conference. While his role as a cleric makes it difficult for him to fully embrace the power of the Phoenician past as a legitimizing tool—declaring to Christians in Lebanon that they were Phoenicians and that their lineage predates Christianity would perhaps be a step too far into secular ideology for the Maronite Patriarch—he uses many of the nationalist justifications that were expressed earlier in the *Revue*.[119] He marks the particular ties between the Lebanese and the French, dating them back to the "establishment in Lebanon of a number of Frankish knights."[120] Hoyek also argues that the territories for which the Young Phoenicians argue are either "necessary" or "natural outlets" for the people, and thus must remain united under one nation, recalling the arguments of Pacha and Noujam.[121] Finally, though his embrace of the Phoenician past is perhaps less comprehensive than that of other authors, writing that one need not look so far back to find the distinctiveness of the Lebanese from their surroundings, he does refer to the "Phoenician ancestors" of the nation in the final pages. This makes clear the connection between this past and that of the Western culture which he is more comfortable to embrace.[122] Most significantly, he does not make arguments for a separate Lebanon based on its Christian character. That the leader of the largest Christian community in Lebanon presents its national identity in secular terms is perhaps the largest indicator of the influence of Phoenicianism upon the foundation of the state, for it was this theory that allowed claims of non-Arabness in Lebanon to be politically viable in the first place. When General Gouraud proclaimed the creation of Greater Lebanon on September 1, 1920, he and the French broke from the idea of a Greater Syria that had previously been favored by a large majority.[123] Instead, he capitulated to the desires of the Young Phoenicians, agreeing that a nation could be based upon a secular and historic identity tied to a natural territorial grouping.

Conclusion: Did Phoenician Pluralism Work?

Writing in both Arabic and English, Khalil Gibran constructed a Lebanese identity which was infused with spirituality in an effort to liberate his people from both physical and moral oppression. He considered himself both Syrian and Lebanese, less concerned with national personhood than with fashioning a freely expressed Eastern and Arab identity.[124] This is the classic understanding of Lebanese nationalism today, where the Lebanese are a people whose Arabness few would question.[125] But this is not the understanding of Lebanese identity that the nation's shapers possessed. This paper has aimed to show how Phoenicianism was used as a tool to legitimize the territorial and communal organization of Greater Lebanon, and that this formulation of a national identity convinced the French to make Lebanon a separate entity. In *La Revue Phenicienne*, Lebanese nationalists rooted their claims to an independent nation in the historical past of a naturally merged territory. They argued that its alignment can be seen in its economic viability and peaceful nature when united, and in the fact that it has historically been separated or driven to conflict only because of external, and unnatural, intervention. This territory also deserves sovereignty, the Young Phoenicians argued, because it consists of a people who are virtuous and unique. As descendants of the Phoenicians, they possess a cultural heritage from which the entire Western tradition was born, and which validates their existence as a community with a strong identity despite belonging to different religious orders. It was this vision of a people in need of territorial autonomy that led the French to grant the Lebanese a Mandate.[126] The *Revue*'s confidence in the success of the Phoenician project before the declaration of the state, and the words of the leading Lebanese diplomats who worked alongside the Mandatory decision-makers at the Paris Peace Conference attest to

this truth.

The history of the Lebanese nation following its creation, however, would not suggest that it was built upon such cosmopolitan, amicable, and secular grounds. Even though the *Revue* attempted to make a distinction between Arabs and Lebanese that was secular—Lammens described "a Syrian Muslim, I do not say an Arab—it is not the same thing"—Lebanese identity was largely ignored by non-Christians in the wake of the nation's creation.[127] Tarek Jaoude writes that the Phoenician origin myth "found itself completely opposed by a majority of the Muslims who felt it was taking away from their Arab identity."[128] When Lebanon became a republic and received a constitution in 1926, it was overseen by a governing council appointed upon sectarian lines. While this ensured religious pluralism, it made religion a central aspect of the community makeup, something which was not an element of pre-state Phoenicianism even though this scheme was drawn up by Michel Chiha, who wrote in the *Revue*. This indicated a shift in what pluralism entailed. Continuing into the 1930s, Lebanese citizens protested their government and appealed for a unification with Syria.[129] Yet it is also true that Lebanon has and continues to possess a national character unlike most post-Ottoman nations.

The 1975-1990 civil war in Lebanon grew from the division between Lebanese communities upon the extent to which the cause for Palestinian liberation should impact Lebanese politics.[130] But it was crucially different from the civil wars which arose in other multi-religious former Ottoman territories. In a comparative study of the civil wars in Lebanon and Bosnia-Herzegovina, Florian Bieber found that the Lebanese were much more passionate about their national community. While in Bosnia "the very existence of the state" was the "bone of contention," the "dissolution of central control… was the result of competing groups trying to dominate the state" in Lebanon.[131] Bieber notes that the Bosnian national hopes were "largely incompatible with the existence of a multinational state" whereas in Lebanon, despite the fact that the "entity was considered as a pure French imperialist creation," the factions in the civil war all claimed to represent a Lebanese identity beyond their religious identity.[132] Knowing that Bieber's claim that the Lebanese nation was imposed upon its people by foreigners is false given the history of Young Phoenician advocacy precisely for its creation, perhaps it is in this dynamic that the legacy of Phoenicianism can be seen. For the *Revue* was just the beginning of the dissemination of a Lebanese culture connected to Phoenicia in Lebanon.[133] Corm's most famous work, La Montagne Inspirée, was not published until 1933, and foundational Phoenician texts were republished in Lebanon until the end of the 20th century.[134]

The existence of a Lebanese national identity, and its construction prior to the nation's granting, complicates the claims of scholars who would seek to attribute the formation of the modern Middle East, and its subsequent violent troubles, to European imperialism. Jaoude argues that the "Franco-Maronite alliance" which led the construction of the state "resulted in a lack of legitimacy for the resulting state of Greater Lebanon" because it prioritized the self-determination of the Maronites above the needs of other communities.[135] This so-called alliance, however, was not a capitulation to European ideals of nationalism. While the Young Phoenicians, whose political aims defined the movement to create Greater Lebanon, certainly found connection with Western values of civilization, those ideals had Lebanese origin. In fact, the ultimate composition of Lebanon as established in 1920 was not what the Allied powers had envisioned in the years prior, considering a unified Syria a more viable political entity. Furthermore, the Young Phoenicians, while broadly consisting of Maronites, subsumed their Christian identity to their national aims, intending to create a community which could indeed meet the needs of diverse adherents. While it may be true that the nation of Lebanon exists under a similar political framework to nations in the West, to attribute its construction to European meddling in the Middle East is to ignore the political developments of the native population and their own contributions to their self-rule.

ENDNOTES

1. Conference program, 1983, William H. Shehadi Collection of Kahlil Gibran, 1918-1991. Box 2, Folder 8. Princeton University Library, Princeton, NJ. The

program is modified by a handwritten message from the collector noting that the conference was cancelled due to "events."

2. Edward Said, *Orientalism* (New York: Vintage Books, 1979), 227; Said, *Orientalism*, 257.

3. Conference program, Shehadi collection, Box 2, Folder 8.

4. Elise Salem, *Constructing Lebanon: A Century of Literary Narratives* (Gainesville: University Press of Florida, 2003), 29. In several of his manuscripts, Gibran uses parables to critique initiatives for imperialism and nations which engage in civilizational hegemony. For two examples, see "The Capitalist" and "War and the Small Nations" in *The Forerunner* (Manuscript from *The Forerunner*, Shehadi collection, Box 1 Folders 17-18).

5. Another important difference to note is that the Young Phoenicians were operating in Beirut, while Gibran moved to the United States in 1895. Although he lived in both Lebanon and France during his years as a student, he spent the majority of his adult life in America (Salem, *Constructing Lebanon*, 17).

6. Kamal Salibi, *A House of Many Mansions: The History of Lebanon Reconsidered* (Berkeley: University of California Press, 1988), 178.

7. Charles Corm, "L'ombre s'étend sur la Montagne," in *La Revue Phenicienne, Collection Complete* (Beirut: David Corm & Fils, 1919), 12. All translations from *La Revue Phenicienne* are my own.

8. It is interesting to note, as Salameh points out, that Corm was the first Lebanese intellectual to translate Gibran's works into French (Franck Salameh, *Charles Corm: An Intellectual Biography of a Twentieth-Century Lebanese Young Phoenician* (Lanham: Lexington Books, 2015), 49).

9. The *Revue* was only published four times: July, August, September, and December 1919.

10. Andrew Delatolla, *Civilization and the Making of the State in Lebanon and Syria* (Switzerland: Palgrave Macmillan, 2021), 39. Additionally, Franck Salameh notes that the British drew the regional map "to suit their own predilections and their own colonial interests, not the mixed ethnic makeup of the region." (Salameh, *Charles Corm*, 41.)

11. Salibi, *A House of Many Mansions*, 32.

12. Kais M. Firro, *Inventing Lebanon: Nationalism and the State under the Mandate* (London: I. B. Tauris, 2003), 36.

13. Kaufman himself writes that "It was the Maronite Patriarch," whose Phoenician work this paper will address in the penultimate section, "who, in his trip to the Peace Congress in Versailles in 1919, exerted the last necessary pressure on France in favor of the establishment of Greater Lebanon." (Asher Kaufman, *Reviving Phoenicia: The Search for Identity in Lebanon* (London: I. B. Tauris, 2004), 11).

14. Salibi, *A House of Many Mansions*, 9.

15. Carole Hakim, *The Origins of the Lebanese National Idea: 1840-1920* (Berkely: University of California Press, 2013), 229.

16. Hakim, *Origins of the Lebanese National Idea*, 229.

17. Yossi Olmert, "A False Dilemma? Syria and Lebanon's Independence during the Mandatory Period," *Middle Eastern Studies* 32, no. 3 (1996): 42.

18. Hakim, *Origins of the Lebanese National Idea,* 227.

19. Lebanon is a geographical region comprising of a mountain range known as Mount Lebanon, the Bekaa Valley, and a coastal plain along the Mediterranean. Mount Lebanon was historically considered the home of the Maronites: only this territory was allotted for the Maronites during the *mutasarrifiyya*. Contemporary Lebanon's borders ("geographical Lebanon") go far beyond what was historically deemed Lebanon (the "Mountain"). See Appendix 1 for an 1861 rendering of the state which outlines what would become the borders of Greater Lebanon in 1920.

20. Kamal Salibi, "Introduction: The Historical Perspective," in *Lebanon: A History of Conflict and Consensus,* ed. Nadim Shehadi and Dana Haffar Mills (London: I. B. Tauris, 1988), 3. The Sublime Porte is the metaphorical name for the central Ottoman Government, referring to the gate outside the Sultan's palace from which he would make judgments.

21. Charles Chartouni, "Lebanon," in *Christianity in North Africa and West Asia*, ed. Kenneth Ross, Mariz Tadros, Todd M. Johnson (Edinburgh: Edinburgh University Press, 2018), 116.

22. Salibi, *A House of Many Mansions*, 13.

23. Chartouni, "Lebanon," 116.

24. Muslim sects are organized on the basis of their

belief in who constitutes the legitimate Imam, or "paramount leader," of the Muslim community. Salibi, *A House of Many Mansions*, 11.
25. Vyacheslav Argenberg, via Wikimedia Commons
26. William Gordon East, "France, Syria, and the Lebanon." *The World Today* 2, no. 3 (1946): 112.
27. John Spagnolo, "Franco-British Rivalry in the Middle East," in *Lebanon: A History of Conflict and Consensus*, ed. Nadim Shehadi and Dana Haffar Mills (London: I. B. Tauris, 1988), 104.
28. Spagnolo, "Franco-British Rivalry," 106.
29. Ibid, 106.
30. Youssef M. Choueiri, "Ottoman Reform and Lebanese Patriotism," in *Lebanon: A History of Conflict and Consensus*, ed. Nadim Shehadi and Dana Haffar Mills (London: I. B. Tauris, 1988), 67.
31. Hakim, Origins of the Lebanese National Idea, 22.
32. Ibid, 25.
33. Ibid, 27.
34. Ibid, 19.
35. Ibid, 29.
36. Ibid.
37. Ibid, 30.
38. Ibid, 29.
39. Ibid, 71.
40. Ibid.
41. Ibid, 91.
42. Salibi, *A House of Many Mansions*, 16.
43. Hakim, *Origins of the Lebanese National Idea*, 86.
44. Fakhr al-Din was a Druze emir on the Levantine coast. He was exiled to Tuscany and Naples from 1613 to 1618, making him an attractive character in Lebanese nationalism, which depicts him as "a modernizer intent upon furthering trade with and opening up the Lebanon to the West." (Alessandro Olsaretti, "Political Dynamics in the Rise of Fakhr Al-Din, 1590-1633: Crusade, Trade, and State Formation along the Levantine Coast," *The International History Review* 30, no. 4 (2008): 709). The map that d'Hautpol's forces imagined can be seen in Appendix I.
45. Spagnolo, "Franco-British Rivalry," 109.
46. Franck Salameh, "'Young Phoenicians' and the Quest for a Lebanese Language: Between Lebanonism, Phoenicianism, and Arabism," in *Arabic and Its Alternatives: Religious Minorities and Their Languages in the Emerging Nation States of the Middle East* (1920-1950), ed. Heleen Murre-van den Berg, Karène Sanchez Summerer, and Tijmen C. Baarda (Leiden: Brill, 2020), 112.
47. Salameh, *Charles Corm*, 80. Salameh speculates that Khalil Gibran may have been a student of Daoud's. Corm founded several organizations in his teens, including L'Association Nationale de la Jeunesse Libanaise.
48. Claude Doumet-Serhal, "Phoenician Identity in Modern Lebanon," in *The Oxford Handbook of the Phoenician and Punic Mediterranean*, ed. Brian R. Doak and Carolina López-Ruiz (Oxford: Oxford Handbooks, 2019), 715.
49. Pacha would later become a leading politician in Lebanon (Asher Kaufman, "Phoenicianism: The Formation of an Identity in Lebanon in 1920," *Middle Eastern Studies* 37, no. 1 (2001): 192).
50. Auguste Adib Pacha, "Constitution Politique Du Liban Administratif," in *La Revue Phenicienne*, 44.
51. Pacha, "Constitution Politique du Liban Administratif," 44.
52. In addition to the reforming of the area into a *mutasarrifiyya*, Pacha writes that an administrative council was set up to check any abuses of power by the governor.
53. Pacha, "Constitution Politique Du Liban Administratif," 44.
54. Ibid, 46.
55. Ibid.
56. "Phaenicia," in *La Revue Phenicienne*, 1.
57. Ibid.
58. Ibid.
59. Jacques Tabet, "Ce qu'était Notre Patrie," in *La Revue Phenicienne*, 21.
60. Ibid.
61. Tabet writes that the Phoenicians were equal in business superior in civilization to the "kingdoms of Damascus and Israel" (Tabet, "Ce qu'était Notre Patrie," 21).
62. Kaufman, "Phoenicianism," 180.
63. Kais M. Firro, "Lebanese Nationalism versus Arabism: From Bulus Nujaym to Michel Chiha," *Middle Eastern Studies* 40, no. 5 (2004): 15.
64. Paul Noujam, "La Question du Liban," in *La Revue*

Phenicienne, 67.
65. Ibid.
66. Ibid, 68.
67. Ibid.
68. Ibid.
69. Ibid, 76.
70. Ibid.
71. Ibid, 70
72. Ibid, 75.
73. Ibid, 70.
74. Ibid, 69.
75. Ibid, 71.
76. Noujam, "La Question du Liban," 76. These data sets are difficult to compare: the 1912 census breaks down population by municipal distribution, whereas in 1919 populations are only tracked according to major cities. Furthermore, populations fluctuated significantly during the war, with a famine ravaging the Mountain. According to Hakim, over a third of the population died (see Hakim, *The Origins of the Lebanese National Idea*, 224). Regardless, these numbers do make clear that Natural Lebanon had significantly more religious diversity, with the Christians completely losing their majority status.
77. Kaufman, "Phoenicianism," 180.
78. Noujam, "La Question du Liban," 75.
79. Ibid.
80. In the 3rd edition of the *Revue*, Charles Corm discusses the unique nature of Lebanese nationalism further, writing in a heavily censored article called "Nationalist Meditations" that unlike the Arabs, who "only fight for themselves," the Lebanese "believe [ourselves] to be a peaceful nation" (Charles Corm, "Méditations Nationalistes," in *La Revue Phenicienne*, 178). Corm bemoans the fight of Syrian nationalists who "prostitute [themselves] to the gold of camel drivers," meriting "the talon of the Arabs and the contempt of the Universe," suggesting a belief that nationalism is earned by the inhabitant's virtue, and that a nation is virtuous only when it intends to positively affect its community and the world around it (Corm, "Méditations Nationalistes," 179).
81. Firro, "Lebanese Nationalism," 3.
82. Salibi, A House of Many Mansions, 26.
83. George Daoud Corm, 1925, via Wikimedia Commons (uploaded from Fondation Charles Corm)
84. Kaufman, "Phoenicianism," 176.
85. Ibid.
86. Doumet-Serhal, "Phoenician Identity in Modern Lebanon," 717.
87. It is important to note here the work by Nicholas Murad, a Lebanese Maronite whose work *Notice historique sur l'origine de la nation maronite et sur ses rapports avec la France* demanded the establishment of a unique political identity for the Maronites. Kaufman declares that "the importance of Murad's book cannot be exaggerated…it is even possible to say that this is the first work that voiced the Lebanist idea." While his political development is novel, it was not promulgated as a school of thought until the Jesuits took it up themselves. (Kaufman, "Phoenicianism," 179).
88. Kaufman, "Phoenicianism," 177.
89. Basilius Bawardi, *The Lebanese-Phoenician Nationalist Movement: Literature, Language, and Identity* (London: I. B. Tauris, 2016), 32.
90. Kaufman, "Phoenicianism," 189.
91. Salameh describes this innovation helpfully, writing that Phoenicianism "relegates "Arabness" to a period—rather than an essence—of Lebanese history." The same could be said about the movement's treatment of Christianity, which is also considered a non-essential aspect of the Lebanese identity, as it began pre-Christ (Salameh, "Young Phoenicians," 111).
92. Salibi, *A House of Many Mansions*, 26. The French were concerned that the amount of religious diversity contained in the borders demanded by the Young Phoenicians could lead to violence.
93. Salameh, *Charles Corm*, 49.
94. Chinalef Rélame, "Le Français Tel Qu'On Le Parle," in *La Revue Phenicienne*, 57.
95. Hakim, *Origins of the Lebanese National Idea*, 243.
96. Rélame, "Le Français Tel Qu'On Le Parle," 58.
97. Ibid.
98. Ibid, 59.
99. Ibid, 61.
100. Kaufman, Reviving Phoenicia, 90.
101. E. Le Veilleur, "Les Propos D'Un Français," in *La Revue Phenicienne*, 82.
102. Ibid.

