



“Refusing to be a victim, refusing to be an enemy”. Form-of-life as resistance in the Palestinian struggle against settler colonialism



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ABSTRACT

This paper focuses on practices of non-violent resistance as they are played out in the ongoing Palestinian struggle against the Israeli settler colonialism in the occupied West Bank. By looking at the resistance of expanding settlements, demolition and land confiscation orders, and livelihood destruction in two Palestinian sites, the paper shows how Israeli settler colonial apparatuses, and the variety of techniques and practices of erasure they mobilize, can be fruitfully studied through site-specific ways of Palestinian resistance. In order to do so, the paper turns to discuss a peculiar form of non-violent resistance grounded in what Giorgio Agamben calls ‘destituent power’. It shows how the acts of destituent resistance in the two sites under study function by playing with the apparatuses of control in creative but non-violent ways; namely, by using the potentialities of that form-of-life that the settler colonial apparatuses try to cancel, overrule, control, weaken, criminalize, and erase. The idea of ‘destituent play’ is hence elaborated, and special attention paid to its ability to slow down and hamper the repressive functions of the settler colonial apparatuses through the creative use of the potentialities of Palestinian everyday life.

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1. Introduction

After the removal of settlements from Gaza in 2005, Israeli settler colonialism has become more tightly entwined around settlement expansion in the occupied West Bank and East Jerusalem. In contravention to international Law, the Fourth Geneva Convention in particular, today approximately 600,000 Israeli settlers (599,901 in 2014, [PCBS, 2015](#)) live in 150 settlements and 100 unauthorized settler outposts built on the occupied Palestinian territories.¹ Settlement construction, however, is just one of the many techniques used by the settler colonial state. Home demolitions, land grabbing, dispossession, forced displacements, collective punishment, water resource allocation, territorial fragmentation and destruction of livelihood, as well as harassment, vandalism and settler violence all exemplify how Israeli settler colonialism operates through a wide set of juridical, political, cultural, social and economic conditions, which are used to threaten, eliminate, and replace the Palestinian population (i.e. [Gordon &](#)

[Ram, 2016](#); [Nunn, 2015](#); [Salamanca, Qato, Rabie, & Samour, 2012](#); [Yiftachel, 2012](#)).

In this paper, my aim is to explore the practices of contemporary Israeli settler colonialism by focusing on its resistance in two sites surrounded by the settlements of the Gush Etzion settlement block in the south-west part of the West Bethlehem district in West Bank. The first, an ongoing private land ownership struggle between the Nassar family and Israeli authorities, and the second, the village of Battir, have both adopted different ways to cope with the everyday fear, insecurity, and violence. In particular, as I am about to show, their ways of resisting do not aim to violently establish a new constituted mode of power, but rather to grasp the potentialities of that form-of-life that the settler colonial apparatuses aim to erase and cancel. Houses built underground when building permits are not granted, the creation of self-sustainability, and the international recognition of cultural heritage are just a few examples of