103. Ibid, 83.
104. Ibid.
105. Ibid.
106. Ibid.
107. E. Le Veilleur, "Les Propos D'Un Français II," in *La Revue Phenicienne*, 141.
108. Veilleur, "Les Propos D'Un Français II," 142. Ellipses are original to the text.
107. Salem, *Constructing Lebanon*, 15.
108. E. Le Veilleur, "Les Propos D'Un Français III," in *La Revue Phenicienne*, 217.
110. Syrian nationalism developed throughout the beginning of the 20th century. Both Arabs and non-Arabs advocated for the distinct political identity of Greater Syria (including Lebanon). Indeed, preceding the end of the war, Syrianism was a much more popular political ideology than Lebanism, and several authors argued that Lebanon should remain a unit within Syria. However, this movement was abandoned over the course of 1919 as Arab nationalists became the leaders of the Syrian independence movement. For more detail on this movement, refer to Firro, *Inventing Lebanon*, 19-22.
112. According to a study of claims submitted to the King-Crane Commission, 43.9% of petitions submitted, the plurality, were in favor of an "Independent Greater Lebanon." This includes submissions from towns outside of the boundaries of geographical Lebanon—in absence of those submissions, the percentage of projects favoring an Independent Lebanon would grow (Tarek Abou Jaoude, *Stability and the Lebanese State in the 20th Century* (London: I. B. Tauris, 2023), 34).
113. Firro, "Lebanese Nationalism," 4.
114. Firro, "Lebanese Nationalism," 3. See Appendix I.
115. Kaufman, Reviving Phoenicia, 16.
116. Ibid, 95.
117. Several articles published earlier in the year also comment on the contemporary diplomatic situation, including "De la Lumiere ! De la Lumiere !" by Charles Corm in volume 2 and "Au Coeur de la Commission Américaine" by Emile Arab published in two parts across volumes 2 and 3.
118. Hakim, *Origins of the Lebanese National Idea*, 238.
119. Kaufman, "Formation of Identity," 180.
120. Elias Pierre Hoyek, "Les Revendications du Liban," in *La Revue Phenicienne*, 240.
121. Ibid, 239.
122. Ibid, 241.
123. Hakim, *Origins of the Lebanese Nationalist Idea*, 215.
124. Salem, *Constructing Lebanon*, 24.
125. Salibi, *A House of Many Mansions*, 1.
126. See page 4, note 13.
127. Lammens, "L'Évolution Historique," 199.
128. Jaoude, *Stability and the Lebanese State*, 69.
129. Fawaz Traboulsi, "From Mandate to Independence (1920-1943)," in *A History of Modern Lebanon* (London: Pluto Press, 2012), 88.
130. Bawardi, *The Lebanese-Phoenician Nationalist Movement*, 80.
131. Florian Bieber, "Bosnia-Herzegovina and Lebanon: Historical Lessons of Two Multireligious States," *Third World Quarterly* 21, no. 2 (2000): 270.
132. Ibid, 279.
133. See Bawardi, "The Second Generation" in *The Lebanese-Phoenician Nationalist Movement* for more detailed descriptions of mid-century Phoenicianism.
134. Salameh, *Charles Corm*, 92 and Kaufman, *Reviving Phoenicia*, 240.
135. Jaoude, *Stability and the Lebanese State*, 18.

Effects of the 'Survey Land' Classification on Illegal Outpost Growth in the West Bank

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This paper will delve into the history of the "survey land" classification and attempt to demonstrate that from the Oslo years (1993-95) onward, the state has employed this label to encourage the construction of illegal West Bank outposts, settlements constructed without official approval from the Israeli government.[1] Despite the fact that outposts are, by definition, established in a manner inconsistent with Israeli law, the state has played an integral role in their proliferation throughout the West Bank.[2] The legal muddle of the survey land designation has aided the Israeli government with settlement expansion, as it emboldens outpost construction by hinting at the prospect of future legalization to settlers, while simultaneously limiting Palestinian presence in the region.

Survey land refers to lands suitable to be declared government property—state land—according to the Israeli government's interpretation of the 1858 Ottoman Land Code.[3] Israeli authorities in the West Bank began employing this label in the wake of the Oslo Accords, and have made increasing use of it since Benjamin Netanyahu's return to power in 2009. The survey land label is used internally by the Civil Administration, an Israeli military body that governs civilian affairs in the West Bank, to exert control over lands which it is in the process of surveying to determine ownership status, but has not yet declared as government property. Cases deliberated in the High Court of Justice between Palestinian land claimants and Israeli authorities demonstrate that the Civil Administration behaves as the effective owner of these lands without having issued a public declaration.[4] The absence of a declaration leaves Palestinian land claimants in the dark with no avenue to petition the Israeli government, maximizing the latter's control over the West Bank in a more discreet manner than the practice of issuing state land declarations permits.[5]

In past cases, the government defended its use of the survey land label by arguing that the question of whether land qualifies as its property does not hinge on whether it has been *declared* state land, but rather the "substantive law"—shorthand for the land's cultivation status.[6] Through this reasoning, declarations are not considered a form of expropriation, but rather announcements that merely confirm the supposedly pre-existing right of the Custodian of Government Property to a piece of land. Thus follows the notion that survey land is government property.

This stance has clear material implications. Similar to their management of declared state land, Israeli authorities regularly issue evictions against Palestinians that are deemed trespassers on survey land and lend support to Jewish settlements that have been built in these areas, as will be discussed below. Unlike state land, however, the Civil Administration does not publish data on land it has surveyed and deemed to be government property, so it is impossible to quantify the scope of the categorization.

State land declarations necessitate a clearer procedural element, which both ensures that Israeli expropriation of land is publicized and formally allows for local residents to appeal the declaration within a few weeks to a Military Appeals Committee.[7] Though these appeals rarely bear fruit, the relatively overt nature of state land declarations has the potential to implicate the highest levels of the Israeli government in the *de facto* annexation of a formally occupied territory. It is no wonder, then, that state land declarations declined during the Oslo years, when the Israeli government began to present itself as a serious partner in a two-state solution.[8]

State land declarations have made a comeback since the swearing-in of Israel's current right-wing government in December 2022.[9] In a successful bid to take back the premiership from a short-lived centrist coalition, the Likud party's Benjamin Netanyahu, now prime minister, granted outsized power to ultranationalist politicians in his coalition, namely Finance Minister Bezalel Smotrich. Smotrich, a West Bank settler, began his career protesting the 2005 Gaza disengagement and remains outspoken about his desire for permanent Israeli rule over Palestinians in the West Bank.[10,11] Though primarily known as Israel's current Finance Minister, Smotrich holds a second position in the Ministry of Defense, which has empowered him to expand his control over the Civil Administration, the military body governing civilian affairs in the West Bank.

Since the start of 2024, Smotrich has exploited his newfound authority to expropriate tens of thousands of dunams (a dunam is about ¼ of an acre) of West Bank lands.[12] Many of these dunams were part of a single declaration issued in 2024, the largest since the beginning of the Oslo process, which took over a huge chunk of territory in the Jordan Valley.[13] This recent resurgence in state land declarations singling out survey land is notable, as this internal classification often serves as the first step to the official legalization of outposts.

This paper is divided into two sections. The first will detail the history of land law in Israel/Palestine, more specifically the state land categorization, and explain how the survey land label fits into the Israeli government's interpretation of the 1858 Ottoman Land Code. The second section will deal with survey land as

"Survey land denotes an area that, despite not having been officially declared as such, qualifies as government property."

it relates to the establishment of illegal outposts over the past three decades. It will rely on High Court rulings and two conflicting government-commissioned reports, one authored by former state prosecutor Talia Sasson in 2005, the other by retired Supreme Court Justice Edmond Levy in 2012, to distinguish between three periods of outpost growth in the West Bank pegged to Netanyahu's 1996 rise to power, the Israeli government's official adoption of the 2003 Roadmap for Peace and the ensuing Sasson Report, and the 2012 publication of the Levy Report during Netanyahu's second government. The position of the government on outposts is tied to its position on survey land, which I will argue continues to play an integral role in the Israeli takeover of rural areas of the West Bank. Unfortunately, the analysis of court cases in this article is limited since rulings and decisions made by the Israeli High Court of Justice—which only paraphrase the arguments of petitioners and respondents—are the only documents accessible to the author. The survey land classification is both vague by design and a relatively recent invention, and thus there is a dearth of academic sources regarding the topic. As such, this paper largely relies on information from the Civil Administration acquired by various Israeli NGOs, Kerem Navot in particular, under the Freedom of Information Law.

Defining 'State Land' in the West Bank

Israeli land policy in the West Bank is derived from the various legal systems that preceded its rule—Ottoman, British-Mandatory, and Jordanian. This multiplicity of legal systems alongside Israeli military orders has led to a convoluted land policy that serves to dispossess Palestinians of their land while bolstering Jewish settlement. Survey land denotes an area that, despite not having been officially declared as such, qualifies as government property. The survey land procedure came to replace Israel's declarations of "state land," a concept which British Mandate authorities derived from the Ottoman Land Code.[14]

The practice of declaring state land became central to establishing West Bank settlements following the Elon Moreh ruling, a 1979 court decision that barred the requisitioning of private land to establish the settlement of Elon Moreh.[15] In the ruling, the presiding judges found that Elon Moreh was not established for a military need, so seizing private land for its construction, as the Israeli military had been doing in the West Bank until that point, would contravene international law. The 1907 Hague Convention stipulates that an occupying power is forbidden from using both public and private land to benefit its own population, and is only permitted to commandeer it for military purposes.[16]

The court decision did not categorically forbid the seizure of land to construct settlements, but it revealed the limitations of the military necessity excuse, pushing the government to devise new mechanisms outside of the international law framework to find land reserves. Over the next few decades, this departure yielded a slew of expropriations in the form of state land declarations, which came to take up around 685,000 dunams (roughly 170,000 acres) of Area C, which comprises 61 percent of the West Bank.[17] Though they are not the focus of this paper, Israeli authorities use other methods to seize West Bank land, such as demarcating areas as nature reserves and declaring them firing zones.[18] Israel's usage of state land declarations implies the permanence of its rule, effectively taking the role of the sovereign.

Whether or not a piece of land can be classified as government property has enormous implications for Palestinian construction and property rights—from 1967, the Civil Administration has allocated a mere 0.2% of declared state land to Palestinians, while the other 99.8% went to Jewish settlements.[19] As will be discussed below, the number and scope of state land

declarations has declined over the years, and though the government conceals the amount of territory that it classifies as survey land, it is reasonable to assume that this classification has in many ways compensated for the decline of declarations. When justifying state land declarations, Israeli authorities claim continuity with the previous Ottoman and British rulers by distinguishing between law and policy, defining "policy" as the implementation of the law.[20] However, Israel's use of the category as a pretext for mass land expropriation in the 1970s-80s has no precedent under the Ottoman, British, or Jordanian authorities.

1858 Ottoman Land Code

One of the building blocks of Israeli land policy is the land classification system outlined in the 1858 Ottoman Land Code and the 1859 Tabu Act. Both pieces of legislation were introduced during the modernizing Tanzimat reforms of the 19th century Ottoman Empire. The Land Code established sets of rights according to different categories of ownership. *Mulk* lands were privately owned lands in towns and urban areas; *mawqufa* lands were those endowed to a given religious organization; *metruka* lands were allocated for public use; *miri* lands were those owned by the sovereign but used by individuals for cultivation, pasture, etc; and *mawat* lands consisted of unpossessed, uncultivated lands—generally stony ground and mountain areas—at least a mile and a half from the nearest inhabited spot.[21] The latter two categories would become core to Israel's legal basis for land expropriation in the West Bank, but took on a very different shape under the Ottoman Empire, which regarded these classifications as more fluid and subject to change. Israeli authorities did not only treat property rights allocated to a certain land category as absolute, but used an expansive definition of *mawat* land in the West Bank, which will be discussed below. Geremy Forman, Alexandre Kedar, and other scholars of Israeli land law argue that this definition represents an absolute break with the definitions of the preceding Ottoman, British, and Jordanian authorities.[22]

Ottoman law, for instance, provided for the "revival" of *mawat* land if someone were to begin cultivating it, enabling the cultivator to gain a title thus voiding the *mawat* classification and transforming it into *miri* land. Ottoman authorities allowed for the revival of *mawat* lands, with or without prior authorization. One who started cultivating an area with prior permission of an official was given title to the land gratuitously, and one who attempted to revive the land without permission would simply have had to pay the value of the land in order to transfer the property right to his name, in the form of *miri* land.[23] The relative ease with which one could begin cultivating land is likely rooted in the Ottoman Empire's long-term goal of increasing its tax revenue, in which the Land Code played a major part. Once cultivated, *miri* land that was formerly *mawat* could not revert back to such, and if left uncultivated for three years, would instead become *mahlul*—the cultivator would lose his title to the land, but one could repurchase the title from the government. Over the next few decades in Palestine, the empire's land registration process moved at a snail's pace. By the end of Ottoman rule over the region, only 5% of land was registered with the Tabu Act.[24]

When British forces occupied Palestine in 1917, they revamped the land registration process and initiated a series of changes to the 1858 Land Code which rigidified the Ottoman classifications under a Western conception of property rights that began to flourish in British colonial holdings in the mid-19th century. The British notion of "state land," delineating territory that is owned and controlled by a landowning sovereign and unavailable to the public unless otherwise specified, differed significantly from the Ottoman notion, in which the sovereign retained formal ownership over a parcel of land, but focused mainly on its taxation and rarely restricted building and cultivation in these areas.[25]

This notion of the state as a landowner came into legal force with the 1920 *Mahlul* Land Ordinance and 1921 *Mawat* Land Ordinance, both aimed at solidifying British control over land in Palestine and restructuring the Ottoman system. These laws undermined the Ottoman Land Code's implicit goal of encouraging land cultivation by flattening the divisible property rights outlined within it into "one unified individual right to property."[26] Colonial authorities sought to reshape land tenure in Palestine to align with the

theories of early 19th century British classical economists, who conceived of landed property as precisely defined, enforceable, "promoting the public good" and individualized rather than communally held. The "public good" in this context was tied to the productivity of a given plot of land.[27] Tax revenue was no longer the driving force behind land registration and enforcement of the land code; rather, the facilitation of an efficient market economy in Mandatory Palestine served such a role.

The *Mahlul* ordinance stated that when left fallow, the formerly *miri*, now *mahlul* lands would revert directly to the British government as "state lands." Contemporary British sources attest to the exceedingly rare enforcement of the *Mahlul* law, especially in the later years of the Mandate.[28] Promulgated a year later, the *Mawat* ordinance transformed the status of an unregistered cultivator into that of a criminal, stipulating that the revival of *mawat* lands would from then on require a prior permit from the government, and those who attempted to cultivate these lands without approval would be prosecuted as trespassers.[29] The second section of the brief ordinance addressed already revived *mawat* lands, instructing those who had cultivated such lands without authorization to seek a title-deed with the Registrar within two months. The law does not specify the legal penalty of failing to notify the Registrar, but the Israeli government has interpreted it to mean that lack of registration within the two-month window will result in the retroactive expropriation of the land. According to Kedar et al., Israel's interpretation of this ordinance casts doubt on the legal continuity that it claims to preserve in the West Bank, as the British, more interested in organizing a spatial-legal order divorced from the Ottoman system, did not carry out expropriations as a consequence of violating this law.[30] On the contrary, the second section quickly descended into irrelevance in the eyes of British authorities.[31]

In the late 1920s, the British also began a land title settlement process to investigate claims to land and identify parcels of land with their respective owners. The Mandate government determined land rights based on a combination of possession and cultivation. They allowed for the integration of state law with local practices, relying on tax records and oral testimonies of applicants' neighbors and village heads, or mukhtars, to confirm ownership, while dispatching inspectors to ensure that the land was being cultivated. Of Palestine's 26 million dunams, the British had managed to register a mere 5.5 million by 1948, the vast majority of which fell within Israel's pre-1967 borders.[32]

Jordanian control of the West Bank from 1948-1967 did not yield many notable changes to the land code. For the most part, the Jordanian government simply continued the land title settlement process begun by the British, devoting the vast majority of its resources to the West Bank since most rural land in the East Bank had already been registered. The registration of West Bank lands under the 1952 Land and Water Settlement Law continued at a slow pace; by 1967, the Jordanian lands department had completed the registration of 150 out of the 338 West Bank towns and villages.[33] All in all, this amounted to a little over a third of the West Bank, leaving the remaining two-thirds unregistered.[34]

Israeli Rule

In 1968, a year after Israel began occupying the West Bank and Gaza, Israeli authorities suspended the process of land title settlement, leaving large amounts of land owned and cultivated by its inhabitants unregistered.[35] Formal land ownership arrangements remain frozen to this day. In the 1980s, following the Elon Moreh ruling, state land declarations proliferated, particularly in the Palestinian districts of Bethlehem and Hebron—areas that the British and Jordanian authorities did not register thoroughly. As of 2016, Israel had declared some 755,000 dunams of West Bank lands as state lands, 655,000 of those dunams located in Area C, which is under full Israeli control. The other 100,000 dunams are under the nominal control of the Palestinian Authority in Areas A and B.[36]

In order to put out state land declarations at a quick pace, Israel's Ministerial Committee on Settlement Affairs began to commission land surveys to scope out areas suitable to be declared state land. These surveys were conducted by an efficient team, the Blue Line Team, led by Director of the Ministry of

Justice's Civil Department, Plia Albeck. Albeck's team conducted several dozens of surveys over the course of the decade and sent them to the Office for the Coordination of Government Activities in the Territories (COGAT) which in turn drafted state land declarations to present to village mukhtars, informing them that their land had been declared government property. It is well-established through her letters to COGAT that Albeck actively had the goal of Jewish settlement in the West Bank in mind while surveying lands, using Ottoman land categorization to provide a reasoning for expropriation, yet attempting to discredit the Ottoman Land Registry when its processes hindered the goal of Jewish settlement.[37]

The method Albeck's team used for land surveying followed a strict interpretation of the notion of "reasonable cultivation"—originating in British amendments to the Ottoman Land Code—with no precedent in Ottoman, British or Jordanian law. Geremy Forman traces this interpretation, the "50 percent rule" to post-1948 local land disputes adjudicated by settlement officers, the Haifa District Court and later the High Court. Rather than categorizing land based on the potential for cultivation, the 50 percent rule determines ownership based on the cultivated ratio of a parcel's surface area. Forman, Kedar and other scholars of Israeli land law have demonstrated that although the flurry of state declarations in the West Bank post-Elon Moreh was drastic, its underlying legal justifications were well-established in Israel, and were also used to minimize Palestinian landholdings in the Galilee.[38]

State land declarations sharply declined after the signing of the Oslo Accords, as the Rabin government assured a freeze in settlement construction, which was later lifted by Netanyahu with a few caveats in his first term as prime minister, and began to position itself to the world as a serious partner in an eventual two-state solution. This drop did not affect the growth of Jewish settlement in the West Bank, though, nor did it weaken Israel's control over the territory in any meaningful way. The rise of the illegal outpost coincided with the Civil Administration's development of a new procedure for surveying lands, more distanced from the upper echelons of the Israeli government. In 1998, the procedure was officially approved, permitting the Survey Lands Team to work parallel to the Blue Line Team and map lands that are uncultivated or insufficiently cultivated according to the 50 percent rule.[40] This transition introduced a new dimension to Israel's argument that examining land and its cultivation is what indicates land status, allowing for the state to take over large swaths of the West Bank without the preliminary step of allowing owners to petition for expropriation.

In a document outlining the working procedures of the Survey Lands Team, the Civil Administration laid out its view that declarations have no bearing on land rights, allowing for the state to use the ambiguous survey land classification to administer land as its own: "...the signing of a certificate of declaration does not determine land rights, but only declares their existence. The content of the rights and their categorization—if they are government property or belong to the individual—is determined by the substantive land laws that apply in Judea and Samaria and according to the categorization of land as state lands according to this law."[41]

The state's treatment of survey land as government property is thus the result of the formal flattening of property rights under the Mandate, entailing a definition of state land in which the government exerts more direct control over a given area, plus two Israeli legal innovations: its rigid definition of "reasonable

Israeli Prime Minister Yitzhak Rabin and leader of the PLO Yasser Arafat after signing the Oslo Accords[39]

cultivation" that began as a legal doctrine in the Galilee post-1948 allows it to declare vast amounts of the West Bank to be state land, and its practice of skirting declarations rooted in its reliance on "substantive land laws" to determine land rights.

Survey Land and the Growth of Illegal Outposts

The waxing and waning of outpost growth in the West Bank since the late 1990s has much to do with the government's view of survey land, and non-state land in general. This is because the method of settlement, though often portrayed as detached from and against the interests of the government, is dependent on the support of public government bodies to be successful. The current government view on survey land was shaped by and articulated in the Levy Report; however, it has gone through a number of phases. Three stages in the survey land label's evolution—the Civil Administration's introduction of the procedure, the Sharon government's brief step away from the classification, and the second Netanyahu government's re-embrace of it align neatly with three periods of outpost growth in the West Bank. After a surge of outpost growth during Netanyahu's first government and the early Sharon years, the number of outposts established per year dropped significantly from 2003 to 2005, with only seven new outposts over those three years. Peace Now recorded that from 2006 to 2011, no outposts were established in the West Bank. From 2012 onwards, outpost construction resumed.[42] The method of establishing illegal outposts has been successful; however, its success depended on the state's shift towards allowing outposts to flourish on non-state lands, and its turn away from the Sasson Report's strict distinction between declared state lands and survey lands.

The first bout of outpost construction came to a slow pause when Ariel Sharon's government signed onto an Israeli-Palestinian peace plan, the Roadmap for Peace, proposed by the Quarter, composed of the United Nations, the United States, the European Union, and Russia. For Sharon, this marked a break from his strong alliance with the settler movement and his former key role in realizing their goals during the era of state land declarations. As part of the Roadmap, the Israeli government committed itself to dismantling all illegal outposts built after March 2001.[43] The first step in this process was Sharon's decision to commission a report from lawyer Talia Sasson, who formerly headed the Special Tasks Division of the State Attorney's office, which provided a legal overview of outpost construction in the Occupied Territories.[44]

The report, which came to fruition in 2005, described how different bodies of the government—the Housing and Construction Ministry, the Civil Administration, and the Settlement Division of the World Zionist Organization—helped to establish outposts in breach of Israeli law. The report distinguishes between "legal" and "illegal" settlements, taking the stance that in order for a settlement to be legal it must be erected on declared state land, authorized by an "authoritative political echelon" and built according to a detailed plan. It interprets the Elon Moreh decision as restricting the construction of settlements to state land. According to Sasson, an Israeli settlement cannot be established on survey land, "as the nature of the rights in them is not clear," nor can it be established on private Palestinian land.[45] Sasson implicated many organs of the Israeli government, not just in the tacit acceptance of illegal outposts, but in funding and material support. She found that the Civil Administration regularly allocated non-state lands to the Settlement Division of the World Zionist Organization, which would in turn work with local settler leaders and support the erection of illegal outposts on these lands. Sasson concluded that transgressing the law in order to erect outposts had become an institutionalized practice within the civil service and argued for a restructuring of law enforcement practices in the Occupied Territories, as well as the evacuation of illegal outposts.

A few details about survey land came to light in the Sasson Report. Taking issue with the survey land procedure, she recommended that the Defense Minister or his deputy be responsible for initiating the survey of land, rather than the Defense Minister's settlement affairs advisor. Sasson found that of the outposts known to her, twenty-six had been constructed on state land, seven on survey land, fifteen on private Palestinian land, and thirty-nine on "mixed"

land—entailing some state, some survey and/or some private Palestinian land.[46]

Sasson also distinguishes quite clearly between the pre- and post-Oslo settlement enterprise, calling the phenomenon of illegal outposts "a continuation of the settlement enterprise in the territories." She notes that through the 1980s, Israeli governments officially acknowledged and encouraged the settlement enterprise, but by the beginning of the 1990s, "the Israeli governments were no longer officially involved in the establishment of settlements, apparently due to Israel's international status, and the negative position of most nations towards the settlement enterprise." Public authorities and other government bodies, however, then took on a major role in establishing outposts. Sometimes these authorities were inspired by the political echelon, sometimes overlooked by them, sometimes they were actually encouraged and supported by the government, but outposts never came about as a result of an authorized decision by the qualified political echelon of the State.[47]

Less than a decade later in July 2012, Netanyahu, swayed by settler leaders, commissioned a follow-up report that eventually disagreed with Sasson. The findings of the Levy Report, authored by a three-member committee headed by former High Court justice Edmond Levy, did not only address the question of illegal outposts, but also concluded that Israeli rule over the West Bank is not an occupation, and that therefore the laws of military occupation do not apply. Although the government did not publicly adopt the report, it put many of its conclusions into practice, including the recommendation that survey land processes be sped up with regard to illegal outposts with the goal of retroactively legalizing and regulating them.[48] The Levy Report defined survey land as "land approaching declaration" and therefore concluded that the survey process for lands that outposts had been built on should be accelerated and completed.[49] Sasson, who came to the opposite conclusion, seems to have nevertheless viewed survey land in a similar light. Her recommendation against conducting surveys on land regarding illegal outposts, especially those for which demarcation orders had been issued, points to an unspoken assumption that, in the vast majority of cases, survey land leads to the regulation of these outposts down the line.[50] This is also a view that Israeli settler leaders share, as made evident in their appeals in the mid-2000s to the High Court against outpost evacuations on the basis that the structures were erected on survey land. In short, surveying land signals to settler leadership that their outpost will likely be regulated.

Survey Land post-Levy Report

On January 11, 2013, a chilly Friday morning, dozens of Palestinian activists ascended a hill in the E1 area of the West Bank and erected tents to protest a plan for a new Israeli settlement expansion in the area. The proposed expansion threatened to horizontally sever Palestinian contiguity in the West Bank with around 3,500 housing units between Jerusalem and Ma'ale Adumim, an established settlement just east of the city. A chunk of these new units were to be built on private Palestinian land. The activists took action against the settlement by establishing their own "facts on the ground"—borrowing from settler jargon—with their tent city *Bab al-Shams* (Gate of the Sun), which they refused to leave until the state granted it recognition.[51]

Although these Palestinians sought to turn Israel's land regime in the Occupied Territories on its head by co-opting a tried-and-true tactic of Jewish settlers, their "facts on the ground" did not lead to state recognition of the outpost, or even the tacit acceptance so often granted to Jewish outposts scattered across the West Bank. Data collected by Dror Etkes of Kerem Navot from 2005-2018 reveals that 91% of the evictions by the Civil Administration's Supervision Unit were issued to Palestinians, with the plurality of these orders (41.5% of them) taking place on land that had not been declared state land.[52]

Instead, Prime Minister Benjamin Netanyahu ordered the fledgling village evacuated that Sunday. Security forces dragged the activists back down the hill, but refrained from destroying the steel-framed tents due to a High Court injunction preventing the state from dismantling the encampment for six days. The court issued the injunction amidst its ruling on a case regarding the area, spurred by a petition by four

Palestinians claiming they owned the land on which the tents were built. Three days later on January 16, the court came to a decision against the petitioners, siding with the state in its argument that the encampment must go in order to prevent a "blatant breach of public order."[53]

The state claimed that the remaining nineteen tents were built on lands "of the Custodian of Government Property, which has not been officially declared as state land"—survey land, in other words.[54] What is notable about this case is the petitioners' objection to the destruction of tents erected on the last category, survey land, which they dubbed an "intermediate classification" which did not fall under the government's possession. They argued that these lands were not declared as state property; however, their objections fell flat.[55] The case was closed, and the government promptly finished its demolition of *Bab al-Shams* without discernment between its own land classifications.

A year later on September 2, 2014, the High Court of Justice handed down a starkly different ruling on another case dealing with illegal construction in the West Bank. The case began in 2007 when Peace Now took the government to court in hopes of forcing it to enforce demarcation orders[56] that it had issued in 2004 for the evacuations of six Jewish outposts—Mitzpe Lakhish, Givat Asaf, Ramat Gilad, Mitzpe Yitzhar, Givat HaRoeh, and Ma'aleh Rehavam.[56] The demarcation orders were given in accordance with Israel's obligations in the Roadmap plan, but the case was only decided after the publication of the Levy Report. Construction of the outposts took place on a mix of declared state land, survey land, and private Palestinian land. Rather than immediately evacuating the outposts as it did with *Bab al-Shams*, the state spent a decade extending the orders, stalling and negotiating with the settlers.[58]

The court's final ruling determined that all six outposts were constructed illegally and that the settlers behind their establishment had consistently violated the state's demarcation orders; however, the court did not order the outposts demolished as it did with *Bab al-Shams*. The presiding judges carefully distinguished between construction on private Palestinian land and construction on declared state or survey land, treating the latter two categories as effectively the same. They accepted a small fraction of Peace Now's petition, ordering the demolition of twenty-eight structures in Mitzpe Yitzhar, Givat Assaf and Ma'aleh Rehavam erected on private land while allowing the government to pursue legalization of the outposts more broadly. As of today, all six outposts remain standing, while no trace is left of *Bab al-Shams*.

Israeli media reported on the latter court decision as unusually harsh towards the state, which is certainly true in the context of the West Bank. Though the Israeli judicial system is known for its rights-based approach within the Green Line, it often flouts legal consensus on international humanitarian law in order to rationalize controversial state actions in the Occupied Territories.[59] In this ruling, the justices criticized the state, lamenting their inability to trust its commitments in light of years-long, intentional foot-dragging.[60] Despite the shift from its typical deference when dealing with the Occupied Territories, the court did not question the state's method of surveying and land classification practices in the West Bank, nor the clear double-standard it employs when deciding who can or cannot construct on survey land. The double-standard in the two aforementioned court rulings, one dealing with Palestinian building, one with Jewish building, is rooted in the Israeli government's implicit policy that state lands, and survey lands by extension, can be used almost solely for the latter. The court has not historically contested this policy, but it occasionally endeavors to criticize the state's failure to live up to its own commitments, as it did in the Peace Now case. That case was the most critical ruling in the vein of survey land issued by the High Court that the author managed to find. The High Court has also ruled in favor of the state in the other cases I reviewed, regardless of whether the state was up against Palestinians or Israeli settlers—the latter being much more common before Netanyahu's return to power.

Conclusion

The resumption of illegal outpost growth in 2012 aligned with the government's embrace of surveying

land as a means to regulate outposts and seems to indicate that Israeli authorities use survey land to encourage the growth of outposts, signaling to settlers that they will not face litigation or demarcation orders from the state. It seems now, however, in light of the over 20,000 dunams of state land declared since the start of 2024, that the Israeli government is moving away from mere signaling, and is again using state declarations to play a formal and public role in the settlement enterprise. With his position in the Defense Ministry, Smotrich is also, in a sense, fulfilling the Levy Report's recommendation regarding retroactively regulating outposts. Just last year he began to advance a plan to map and legalize all outposts beyond the Green Line, totaling 155 at the time, but beginning with a select 14.[61]

Although Israeli land law plays a crucial role in its takeover of territory in the West Bank, it is important to note that its very usage of the Ottoman Land Code to declare government property in an occupied territory is illegal under international law. There are a few layers of dubious reasoning which work to justify the state and survey land labels, but even if the Israeli government's claims to continuity with Ottoman law were valid, it would still not be permitted to repurpose territory it is occupying for the benefit of its own residents. As such, the sharp distinction between state land and non-state land, and the thus "legal" and "illegal" West Bank settlements defined in the Sasson Report may be relevant in Israeli law, but means very little in the realm of international humanitarian law, in which any permanent settlement of Israeli citizens in the West Bank contradicts the occupying power's ideal role as trustee of the occupied country's resources, as laid out in the 1907 Hague Regulations.[62]

ENDNOTES

1. I would like to thank my professor, Dr. Shay Hazkani, for his invaluable guidance and help locating sources as I researched this elusive, and at times frustrating topic.
2. Unless stated otherwise in the text, my usage of the term "illegal" refers to the contravention of Israeli law, as opposed to international law.
3. Dror Etkes, "Blue and White Make Black" (Kerem Navot, December 2016), https://www.keremnavot.org/_files/ugd/cdb1a7_04c9fe5f-2c954d17953d9c5114041962.pdf, 40.
4. For a glaring example see this case, to be discussed at length further on in the article: Mufid Fuad Abu Ghanem et al v. Construction Oversight Subcommittee et al, No. 248/13 (HCJ April 30, 2013), 2. https://supremedecisions.court.gov.il/Home/Download?path=HebrewVerdicts/13/480/002/z03&fileName=13002480_z03.txt&type=4.
5. Etkes, "Blue and White Make Black", 41.
6. Ibid, 39.
7. Exact number of days varied depending on order, usually 30 or 45.
8. "By Hook and by Crook: Israeli Settlement Policy in the West Bank" (Jerusalem: B'tselem, July 2010), https://www.btselem.org/download/201007_by_hook_and_by_crook_eng.pdf, 24, footnote 72.
9. "Lands," Peace Now, 2024, https://peacenow.org.il/en/settlements-watch/settlements-data/lands.
10. Sam Sokol, "Smotrich Urges Ramping up West Bank, Gaza Settlements, Pushing Palestinians Out," *The Times of Israel*, October 28, 2024, https://www.timesofisrael.com/smotrich-urges-ramping-up-west-bank-gaza-settlements-pushing-palestinians-out/.
11. Stanley Ringler, "Smotrich's Vision: From Yeshiva Bocher to Architect of West Bank Settlement Surge," *The Jerusalem Post*, November 3, 2023, https://www.jpost.com/arab-israeli-conflict/gaza-news/article-771544.
12. Hagar Shezaf, "More than ten thousand dunams in the West Bank were declared as state lands in 2024, a record of at least 25 years," *Haaretz*, April 10, 2024, https://www.haaretz.co.il/news/politics/2024-04-10/ty-article/.premium/0000018e-c454-d1b7-a3af-e75fdd8f0000.
13. Jeremy Sharon, "Israel Appropriates 650 Acres of West Bank Land, Declaring It State Land," *The Times of Israel*, February 29, 2024, https://www.timesofisrael.com/liveblog_entry/israel-appropriates-650-acres-of-west-bank-land-declaring-it-state-land/.
14. The British conception of state land was starkly different from the Ottoman one. Divisible property rights, composed of rights of access to the land

and access to surplus, as illustrated in *miri* land, largely faded with British rule. See Ahmad Amara, "The Negev Land Question: Between Denial and Recognition," *Journal of Palestine Studies* 42, no. 4 (Summer 2013).

15. Dweikat v. The Government of Israel, No. 390/79 (HCJ June 14, 1979).

16. The role of an occupying power is supposed to be that of a trustee for both public and private land according to the 1907 Hague Convention, which outlines that the occupying state should be regarded "only as administrator and usufructuary of public buildings, real estate, forests and agricultural estates" situated in the occupied country. "Regulations: Art. 55," Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land § (1907).

17. Dror Etkes, "OUT OF ORDER Civil Administration Eviction Orders from 'State Land' 2005-2018" (Kerem Navot, December 2019), https://www.keremnavot.org/_files/ugd/a76eb4_a511485a16f74e44a328efaa00e1444f.pdf, 24.

18. Declared firing zones in the West Bank is a method of expropriation which has become increasingly well-known to international media through home demolitions in the hamlets of Masafer Yatta, located in Firing Zone 918. Jewish settlers, on the other hand, are often permitted to build and reside in these areas. According to OCHA, around 20% of the West Bank has been designated as firing zones, affecting over 5,000 Palestinians from 38 communities.

19. And of this 0.2% allocated to Palestinian needs, most of it has come about by way of compensation for land taken while establishing new Jewish settlements. See "State Land Allocation in the West Bank—For Israelis Only" (Peace Now, July 17, 2018), https://peacenow.org.il/en/state-land-allocation-west-bank-israelis.

20. Awkhish et al. v. Supervisor of Government Property, No. 22/81 (IDF Military Advocate General October 10, 1982), as cited in Forman, "A Tale of Two Regions: Diffusion of the Israeli '50 Percent Rule' from the Galilee to the Occupied West Bank," 673-4.

21. F. Ongley, *The Ottoman Land Code* (London: W. Clowes and Sons, 1892), Articles 1-6.

22. Geremy Forman, "A Tale of Two Regions: Diffusion of the Israeli '50 Percent Rule' from the Galilee to the Occupied West Bank," *Law and Social Inquiry* 34, no. 3 (2009): 671–711, 694.

23. For more information about the wide range of activities that "revival" of *mawat* land could entail see Alexandre Kedar, Ahmad Amara, and Oren Yiftachel, *Emptied Lands : A Legal Geography of Bedouin Rights in the Negev* (Stanford, California: Stanford University Press, 2018), 58-62.

24. Ibid, 48.

25. Amara, "The Negev Land Question: Between Denial and Recognition." See also Ziadeh, Farhat J. 1993. "Property Rights in the Middle East: From Traditional Law to Modern Codes," *Arab Law Quarterly* 8 (1): 3–12, 6; and Solomonovich, Nadav, and Ruth Kark. 2015. "Land Privatization in Nineteenth-Century Ottoman Palestine," *Islamic Law and Society* 22 (3): 221–52, 223-224.

26. Ibid.

27. John C. Weaver, *The Great Land Rush and the Making of the Modern World*, 1650-1900 (Montreal: McGill-Queen's University Press, 2003), 28.

28. In minutes written by Major H.W. Young, assistant secretary to the Middle East Department of the Colonial Office, one British officer expressed that "the right to take over *mahlul* land was practically never exercised." See Martin Bunton, *Colonial Land Policies in Palestine, 1917-1936* (Oxford: Oxford University Press, 2007), 48.

29. This did not entail an expansion to the definition of *mawat* land and was applied only to lands listed as *mawat* before the law came into effect. See Kedar, Amara, and Yiftachel, *Emptied Lands : A Legal Geography of Bedouin Rights in the Negev*, 66.

30. Ibid, 69.

31. Bunton writes that in a 1924 letter defending British land policy, acting chief secretary for Palestine Ronald Storrs reported that the *mawat* ordinance 'has only once been put into operation by the Palestine Administration…' See Bunton, *Colonial Land Policies in Palestine, 1917-1936*, 48.

32. The areas in the West Bank which the British managed to register include the lowlands surrounding Jenin, between Ramallah and Jerusalem, areas near

Qalqilya and Tulkarm and a large area of state land in the Jordan Valley belonging to Jericho and Wadi al-Fari'a." See Michael Fischbach, "The Implications of Jordanian Land Policy for the West Bank," *Middle East Journal* 48, no. 3 (Summer 1994), 497 and Amara, "The Negev Land Question: Between Denial and Recognition."

33. The 338 figure comes from a 1953 census carried out by Jordan's Department of Statistics. See Fischbach, "The Implications of Jordanian Land Policy for the West Bank," 501.

34. Raja Shehadeh, T*he Law of the Land: Settlements and Land Issues under Israeli Military Occupation* (Jerusalem: PASSIA, 1993), 6.

35. Israeli Military Order no. 291, Order Concerning Settlement of Disputes Over Land and Water, December 19, 1968. "לש סייונימו ,סיווצ ,סירשנמ ורמושו הדוהי רוזא תדקפמ" (IDF, January 22, 1969), https://www.gov.il/BlobFolder/legalinfo/ordersandappointments166/he/%D7%97%D7%95%D7%91%D7%A8%D7%AA%2016.pdf, 591-593.

36. Etkes, "Blue and White Make Black", 20-31.

37. Ibid.

38. Forman, "A Tale of Two Regions: Diffusion of the Israeli '50 Percent Rule' from the Galilee to the Occupied West Bank."

39. Vince Musi, via Wikimedia Commons

40. Etkes, "Blue and White Make Black," 39-40.

41. Ibid, 40.

42. "Return of the Outpost Method: 32 New Unauthorized Settlements Under the Netanyahu Government" (Peace Now, July 2019), https://peacenow.org.il/wp-content/uploads/2019/08/maahazim-english_full.pdf, 2.

43. As opposed to all existing outposts. By March 2005, there were 71 outposts built before March 2001 and 24 built after. Sharon's unfulfilled promise to dismantle only 24 was criticized by politicians to his left. Doron Sheffer and Atilla Somfalvi, "'24 Outposts to Be Removed'," *Ynet*, March 13, 2005, https://www.ynetnews.com/articles/0,7340,L-3057849,00.html.

44. "Report Shows Israeli Support for West Bank Settlements," *The New York Times*, March 8, 2005, https://www.nytimes.com/2005/03/08/international/middleeast/report-shows-israeli-support-for-west-bank.html.

45. Talia Sasson, "Summary of the Opinion Regarding Unauthorized Outposts" (Prime Minister's Office, March 8, 2005), 8.

46. Ibid.

47. Ibid, 5.

48. Haim Levinson, "State to Hinder Removal of Settlers From Private Land," *Haaretz*, May 27, 2014, https://www.haaretz.com/2014-05-27/ty-article/.premium/govt-carrying-out-pro-settler-report/0000017f-e701-dea7-adff-f7fb48e70000.

49. Edmond Levy, "Report on the Status of Construction in Judea and Samaria," June 21, 2012, 42.

50. With this recommendation, Sasson contradicted priorities laid out for the Blue Line Team (though this is not mentioned in the Survey Land Team procedures document, they likely work according to similar standards) list lands under adjudication and in contention as the most urgent areas to survey.

51. Many of the activists came from nearby Palestinian towns, both within Jerusalem's municipal boundaries and in the West Bank (A-Tur, Isawiyah, Abu Dis, al-Eizariya, Anata, etc), under threat of having their lands frozen to accommodate Jewish settlement expansion. The planned E1 expansion totaled 12,000 dunams and would have covered 1,500 dunams of Palestinian land. Haim Levinson and Jack Khoury, "Palestinians Erect Tent City in E-1 to Protest Settlement Construction," January 11, 2013, https://archive.md/ciauO.

52. Etkes, "OUT OF ORDER: Civil Administration Eviction Orders from 'State Land' 2005-2018," 8.

53. Mufid Fuad Abu Ghanem et al v. Construction Oversight Subcommittee et al, No. 248/13 (HCJ April 30, 2013), 2. https://supremedecisions.court.gov.il/Home/Download?path=HebrewVerdicts/13/480/002/z03&fileName=13002480_z03.txt&type=4. For the Israeli High Court's confirmation of this position see Ahmed 'Isa 'Abdallah Yasin et al. v. Military Commander of the West Bank et al. 2006. HCJ, 4.

54. Ibid, 2.

55. Mufid Fuad Abu Ghanem et al v. Construction Oversight Subcommittee et al, 2.

56. This order enjoins the evacuation of a demarcated area. A broader version of the stop work order

drawn up by the Central Command in 2003 in order to expedite the process of evacuation and demolition. See IDF, "Order Regarding Unauthorized Buildings," 1539 § (2003).

57. In an article on the ruling in 2014, Haaretz reported that in 2003 the state delineated the six outposts as areas in which structures could be demolished. See Haim Levinson, "Israeli Forces Begin Razing Outpost After Court Rejects Settlers' Ownership Claims," *Haaretz*, May 14, 2014, https://archive.md/fnXYs.

58. As part of negotiations, settlers cooperated with the state in independently evacuating the buildings they erected on private Palestinian land. See Peace Now et al v. Minister of Defense et al, No. 7891/07 (HCJ September 2, 2014), https://supremedecisions.court.gov.il/Home/Download?path=HebrewVerdicts/07/910/078/s68&fileName=07078910_s68.txt&type=4

59. Israeli legal scholar David Kretzmer explains the court's lack of regard for international humanitarian law in the Occupied Territories as a symptom of the divide between "internal" and "external" disputes, where the latter involves a challenge to the very authority of the state, pressuring the judiciary to act to protect it. See David Kretzmer, "Conclusions," in *The Occupation of Justice* (Albany: State University of New York Press, 2002), 187–98.

60. Haim Levinson, "The High Court of Justice in an unprecedented review: 'The state's commitments to evacuate outposts cannot be trusted,'" *Haaretz*, November 18, 2013, https://www.haaretz.co.il/news/politics/2013-11-18/ty-article/0000017f-da80-d938-a17f-feaaeed00000.

61. ToI Staff, "Smotrich Reportedly Advancing Plan to Legalize 155 Wildcat Outposts in West Bank," *The Times of Israel*, August 18, 2023, https://www.timesofisrael.com/smotrich-reportedly-advancing-plan-to-legalize-155-wildcat-outposts-in-west-bank.

62. The occupying power's role in an occupied territory is to administer its resources "in accordance with the rules of usufruct." See footnote 15.

Colonial Echoes and Modern Reconstructions

Revisiting Moroccan Jewishness

Yana Levy

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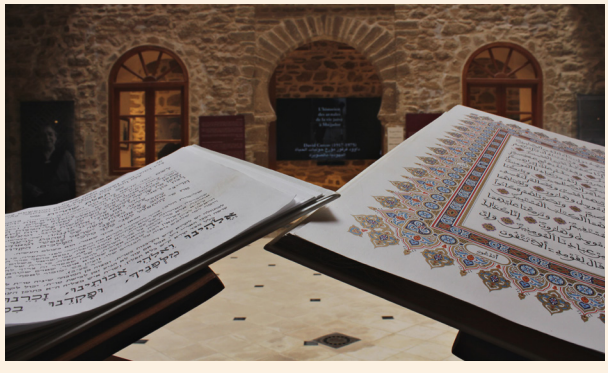
Once home to the largest Jewish community of any predominantly Muslim country, Morocco now stands with less than 500 Jews on its soil. In the wake of World War II, the once vibrant and diverse population, estimated to reach 270,000 at its peak, participated in a mass migration toward the West and Israel.[1] The physical relics of their historical presence in Morocco are now scattered, found mainly in empty synagogues and eroding headstones with Hebrew inscriptions littering graveyards—Judaica peeking out from cluttered corners of antique shops.

Before the massive waves of Moroccan-Jewish emigration, Essaouira, a small port city on Morocco's southern coast, had the highest concentration of Jews in the country. Bayt Dakira—translated to *House of Memories*—a small museum tucked away in the historically Jewish quarter of the *mellah*,[2] has become a hub of efforts

to consolidate this scattered history.[3] First opened in 2020, Bayt Dakira quickly became a popular stop for busloads of Israeli tourists making their way through the city. It takes each group about thirty minutes to amble throughout the small brick space, a partially re-configured synagogue that has been outfitted with the entire archive of material legacy left behind by the Jews of Essaouira.

The text panels and archived photos and film, alongside material artifacts such as Torahs, musical instruments, clothing, and other remnants of the Jewish presence all converge to paint an idealistic picture of what life looked like for Jews in Essaouira. The poetic language in the introductory slides sets this tone immediately: "Listen. Do you hear them? Do you hear those children's laughter that punctuates the starry night? … Jews and Muslims invaded the streets and squares of Mogador, together, by the hundreds, by the thousands. Hearts are jubilant, houses open, tables generous and the neighbors kind."[4] Bayt Dakira's mission is stated in an initial text box (in Hebrew, French and English): to take the Souiri Jews "from myth to proven reality,"[5] creating nostalgia for a time few remember.

Bayt Dakira's framing of Souiri Jewish history uses the language of *convivencia*—a term referring to the symbiotic relationship among Jews, Christians, and Muslims in medieval Spain[6]—to present Morocco as a unique stage for Jewish-Muslim coexistence, an image with deeply political overtones. These implications are not lost on anyone; King Mohammad VI looms throughout Bayt Dakira in photos and videos that impress upon the viewer a certain omnipotence, almost as if he himself is responsible for this exceptional history.



A Quran and a Torah next to each other in the Bayt Dakira Museum[7]

Like a sour taste in the mouth, a question lingers as one absorbs this exalted history: if Morocco was truly a utopia of Muslim-Jewish coexistence, why are there almost no Jews left? This paper attempts to answer that question by giving background on the history of Moroccan Jews who, because of the instability sowed by the French protectorate, were, at best, under-represented, and at worst, willfully ignored. This context clarifies the political motivations behind this didactic rewriting of history: the promotion of an image of Makhzan (Moroccan government) as an intermediary peacemaker; a reputation that secures a lucrative tourist industry, and a relationship with Israel that is key to inching Morocco forward in the fifty-year struggle for the annexation of Western Sahara. Although Morocco has been freed from colonial rule, French divide-and-rule tactics re-emerge in the monarch's weaponization of multiculturalism to maintain his own hegemony, a story more complicated than the quixotic narrative of *convivencia* allows.

Colonial Divisions

The presence of Jews in Morocco, a diverse set of communities shaped by various waves of migration, reaches back as far as the 6th century.[8] First there were those pushed westward from the Middle East by the wave of Islamic conquests, then the Sephardic Jews fleeing the Spanish Inquisition, and finally the Ashkenazi Jews who settled from Europe.[9] Each group had culturally specific localized traditions and linguistic profiles: Arabic, Hebrew, Spanish, and indigenous languages spoken separately as well as in hybrid dialectics. They lived in both rural and urban areas and had a diverse set of relationships with the larger Muslim community.[10] Thus, pre-colonial Jews of Morocco were not a monolith, but a decentralized set of independently operating communities.

Before the protectorate, the relationships between Jews and their local communities were governed by the traditional Islamic system of justice, bestowing them with *dhimmi* status.[11] Since the early period in

Islam, this category protected non-Muslim communities living within Muslim society (mostly Jews and Christians) while requiring them to pay an annual tax (*jizya*.)[12] While Jews under *dhimmi* status were not necessarily equal to the Muslim majority, their position in society was established and respected, allowing for the freedom of religious expression and some autonomy in self-governance.

The crucial economic role held by the Jewish communities is underscored by the Moroccan proverb, which goes "A *suq* (market) without Jews, is like bread without salt."[13] Despite their outsider status, Jews were able to carve out important economic niches within their larger communities. In his ethnographic work exploring the legacies of Saharan Jews, Aomar Boam argues that, "while Jews needed the protection of Muslims, they were able to benefit from the multiplicity of legal systems, which allowed them to escape many social restrictions."[14] As merchants and artisans, the Jews fluidly navigated the marketplace, where religious and ethnic differences co-existed.[15]

The relationships between Muslim and Jewish communities in Morocco penetrated deeper than mere economic ties. The extent to which Jewish and Muslim communities were influenced by each other is apparent in the vibrant folk religious traditions of Moroccan Jews, which incorporate mystical ideas from the Zoar, a principle kabbalistic text, in ways found nowhere else in the Jewish world.[16] Saint veneration is one of the most recognizable features of this early Moroccan-Jewish culture. This practice involves the elevation of deceased local figures, generally Rabbis, to the level of saints (*tzadik*), whose tombs become places of veneration.[17] Before the modernization of Moroccan infrastructure that came with French colonization, there was not much travel between these communities, so the saint veneration of each community was relatively contained.[18] As such, saint veneration was a living practice, shifting within its local context. As Bilu states, "Saint worship in Morocco was a dynamic system accommodating to circumstances where new shrines would surface and sink and resurface."[19] The venerative style of these shrines reflected the acculturation within these communities, incorporating and re-interpreting Muslim and Amazigh practices.[20]

Colonial Narratives and the Jews: French Foot in the Door

In the colonial period, the narratives produced to justify the divide-and-rule tactics of the French re-defined Moroccan Jews within the scope of French utility. With French intervention, their place in society, formally defined by communal ties and regional economic structures, was replaced by a proliferation of sometimes contradictory narratives justifying French imperialism. Scholar Colette Zynicki reflects on whether "Jews were seen as a marginalized people, a civilizing influence, or a bridge (a set of views that could be held in succession or overlap)."[21] France's intervention would thus fundamentally change the pre-colonial modes of relationship, creating a rift that only deepened as their power receded. In re-defining the Jewish communities, they dismantled the systems that had formally scaffolded Jewish relationships to the Muslim majority without incorporating them within French institutions in any meaningful way.[22]

The French saw the Jews as an entry point into Morocco. As scholar Aomar Boam reflects, the Jews, as both "outsiders of the political system" and "insiders of the marketplace," possessed a unique cultural adaptability, given their role as trade intermediaries put them in unique social standing and necessitated fluency in many dialects.[23] This made them of particular interest to the French, who were struggling to penetrate the more remote regions of Morocco with distinct tribal rule and unfriendly attitudes toward Europeans (who local peoples rightly assumed harbored intentions to invade).[24]

This amorphous positioning became the door through which the French were able to enter the most intimate corners of Morocco. The French instrumentalized Jews for surreptitious ethnographic missions, thereby seeding distrust and creating a tear in the social fabric that once—though imperfectly—wove the Muslims and Jews together. In 1882, De Foucault, a French explorer, famously disguised himself as a Jew in order to collect observations in Akka.[25] His mission was aided by Aby Serour, a local Jewish merchant whose willingness to ally with the French speaks to the complicated ways the Jews felt about their position as *dhimmi*s. Although Foucault's project relied upon

Jewish-Moroccan support, the narrative took a particularly negative view on the Jewish communities. He writes: "They are the most unfortunate of men. Lazy, avaricious, greedy, drunkards, liars, thieves, especially heinous, and without faith or goodness, they have all the vices of the Jews of *bilad al-makhzan*,[26] minus their cowardice. I write about the Jews of Morocco with less rancor than I actually feel."[27] Foucault's work *Reconnaissance au Maroc* greatly influenced and aided Hubert Lyutaney, the first Resident General of France in Morocco, in his conquest of the Saharan region. The French enlistment of Jewish help in their colonial endeavors left a lasting impression of Moroccan Jews as agents of colonial authorities, while also perpetuating anti-Semitic stereotypes.

In his ethnography, Boam concludes with a reflection on how this legacy still surfaces in the attitudes expressed by his interview subjects toward Jewish histories. Boam recounts his research, published in 2013, being received with a high degree of skepticism by locals who view his interest in Jewish histories as suspicious. He writes: "In this historical and historiographical context, my ethnographic study was also mistrusted by some subjects, who contended that Israel and America sent me back to my native region to collect legal documents about the property Jews sold to Muslims before their migration. Like De Foucault and Aby Serour, I was construed as paving the ground for a 'Jewish colonial return.'"[28] The Jews were victims of these texts not only through the negative light cast upon them, but through the unethical methodologies employed in their creation, which sowed distrust between them and the Muslim majority that has lasted until today.

Absorption and Rejection in the Colonial Period

While the kinds of relationships and interactions between Jews and the rest of Moroccan society were diverse and based on broadly localized factors, the first colonial narratives tended to overlook the cooperation that existed between Muslims and Jews and instead fixated on the distance. The account of French adventurer Rene Caillie is an example of this. Caillie arrived in the Anti-Atlas and Tafilat regions in 1828 to spend several years learning the local language and familiarizing himself with local customs by disguising himself as a Muslim. His observation of the region's Jewish communities created an image of disparity: "They are in pitiable condition, wandering about almost naked, and continuously insulted by the Moor, these fanatics even beat them shamefully, and throw stones at them as at dogs."[29] These selective images paint a picture of the Moroccan Jews as helpless victims, a view that erases the complicated ways in which they operated within the *dhimmi* structure. This kind of framing has several consequences. First, it contributes to the stereotype that Arabs are violent and prejudiced. Second, by painting the Jews as oppressed, the French could justify their policy of removing Jewish communities from the *dhimmi* structure and placing them deeper within French control. This is the basic principle of divide and rule: aggravate every hairline fracture until it becomes a rupture, because internally conflicted populations are easier to control.

The notion of a Jewish *other*, living solely as victims of the surrounding Orient, was particularly compelling to Jewish communities in France. Upon learning of their existence through such accounts, the Jews of Morocco were designated "Oriental Jews."[30] Cultural differences were seen as evidence that the Moroccan Jews were suspended in a "primitive" state due to their persecution. This knowledge spurred a movement to liberate the "Oriental Jews" from their Muslim oppressors by assimilating them to more closely resemble European Jewry.[31] This project was realized through the expansion of the AIU (Alliance Israelite Universelle) starting in the 1860s and into the Protectorate period.[32] The AIU, with its headquarters in Paris, worked towards the "modernization" of Jewish communities in North Africa and beyond through the establishment of schools that practiced Westernized models of education and advocated for political reform. In this way, the AIU schools segregated and Westernized Jewish children, creating a generation that more closely resembled the colonizing power. Scholars Daniel J. Schroeter and Joseph Chetrit write that "emancipation would mean detaching rather than integrating Jews in society."[33]

Indoctrinating the Moroccan "Oriental Jews" into Western culture appealed to the hope of many French

"The French enlistment of Jewish help in their colonial endeavors left a lasting impressions of Moroccan Jews as agents of colonial authorities."

Jews to overcome their tenuous position within an antisemitic France; as Schroeter writes, "the eagerness with which French Jews embraced colonialism reflected the deep anxieties that existed within the Franco-Jewish community."[34] By perpetuating colonialism and spreading enlightenment ideas, French Jews were legitimizing themselves as French citizens. Schroter continues, "Citizenship was a privilege that had to be earned by the Jews through 'regeneration,' a slogan for revolutionary transformation that the Jews themselves internalized."[35] In assuming the role of colonial authority, the French Jews symbolically liberated themselves from their subordination within an antisemitic French society, and elevated themselves from "Oriental" to "Occidental."

Through the AIU, the French Jews asynchronously leveraged colonial authority to restructure the *dhimmi* relationship that they viewed as inherently oppressive with the ultimate goal of fully granting Moroccan Jews French citizenship, as had happened in Algeria.[36] AIU teachers saw it as their responsibility to connect Jews to French authority. In 1902, AIU teacher Moïse Levy reflected, "In this country, it suffices to be called European or to be known as a protege of some Western power to command a certain measure of respect on the part of the indigenous population. This is enough to guarantee the security of a foreigner in Marrakech. But by our title of Alliance teachers, we are called to the more humanitarian task of guaranteeing the security of the great majority of our fellow Jews, who find no favor with the pasha."[37] One such example of this calling put into action was Levy's school in Marrakech. At the time, Jews had been ordered to remove shoes before they left the mellah, but AIU teacher Moïse Levy went over the head of the Sultan and appealed to the committee in Paris. The committee wrote to Mugammad al-Turris, the Sultan's representative in Tangier, and the applied pressure led to an apology from the Sultan and a change of policy to be issued.[38] Thus, the *dhimmi* structure began to decay as a result of the new direct lines connecting the Moroccan Jews to French powers.

Although the informal non-governmental channels connecting Moroccan Jews to French power had been carved out via the AIU, there was still no official change from the French regime, which did not align with the French Jews in wanting to grant Moroccan Jews full citizenship.[39] Tension grew out of the assimilationist forces acting on the Jews and their lack of recognition through legal status. Under the protectorate, two courts existed: one under the purview of the Makhzan (Moroccan government), which the Jews remained under, and the Protectorate court, which dealt with European issues.[40] The Jews remained under the purview of the Makhzan despite having been assimilated to resemble the French, so there was no appropriate legal framework to address the Jews, who now occupied an ambiguous place in Morocco's national identity. This would ultimately lead Jews to be rejected by the independence movements of the 1940s and 50s and excluded from the nationalities that would be re-constructed once independence was won.

The Nationalist Movement: Formation of an Arab-Islamic Identity

In Morocco, the French colonial divide-and-rule strategy, which institutionalized ethnic and religious differences, laid the groundwork for the politicization of identity. The nationalist movement situated itself as part of the larger Arab-nationalist movement, which, within the context of the founding of Israel in 1948, meant an increasing conflation between Jewish people and Zionism.[41] As the independent state struggled to establish itself, the monarchy legitimized its violent rule by emphasizing an Islamic national identity. Many Moroccan Jews, who had been assimilated to the French through the AIU, became symbolically entangled with the colonial power and were

scapegoated for the disunity of the fragile new nation-state. Thus, the new regime inadvertently perpetuated the colonial "othering" of Jews through the creation of a restricted national identity and a political system centered around Arab-Islamic identity.[42]

On May 16th, 1930, the Sultan, under French orders, issued a *dahir*[43] that removed the Amazigh people from the Makhzan's legal authority and placed them under French courts.[44] Firstly, this action was received poorly by urban-nationalist groups who saw it as a violation of the Treaty of Fez, which aimed to keep the sultan in control of the population—at least symbolically.[45] Secondly, it was perceived as an attempt to disrupt the majority Muslim religious institution in Morocco, positioning the removal of the Amazigh from Sharia law as part of a broader project to Christianize them.[46] In response, urban-nationalist groups organized protests that utilized Islam as a unifying force, reinterpreting popular Islamic prayers to rally support among Muslims and Amazigh.[47] The mosque, often nestled in the heart of the labyrinth-like old medinas where the French dared not venture, offered a concealed and accessible way for people to be tapped into the nationalist movement.[48] Additionally, Islam provided a common ground for Amazeigh and Arab populations to unite against the French. However, inflamed by a French decree restricting non-Muslims from entering the mosque,[49] this centralization of nationalism around Islam meant Jews were spatially as well as ideologically cleaved from the heart of the nationalist movement.

Given this context, the position of the Jews within an independent Morocco became all the more uncertain. As discussed in the previous section, the imperial powers tore down the *dhimmi* system of managing Jewish-Muslim relations without creating an alternative means of integration. Additionally, the decades-long AIU assimilationist campaign had so deeply entangled Moroccan Jews culturally and economically with the French that their position in an independent Morocco was shrouded in uncertainty and fear. The independence movement struggled to include Jews, who were lost to its undercurrent of Islamic-Arab nationalism.

The rising tension of the Israeli occupation of Palestine started to erode the relationship between the nationalist movement and Moroccan Jewry. Israel officially declared their independence in 1948, but Zionists were recruiting Jewish emigrants from the late 1940s onward. This first round of emigration was illegal and disfavored by both the French and the Moroccan nationalists.[50] But *aliya*, the immigration of Jews to Israel,[51] only increased in frequency as the conflict unfolded, and eventually was legalized by French authorities, who may have seen a value in the expansion of French influence in the Middle East through the emigration of French-speaking Jews.[52]

For the nationalist movement, excluding the Jews from national identity and punishing those who chose to migrate symbolically strengthened transnational ties to the rest of the Islamic world. In the last decade of the protectorate, the Moroccan nationalist movement and king aligned the cause of Moroccan independence with the pan-Arab movement led by Gamal Abdel Nasser in Egypt.[53] In the spring of 1948, Istiqlal, the most prominent nationalist party in Morocco, led an anti-Zionist campaign, demonstrating solidarity with Palestinian Arabs. However, the conflation of Jews and Zionists in this movement led to organized boycotts against Jewish businesses.[54] The impact on Jews was amplified at the height of the violence in the Arab-Israeli war, when, on June 7th 1948, pogroms broke out in Oujda, a city bordering Algeria and a checkpoint for migratory Jews, causing forty-three deaths and the destruction of Jewish homes and businesses.[55]

This is not to say that Moroccan Jews were completely absent from the nationalist movement. One of its branches, the Moroccan Communist Party (PCM), diverged from other parties in its rejection of pan-Arabism, and in 1948 had 500 Jewish members.[56] For many Jews, the PCM was a more inclusive space because of its political rather than religious organizing principles.[57] These Jewish communists saw their assertion of Moroccan identity as its own form of colonial resistance, healing the legacies of French divide-and-rule policy. As Heckman argues, Jews of the PCM saw their Moroccan character as, "a social and political concept evolved into a nationalist patriotic identity predicated on a narrative of pre-colonial protection

under the sultan and, with that protection, a legacy of social harmony between Muslims and Jews."[58] This assertion of the history of cohesion allowed for an alternative vision of the future: a pluralistic Morocco.[59] For many of these communist-nationalist Jews, the rejection of French imperialism and commitment to reclaiming a pluralist national identity meant a vehement rejection of Zionism. As Heckman writes,"for Moroccan Jewish Communists, rejecting Zionism was one critical means of expressing devotion to the Moroccan state and patriotism."[60] In a 1949 edition of the PCM newspaper Espoir, one Jewish member states, "We are Moroccans, we are not 'foreigners' as the Zionists would have us believe, who fuel the Colonial fire. We are deeply Moroccan."[61] This claiming of Moroccan identity was an assertion of self against Zionism, which the Jewish communists saw as another colonial appendage attempting to drive a wedge between them and the Muslim majority.[62]

However, the voices of these vocal few were drowned out by the rhetoric of the more mainstream nationalist parties, where the inclusion of Jews was at best ambiguous, and at worst absent. The Istiqlal party asserted an intention to integrate Jews, but still relied on Arab-Islamic nationalism, and in particular the symbol of the sultan, to knit together their cause.[63] The Democratic Party of Independence (PDI), on the other hand, published articles in the popular newspaper *Er-Raï El-Amm* (The Public Opinion) that made no distinction between Jews and Zionists, whom they saw as enemies.[64] The conflation of Judaism and Zionism set a precedent for a difficult next chapter in the history of the Moroccan Jews that would spur further emigration of the Jewish population within its already dwindling numbers.

Left without any representation in the systems of power, and subject to deteriorating economic and social conditions, many Moroccan Jews migrated to Western countries and Israel. Between 1961 and 1963, Operation Yakhin facilitated the *aliya* of 92,000 Moroccan Jews.[65] The Israeli Labor Zionist party[66] saw the emigration of Jews from the Middle East and North Africa as essential to the "conquest of labor" or the displacement of the Palestinian workforce from industrial and agricultural jobs which formed the backbone of the economy.[67] However, despite their demographic import, the Arab Jews were regarded as culturally inferior. Ben-Gurion, the first prime minister of Israel, wrote: "we do not want Israelis to become Arabs. We are duty bound to fight against the spirit of the Levant which corrupts individuals and societies, and preserve the authentic Jewish values as they crystallized in the [European] Diaspora."[68] It became immediately apparent to the first generation of immigrants that to be Arab in Israel was to be a second-class citizen. Those who lived through the harrowing journey there were welcomed to their homeland by being sprayed down with DDT.[69] While in Morocco they were seen as too French, in Israel they were seen as Orientals and relegated to the bottom rung of society.[70]

Moroccan Exceptionalism; Remembering the Moroccan Jew

In the period following Morocco's independence, the country adopted a "given constitution model,"[71] as described by Hasas. Under this model, the king, empowered by his royal lineage, would unilaterally draft laws and constitutions. These would then be implemented without consultation with the citizens or governing bodies. Thus, the 1960s and 1970s were a period of instability, marked by tension between the absolute power of the monarchy and leftist protesters who pushed for a constitutional monarchy. Heckman writes that "Makhzan focused its efforts on crushing leftist activism, allegedly sending mail bombs in hollowed-out books to UNFP (Union Nationale des Forces Populaires) headquarters, staging mass arrests of students and faculty members at universities, and incarcerating and torturing hundreds if not thousands."[72] This tension culminated in two successive attempted coups against King Hassan II, one in 1971, and another in 1972.[73]

But in the very moment when King Hassan II's politics were under the most direct threat, a nationalist cause was invented to unify the country: the annexation of Western Sahara, a 97,000 square mile region of arid desert southwest of Morocco. Western Sahara, with its 690 miles of rich fishing coast, phosphate, offshore oil, and natural gas reserves, had been under

"Because the Jews of Morocco no longer have a significant physical presence in the country, they are more available for mythologizing"

Spanish control since 1884,[74] but in October 1975, the world court ruled that the indigenous Sahrawi people—represented by the Polisario Front—should be granted independence in the region.[75] King Hassan II seized the shifting dynamics to launch a propaganda campaign promoting Morocco's historical claim on the region, even enlisting his political opposition to awaken a fragmented country to an issue that would reach across political divides.[76] This effort culminated in the Green March of November 6-9, 1975. An astonishing 350,000 volunteer Moroccans, including many leftist activists,[77] marched to the Western Sahara border waving photos of the King and Moroccan flags in a grand show of patriotic unity.[78]

This fleeting moment of nationwide solidarity staged at Western Sahara's frontier may have successfully alleviated the pressure building around Hassan II's government, but it came at the cost of Morocco's international standing. The military siege of Western Sahara—which continues today—has driven a wedge between Morocco and the majority of countries in the African Union and Arab League, who have continued to support the Polisario Front.[79] As a pariah in Africa locked in a conflict that demanded sustained military resources, Morocco became reliant on international support, specifically from powerful Western countries. Against this backdrop, and in light of the shifting dynamics of post-Cold War politics, Morocco strategically re-defined its identity. It moved away from the strictly Arab-nationalist identity of its early independence years to a more neutral liaison between different parties, which would help promote relationships with the West and Israel.

The historical presence of the Jewish minority in Morocco became essential to promote this new image of pluralism. Schroeter writes: "As the only non-Muslim indigenous group in Morocco, Jews become conceptually essential for imagining a more open, progressive, civil society."[80] Because the Jews of Morocco no longer have a significant physical presence in the country, they are more available for mythologizing. Stuart Hall writes that with absence, "identities and communities have become less ascriptive and more associational, that is to say, less anthropological and more political."[81] Despite their general absence from political discourse in the preceding century, in this new era, Moroccan Jews were rhetorically re-introduced as part of a movement towards staging Moroccan exceptionalism.

Alongside the efforts towards annexation of Western Sahara, there was a calculated effort to improve relationships with Moroccan-Jewish communities in the diaspora. In 1976, the Moroccan prime minister, Ahmed Osmane, announced on a trip to Jordan that any Moroccan Jew could return without a passport.[82] Outreach went out to American Rabbis to promote Jewish tourism for those of Moroccan origin. Fifty members of Israel's Knesset visited a 1984 international conference in Casablanca,[83] causing Syria to cut all diplomatic ties with Morocco.[84] These efforts set Morocco apart as the only explicitly Islamic country to continue relations with its emigrated Jews, whom King Hassan II claimed were "750,000 voluntary ambassadors."[85]

The political effort to transform Moroccan Jews into transnational citizens deepened with the reimagining of the *hillulot*–pilgrimages to the shrines of saints–as tourist attractions. In 1986, the Council of the Jewish Communities of Morocco (CJCM) organized a national pilgrimage to the shrine of Rabbi Shimon Bar Yohai, which was marketed to Jews of Moroccan origin abroad in Canada, France, and Israel.[86] Organizing a transnational *hillulot*, a practice which had historically only been part of Moroccan Jewish practice on a local scale, reinvented it as a tourist attraction; as Scholar Oren writes, "the commodification of *hillulot* as part of the Moroccan tourist economy has ironically relied on the transformation of Moroccan émigrés

into tourists in their own homeland."[87] Morocco's continued promotion of the *hillulot* carves out a new lucrative tourist industry while simultaneously promoting their image as tolerant and pluralistic. In this way, Moroccan Jews are positioned as cultural ambassadors who play a vital role in promoting a positive image of Morocco to the international community.

This new national identity and relationship with Israel has remained relevant in the 21st century, especially in the context of the September 11th attacks and the subsequent War on Terror. Their relationship with the United States.—one of Morocco's largest military allies—relied upon proof of Moroccan exceptionalism as an Arab state. Heckman writes "to stay afloat and maintain a strategically important international position, the Makhzan would need to rebrand itself, recruiting Moroccan Jewish culture for the tourist circuit and maintaining Morocco as a helpful 'moderate' in regional and international politics."[88] We can conclude that the nostalgia conferred upon this history by the tourist circuits and museums is in part for the sake of political optics.

The reconfiguration of national identity to be more inclusive not only reflects international interests, but also the continued discontentment of Moroccan citizens with the monarchy.[89] On February 20th, 2011, the wave of protests known as the Arab Spring reached the country, during which people marched on the streets calling for democracy and change, symbolized by the popular Arabic call of *alpshai'b urid udustur anjadid* ('the people want a new constitution').[90] Instead of addressing the concerns about the distribution of power in government, the response was the creation of a new constitution that de-emphasized the Arab-Islamic component in favor of a more inclusive definition of Moroccan identity. The constitution mentions officially—for the first time—the Jewish and Amazigh populations, stating that the Moroccan government

"intends to preserve, in its plentitude and its diversity, its one and indivisible national identity. Its unity is forged by the convergence of its Arab-Islamist, Berber and Saharan-Hassanic components, nourished and enriched by its African, Andalusian, Hebraic and Mediterranean influences. The preeminence accorded to the Muslim religion in the national reference is consistent with the attachment of the Moroccan people to the values of openness, of moderation, of tolerance and of dialogue for mutual understanding between all the cultures and the civilizations of the world."[91]

This mention in the constitution was the first real claim from the government that the historical presence of Jews should be considered within a broader national identity. This official rhetorical shift signaled a radical new conception of what Moroccan identity could look like.

The adoption of multiculturalism as a means of softening the appearance of the government and redirecting criticism was identified by Stuart Hall. He writes, "Multiculturalism, with its focus on cultural identity being understood by many, especially many on the Left, is a means of evading the difficult structural, economic, and political questions posed by racism."[92] We can see this dynamic at play particularly in the context of Morocco's history of human rights abuses, and specifically in claims over the Western Sahara. The government adopts the appearance of openness in order to redirect criticism, and fails to make policy changes that would actually improve the living conditions of minorities.

Alongside the attempt to use multiculturalism to quell domestic descent, the focus on Jewish identity supports a growing economic relationship with Israel. A recent increase in economic ties with Israel shows the transnational implications that plural identity holds. The trade volume between the two countries, which in 2021 was 131 million USD, consists of an exchange of exports including transportation products out of Israel, and textile and agricultural products from Morocco. The tourist industry—boosted by direct flights running between Tel-Aviv and Marrakesh[93] that began in July 2021—also brings in substantial revenue.[94] So, both within the country and outside, the Moroccan government benefits from its embrace of multiculturalism. Significantly, the Makhzans' unceasing effort to completely control the Western Sahara has come to rely entirely on their relationship with Israel, as weapons and military technology are some of Israel's largest exports to Morocco. This

relationship was officiated in an agreement signed in 2021 between the two countries' ministers of defense to ensure a continued military alliance.[95]

These increased relations are officially outlined in the Abraham Accords, released in 2020, whereby the US acts as a liaison between Israel and countries in Northern Africa and the Middle East, including Bahrain, the UAE, Sudan, and Morocco. The Abraham Accords assert that they "encourage efforts to promote interfaith and intercultural dialogue to advance a culture of peace among the three Abrahamic religions and all humanity."[96] This declaration effectively hides political agendas behind the smokescreen of religious tolerance. On the US side, the document contributed to positive optics for the Trump administration. On the Moroccan side was the recognition of territorial sovereignty over the Western Sahara: "The United States recognizes Moroccan sovereignty over the entire Western Sahara territory and reaffirms its support for Morocco's serious, credible, and realistic autonomy proposal as the only basis for a just and lasting solution to the dispute over the Western Sahara territory."[97] Thus, the impact of the reclamation of a Jewish identity implies both economic benefits, from the normalization of ties with Israel, and potential territorial gain if the US recognition of Moroccan control over the Western Sahara were to direct more political support towards Morocco in the ongoing conflict.

In "Memories of Absence," Aomar Boam argues that the movement towards religious diversity is only happening on the most superficial level and does not substantially address prejudice still lingering in the population. He writes: "Few Moroccans publicly recognize the existence of racist attitudes and stereotypes towards Jews and Christians. State agencies such as the Ministry of Education have done little to change these attitudes and educate young adults to accept cultural and ethnic differences. The task of responsiveness to stereotypes about Jews is left to a few individuals, while the state takes a back seat."[98] However, Morocco still publicly claims *convivencia*, which has been reclaimed by Moroccan historical institutions to re-imagine the histories of Moroccan Jewish and Muslim coexistence. Festivals and pilgrimages have come to serve as the symbolic performance of inclusion, while the substantive encounters of religious diversity are few.

Conclusion

Tracing the history of Jewish identity within Morocco since the colonial period reveals a shifting position based on political contexts. In the colonial era, through a divide-and-rule policy and covert ethnographic missions, the French colonial authorities created rips in the socio-economic fabric of Morocco, which grew through the assimilationist campaigns of the AIU. During the independence movement, Islam became a unifying principle of the nationalist movement, leaving Jews at the margins. This emphasis on Islam continued into independence to legitimize the monarch and quell the growing discontent amongst the population. Given this set of political conditions, the remaining space left for Jews in Morocco shrunk, and many emigrated. This pattern continues in the manifestation of Moroccan Jewish identity today. Through the re-adoption of Jewish identity within the boundaries of the nation-state, Morocco is able to present a facade of religious inclusion which benefits the government economically through increased relationships with Israel and inches them towards increased control over the profitable Western Sahara region.

What does it mean to be a Moroccan Jew now that they are all but absent from Morocco? The current answer to this question is inextricable from their exile. Because Moroccan Jews no longer have a significant presence in Moroccan society, Moroccan Jewishness has an abstract nationalist meaning rather than a grounding in present reality. It is in the vacuum left by their absence that the Moroccan government has created a story that mythologizes Morocco's capacity for inclusion, a story that Israeli tourists will carry back with their oriental rugs and antique mezuzah.

Yet while Morocco proudly positions itself as a homeland for its Jewish diaspora, the Saharawi people remain severed from their own ancestral land. According to UN reports, 173,600 live in refugee camps on the bone-dry fringes of the Algerian desert, where eighty-eight percent are food insecure, and sixty percent unemployed.[99] The inevitability of

Moroccan-Israeli cooperation that logically unfolds from a visit to Bayt Dakira conceals this violent underbelly. As revealed here, it is not a shared cultural history between Israel and Morocco that unites the two countries, but Morocco's reliance on Israeli military imports to continue the siege on Western Sahara, representing another chapter in the re-articulation of Moroccan Jewishness where the voices of Moroccan Jews are conspicuously absent.

ENDNOTES

1. Daniel J. Schroeter "The Shifting Boundaries of Moroccan Jewish Identities," *Jewish Social Studies, History, Culture, Society* (2008): 146.
2. Old city.
3. From field notes taken for a final project in April 2023 for SIT program Migration and Transnational Identity in Essaouira.
4. Ibid. Text Boxes in Bayt Dakira are written in Hebrew, Arabic, and English.
5. Ibid.
6. Boam, "Writing the Periphery: Colonial Narratives of Moroccan Jewish Hinterlands," 74.
7. Nassima Chahboun, via Wikimedia Commons
8. Emily B. Gottreich, "Historicizing the Concept of Arab Jews in the Maghrib," *Jewish Quarterly Review* 98 (2008): 444.
9. Ibid.
10. Schroeter, "The Shifting Boundaries of Moroccan Jewish Identities," 50.
11. The adoption of Jews under traditional Islamic political systems was unique to Morocco, in other parts of North Africa: Tunisia and Algeria, the position of Jews was structured by the reforms implemented during the Ottoman Empire, this likely contributes to the disproportionate percentage of North African Jews once found in Morocco: see Daniel J. Schroeter and Joseph Chetrit "Emancipation and Its Discontents: Jews at the Formative Period of Colonial Rule in Morocco." *Jewish Social Studies* 13 (2006): 171.
12. Ibid.
13. Boam, "Writing the Periphery." 14.
14. Ibid, 31.
15. Ibid, 15.
16. Yoram Bilu, "Moroccan Jews and the Shaping of Israel's Sacred Geography," *The University of Chicago*, A public lecture, Video, (2014) 9:17. https://www.youtube.com/watch?v=24Au4oyArXI
17. Ibid, 11:29.
18. Ibid, 12:10.
19. Ibid, 9:50.
20. The Amazigh people are the indigenous tribes of Morocco. Most of the literature up till very recently has referred to them as 'Berbers'—translating to barbarians in French. I am following the lead of contemporary indigenous rights movements who are casting off this term due to its negative implications. To learn more see Silverstein and Crawford, "Amazigh Activism and the Moroccan State," 44-48.
21. Colette Zynicki. "The oriental Jews of the Maghreb: Reinventing the North African Jewish past in the Colonial Era." in *Colonialism and the Jews*, ed. Ethan B. Katz and Lisa Moses Leff and Maud S. Mandel (Indianapolis: 2017), 29.
22. Boam, "Writing the Periphery," 23.
23. Ibid.
24. Ibid.
25. bid, 12.
26. *Bilad al-makhzan* refers to areas directly under the Sultans control.
27. Aomar Boam, "Southern Moroccan Jewry between the Colonial Manufacture of Knowledge and the Postcolonial Historiographical Silence," in *Jewish Culture and Society in North Africa*, ed. Emily B. Gottreigh and Daniel J. Schroeter (Indiana University Press: 2011), 84.
28. Ibid.
29. Ibid.
30. Daniel J. Schroeter and Joseph Chetrit "Emancipation and Its Discontents: Jews at the Formative Period of Colonial Rule in Morocco," *Jewish Social Studies* 13 (2006): 174.
31. Ibid, 174.
32. The protectorate period began in 1912 with the signing of the Treaty of Fez, and ended in 1956 see: Alma Rachel Heckman, *The Sultans Communists: Moroccan Jews and the Politics of Belonging* (Stanford University Press, 2021), 9.
33. Schroeter and Chetrit, 173.
34. Schroeter, "The Shifting Boundaries of Moroccan

Jewish Identities," 173.
35. Ibid, 173.
36. To learn more see Schroeter "The Shifting Boundaries of Moroccan Jewish Identities,"178.
37. Jonathan, Katz, "Les Temps Héroïques" The Alliance Israélite Universelle in Marrakech on the Eve of the French Protectorate" in *Jewish Culture and Society in North Africa* ed. Emily B. Gottreigh and Daniel J. Schroeter (Bloomington I: 2011): 286.
38. Ibid.
39. The French colonial regime drew upon their success and failures dealing with Jewish communities in other North African colonies: Algeria and Tunisia, in their treatment of the Moroccan Jews. In Algeria they had been naturalized as French citizens, which was regarded by the French administration as a huge mistake due to the violence that erupted after by the Muslim population. Instead they followed a reformed version of the Tunisian model, where Rabbinical courts were reformed but they would stay under the authority of the Makhzan. (Schroeter and Chetrit "Emancipation and Its Discontents,"187)
40. Alma Rachel Heckman, *The Sultans Communists: Moroccan Jews and the Politics of Belonging* (Stanford University Press, 2021), 8.
41. Ibid
42. I do not discuss this in my paper, but it's worth noting that the emphasis on the Arab part of national identity ostracizes the indigenous Amazigh people, who remain in an ongoing struggle for recognition. To learn more see Silverstein and Crawford, "Amazigh Activism and the Moroccan State," 44-48. (Paul Silverstein and David Crawford, "Amazigh Activism and the Moroccan State" *Middle East Report*, no. 233 (2004), 44-48).
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46. William A. Hoisington Jr, "The Berber *Dahir* (1930) and France's Urban Strategy in Morocco," *Journal of Contemporary History* 13 (1978): 436.
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49. Although French informants would be sent inside Mosques as spies, see Wyrtzen, "Colonial Intervention and the Politics of Identity" 143.
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56. Heckman, 8.
57. Ibid, 7.
58. Ibid, 107.
59. Ibid, 179
60. Ibid.
61. Ibid, 108.
63. Ibid, 42.
64. Ibid, 216.
65. Ibid,159
66. Labor Zionism organized around the principle of avoda ivrit (Hebrew labor), an idea stemming from 18th century Hebrew enlightenment (Haskalah) thinkers who believed that self-liberation was rooted in transforming society through avoda atzmit (self-labor). Their vision for Jewish society in Palestine was economic self-reliance, so that individual Jews would be transformed through their work. For more on this see (Ella Shohat, "Sephardim in Israel: Zionism from the Standpoint of Its Jewish Victims" *Social Text*, no. 19/20, 1-35)
67. Gershon Shafir, *Land, Labor and the Origins of the Israeli Palestinian Conflic*t (University of California Press, 1996), 113.
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Street Art in Amman

A Photo Essay

Lucas Geromini

Lucas Geromini is a third-year Boston College undergraduate student studying Global Public Health and Islamic Civilizations and Societies, with a minor in Faith, Peace, and Justice Studies. He is currently studying abroad in Amman, Jordan taking courses related to refugee and migrant health and Middle East geopolitics.

For tourists visiting Amman, Jordan, a simple search for excursions and activities will beckon them to explore the city's street art. In any part of the expansive city–the eclectic Rainbow Street, the upscale neighborhoods of Shmesani and Abdoun, or the bustling downtown–it is inevitable that you will stumble upon a stunning street art mural, made with vibrant graffiti and precise design. Each year, the Baladk Street Art Project takes place in Amman, inviting international graffiti artists to adorn Jordan's public spaces with visible and accessible murals meant to tie art together with social, cultural, and political issues.[1] With this festival leaving virtually no neighborhood in Amman untouched by beautiful graffiti, many have begun to view the city as an "open-air museum" for street art.[2]

From a Western perspective, many might question how a city like Amman, deemed socially conservative under its constitutional monarchy, would embrace such a bold culture of graffiti on public buildings and private residences.[3] However, over time the Kingdom has become generally receptive to the idea of public graffiti–so long as it is not used to attack the government's geopolitical positions and does not contain aspects related to religion, homosexuality, and nudity. Street art has only gained popularity–and legality–in the last decade. In the neighboring countries of Palestine, Lebanon, and Egypt, graffiti has long been used as a means of protest against repressive regimes and political strife. Once widely regarded as a form of vandalism, street art gained traction among Jordan's youth populations and urban hip-hop scene in the aftermath of the Arab Spring, according to Alaeddin Rahmeh, a hip-hop artist, breakdancer, and activist. Rahmeh and his wife, Hannah Redekop, are the founders of Underground Amman, a community of local artists who share their personal experiences and offer insight into Amman's alternative art scenes through weekly educational street art tours.

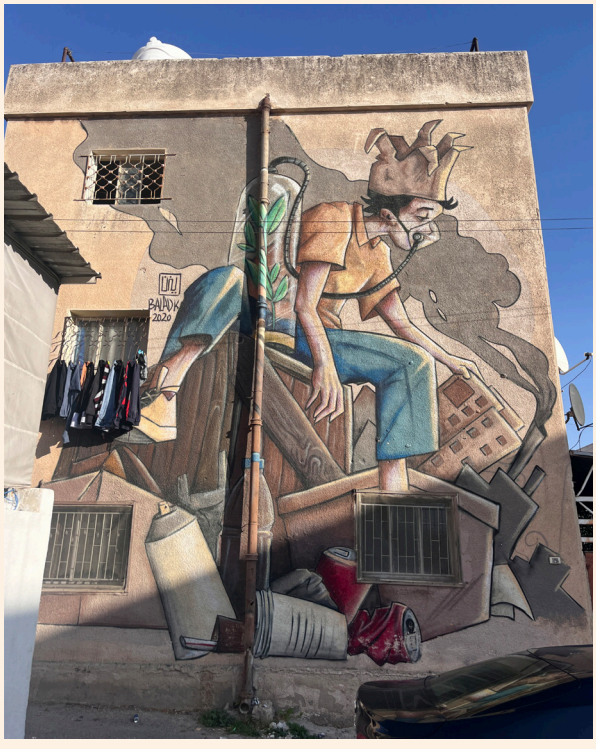
On a tour of Al Hashmi Al Shamal—formerly a military housing project and now a working-class neighborhood in East Amman, home to Palestinian, Syrian, Armenian, and Iraqi refugees—Rahmeh led our group to discover breathtaking graffiti and explore how this art form contributes to the cultural identity of the city and its residents. Rahmeh was raised in a Palestinian refugee camp in Amman by a "very conservative" family, as he described. When he first started breaking into Jordan's art scene, Rahmeh hid his interests from both his father, an imam, and his mother, a niqabi, a Muslim woman who covers their entire body and face. "The son of the Imam was supposed to follow in his footsteps," Rahmeh shared, emphasizing that his alternative interests would have brought worry, shame, and disappointment to his family and community. Despite this, Rahmeh stayed true to his passions, eventually sharing a "compilation of my best [breakdancing] moves" with his mother and father, garnering acceptance of his choice to devote his life to art.

Overcoming restrictions on what they can publicly create, many street artists in Jordan use their work not only as a form of self-expression but also as a way to share powerful messages about the country's social, political, and cultural issues. Rahmeh's tour company, Underground Amman, explores these murals and provides extensive background to the pieces, citing their connection to issues such as environmental justice and climate change, gender equality, disability rights, poverty, violence, and more. On the Hashmi tour, Rahmeh explained that many of the pieces were done by Suhaib Attar, a native of the neighborhood and the son of Palestinian refugee parents. A globally-renowned street artist, Attar seeks to brighten up "the white city"–a nickname given to Amman due to its dull, uniform houses–"into a thriving well of creativity."[4]

A few of the pieces in Attar's Hashmi collection focus on Amman's ignorance of climate change and waste. Situated in one of the most climatically vulnerable regions on the planet, Jordan is at heightened risk from the effects of climate change, including "more frequent heat waves, flash floods, droughts, and associated health issues."[5] In a country with "no specific legal framework or national strategy for solid waste management," Amman contributes to half of the solid waste generated in Jordan.[6] In many of his pieces, Attar brings attention to these critical issues, seeking to raise discussion on the impact environmental degradation will have on youth populations. One piece features a young boy surrounded by pollution, with a plant and oxygen mask as his only lifeline in the face of severe, deadly environmental crises (Image 1). The next piece, done in the weeks leading up to International Earth Day in 2023 in collaboration with the U.S. Embassy in Jordan, features an older woman passing down the Earth to a younger child, calling attention to how younger generations will inherit the planet the way it was left for them by older generations (Image 2). Another piece is a play on the phrase "the straw that broke the camel's back," Rahmeh explained, highlighting how the collection of litter and waste in Amman is contributing to the environmental degradation of the city (Image 3).

Over the years, Attar has gained critical acclaim for his work addressing the political and social issues affecting Jordanian society, leading the United Nations

Image 1



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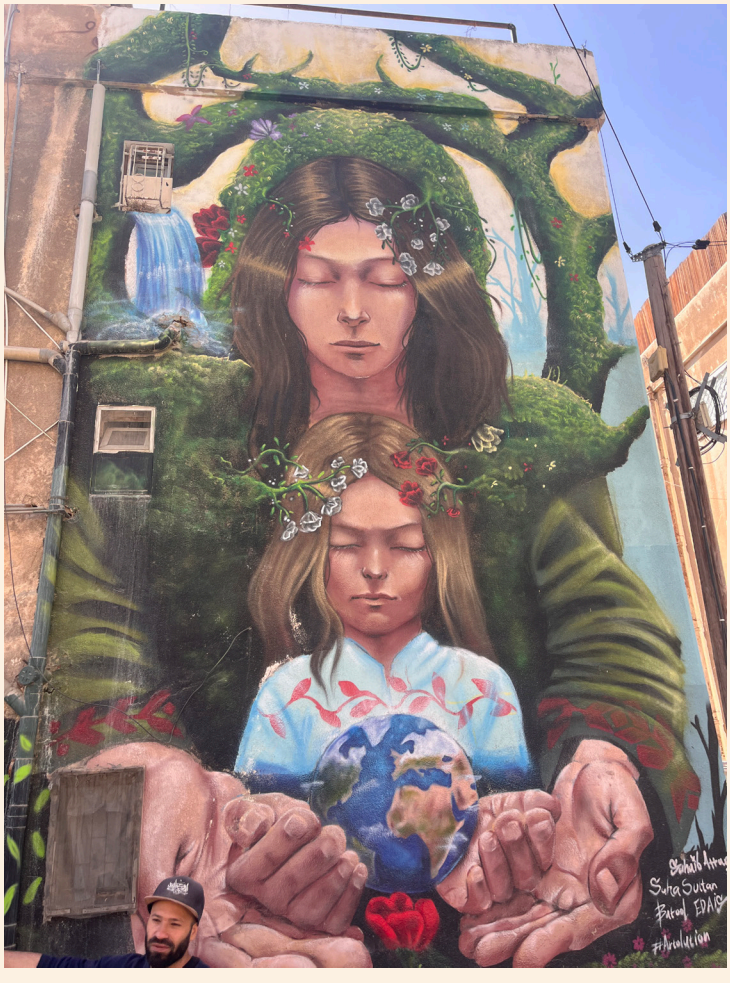

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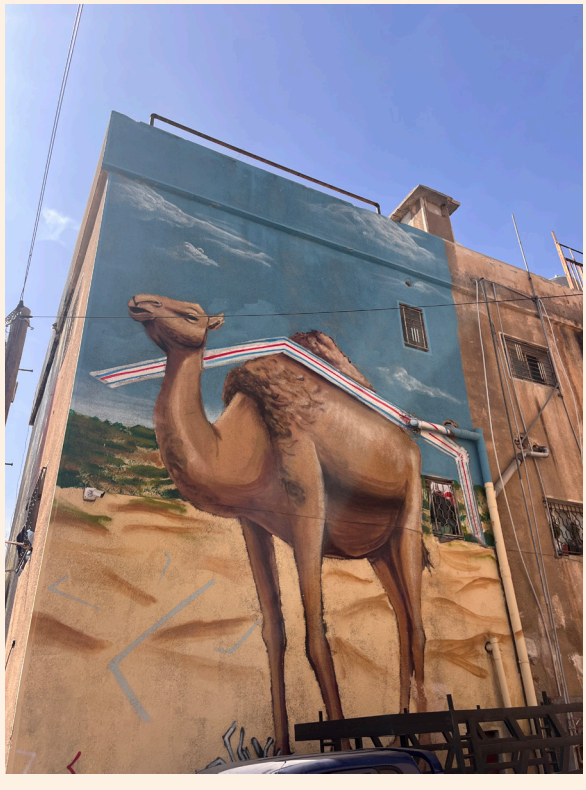

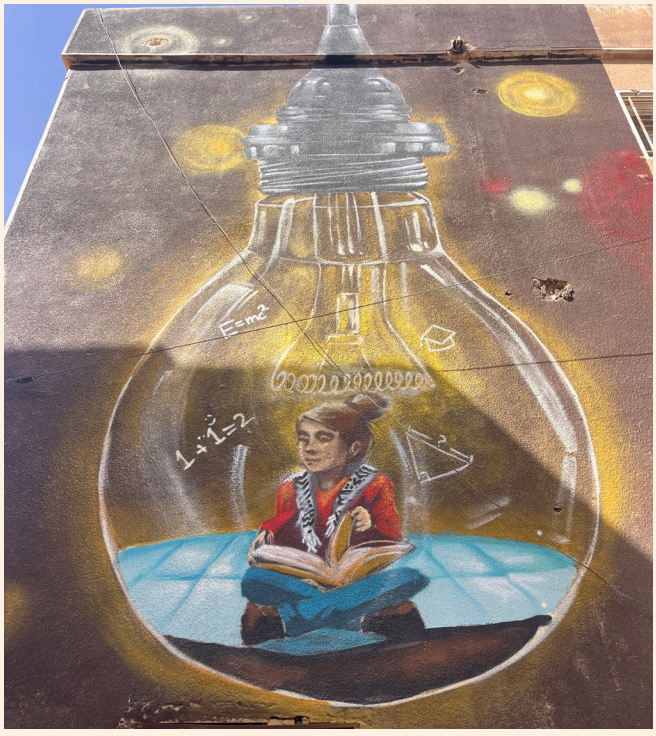

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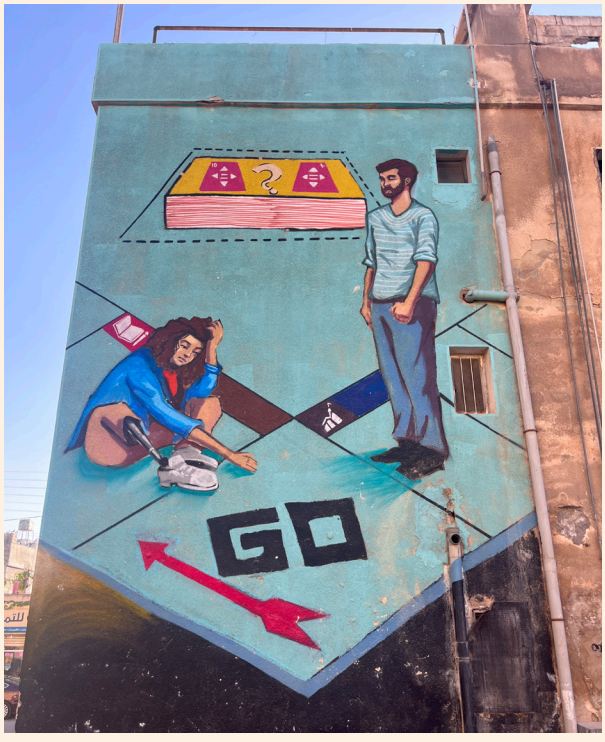

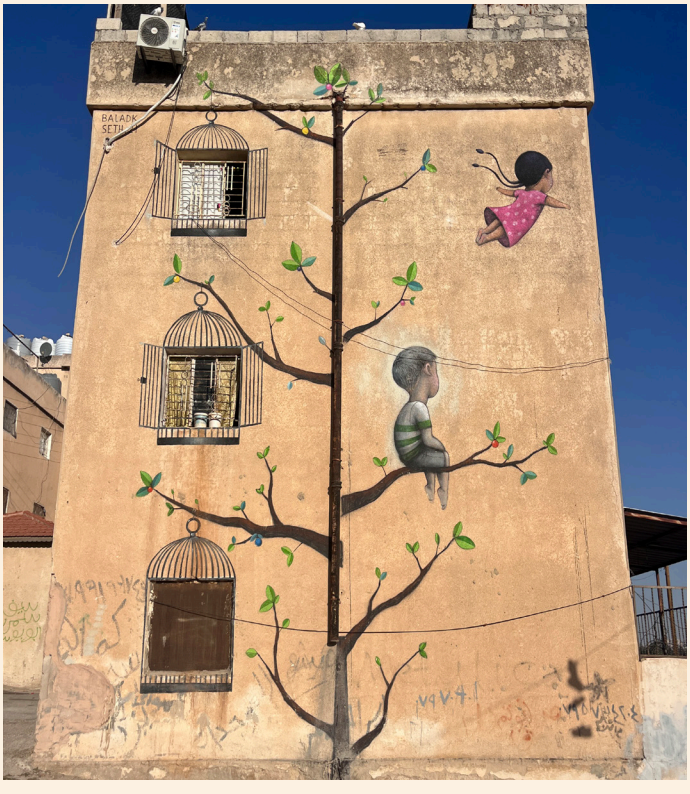

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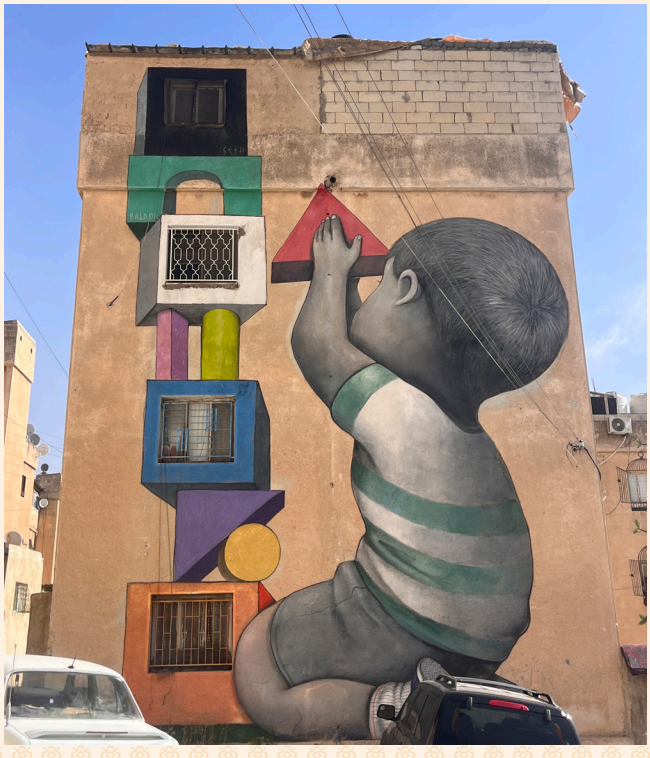

Image 7

Office of the High Commissioner for Human Rights (OHCHR) to commission him to create a "vibrant street art trail" in his own neighborhood.[7] The project, meant to illustrate various aspects of the Universal Declaration of Human Rights, transformed the walls of seventeen private homes into powerful canvasses, showcasing fundamental rights such as freedom of expression, women's rights, asylum rights, the rights of disabled persons and workers, and access to food, housing, clean water, and sanitation. In the first two pieces on the preceding page, Attar highlights the advances that Jordan must make to bolster and protect the rights of the disabled. The monopoly board, which has a disabled woman on the "lowest ranked piece" and an able-bodied man on the "most expensive piece" brings attention to the disparities between women and men, disabled and non-disabled people in Jordanian society (Image 4). In another piece, a young girl wearing a Palestinian keffiyeh dreams of achieving a formal, advanced education in her future (Image 5). Artists like Attar often use street art as a way to engage young people, many of whom are dissuaded from pursuing art as a passion due to poverty and familial pressures.[8] In 2022, the Department of Statistics (DoS) announced that 24.1 percent of Jordan's population lives in poverty, with 14.3 percent of the country experiencing human development losses due to economic inequalities.[9] Poverty among refugees is much more prevalent, rising from 57 percent to 67 percent over the past two years.[10] In terms of education, as of 2022, the gross enrollment for eligible children in primary school is 87.56 percent, secondary school enrollment is 70.94 percent, and tertiary school is 36 percent.[11]

Graffiti artists in Amman often use their pieces to express the idea that "the future is based on our kids," as Rahmeh declared. Two of the pieces shown on the tour, done by French artist Seth Globepainter, depict young children and their lamentations about the future. In the first, a young boy plays with building blocks, with the top blocks embodying the colors of the Palestinian and Jordanian flags—a nod to children being left to build their own futures in the face of violent conflict, as Rahmeh noted (Image 6). In the second piece, this same boy is seen sitting on a tree, with a young girl above him choosing to fly off and "soar into the future." (Image 7)

Though technically forbidden by the government, many of the street artists allude to the Israel-Palestine conflict in their work. Although there is no official census data, studies suggest that more than half of the population of Jordan is of Palestinian descent.[12] Jordan is also home to more than 2 million registered Palestinian refugees.[13] When it comes to the long-standing conflict, however, Jordan walks a tightrope: the government has repeatedly established its support for Palestinian statehood and called for a ceasefire in the 2023 Israel-Gaza War. However, the nation also seeks to maintain its peace treaty with Israel.[14] Despite the government's complex position on the issue, street artists like Suhaib Attar have used their passion to shine light on the devastating violence that has persisted for generations.

This first piece on page 61 is a depiction of the killing of Muhammad al-Durrah, a 12-year-old boy who was shot and killed by Israeli soldiers alongside his father (Image 8). The video of this attack in Gaza was captured by Talal Abu Rahma, a Palestinian television cameraman, gaining international attention.[15] "It was the shot that started the Second Intifada," as Rahmeh noted. The murder regained attention in 2024 when news broke out that Israel had killed Ahmad al-Durrah, the brother of Muhammad, in the Bureij refugee camp 23 years later.[16]

Many other pieces bringing attention to the conflict feature signature Palestinian symbols. The Palestinian keffiyeh is featured regularly, along with olive trees, Palestinian embroidery, and watermelons—a symbol sharing the colors of the Palestinian flag that rose in popularity after the Israeli government banned the Palestinian flag in Gaza and the West Bank (Images 9 & 10).[17]

For all of history, art has been used as a way for people to express the things they cannot put into words. In Amman, artists and activists contribute to this great history through graffiti murals representing both the struggles and hopes of their communities. Through their work, artists like Suhaib Attar and Alaeddin Rahmeh seek to transform the streets of Amman into a canvas that reflects the diverse tapestry of Jordanian society, addressing everything from environmental

injustice to gender equality, to access to clean water and food to the geopolitics of the Levant region. As this art form grows in popularity, these vibrant murals invite both locals and tourists to engage with the narratives embedded within them. The street art movement in Amman embodies a collective aspiration for progress, and the need to challenge societal issues, remedy ingrained injustice, and promote a sense of community.

ENDNOTES

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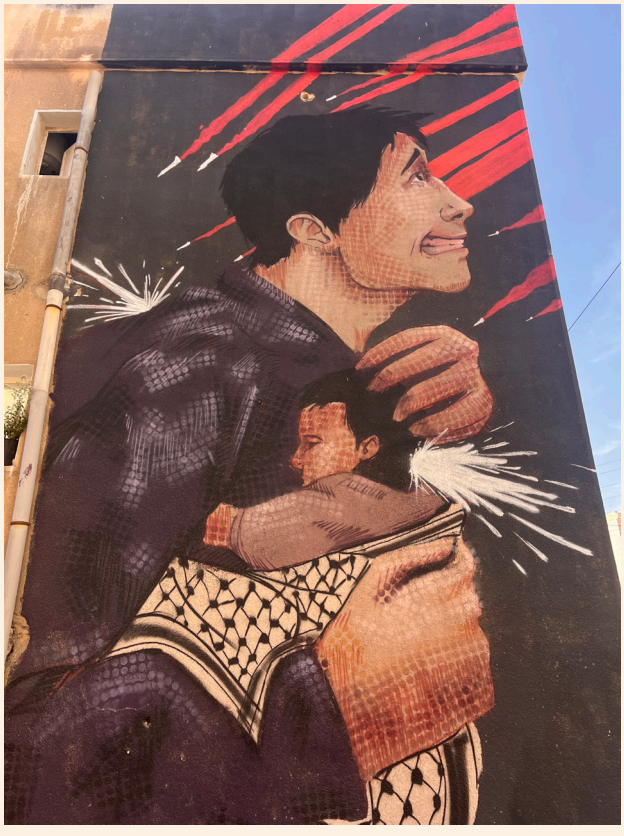

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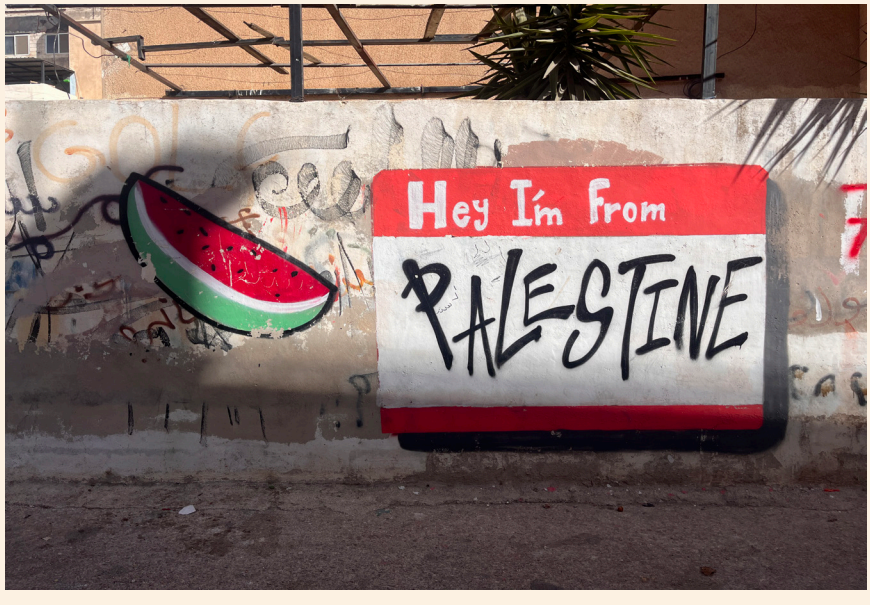

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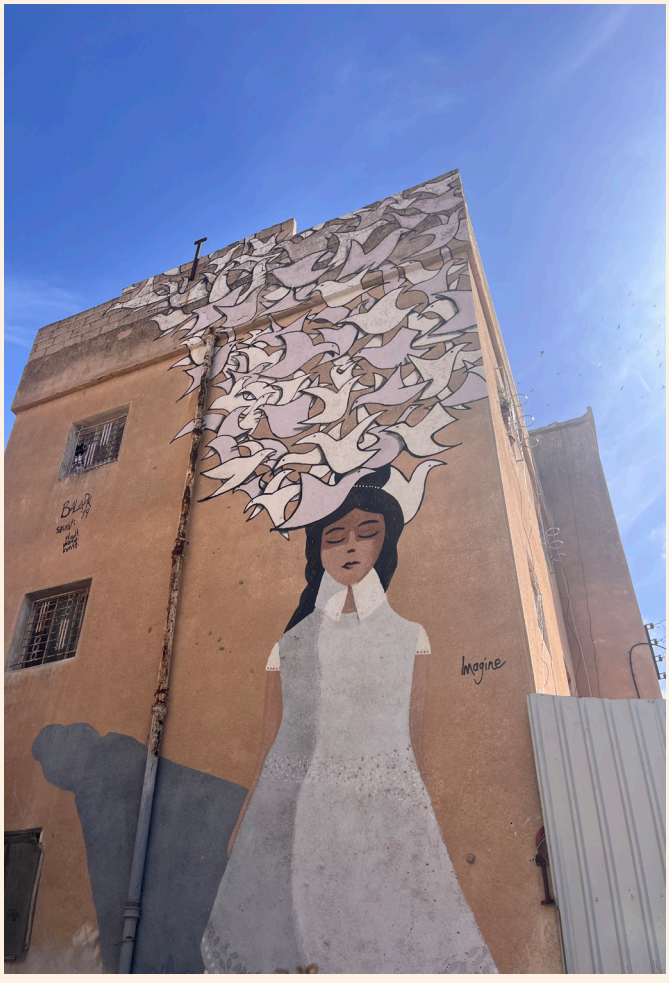
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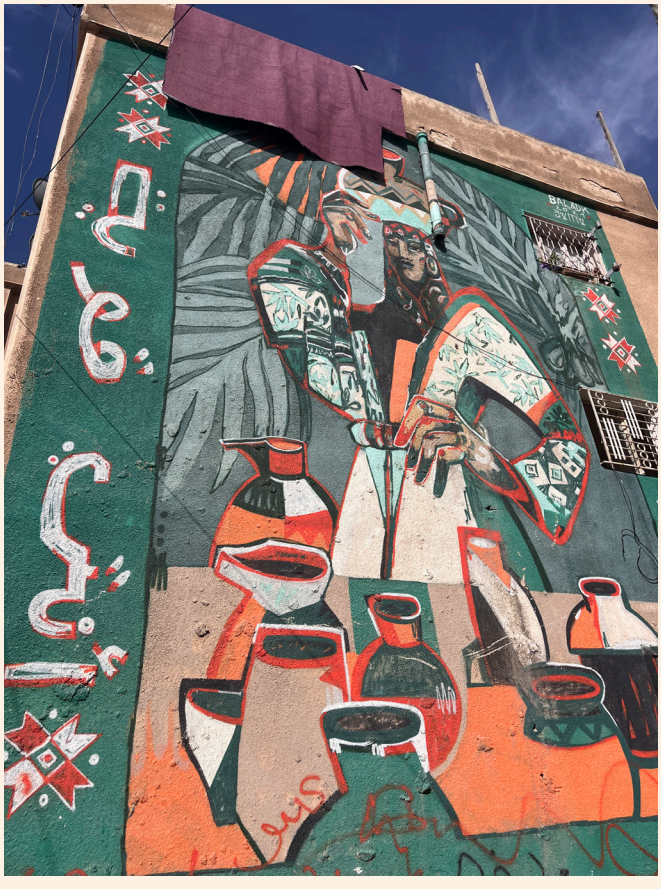

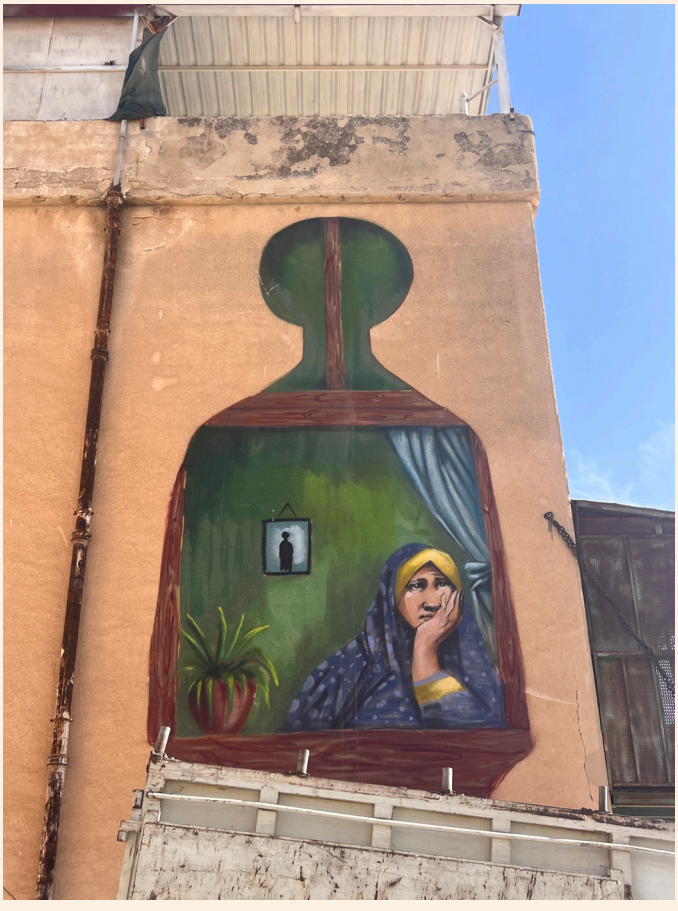

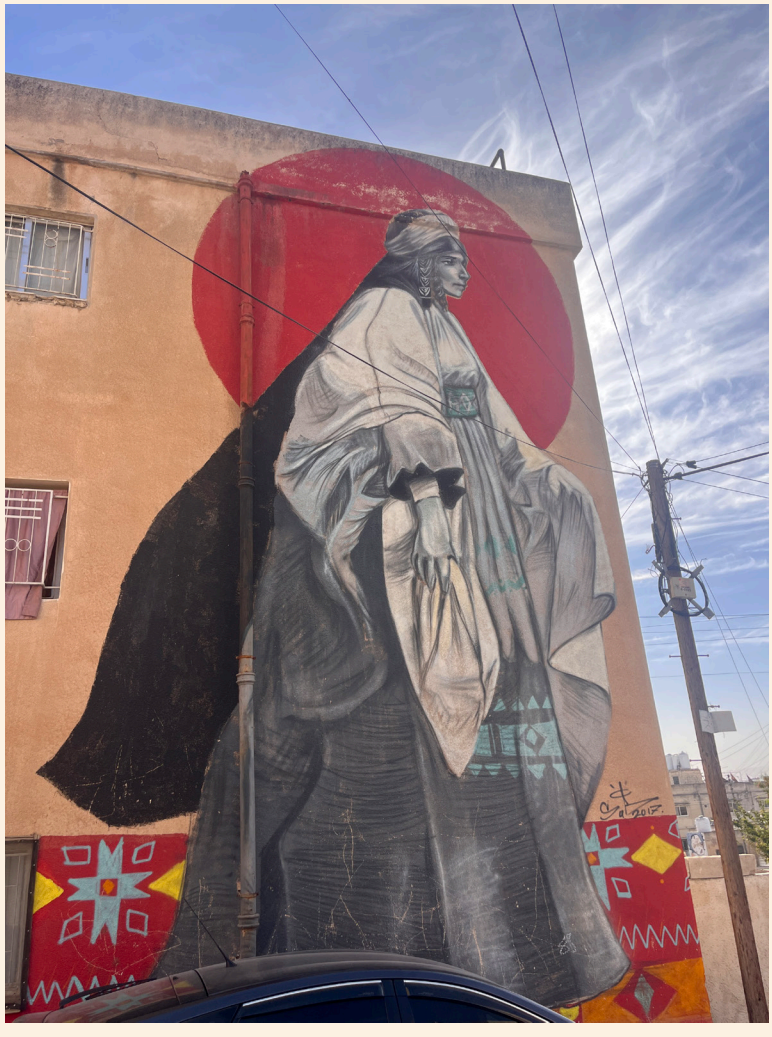

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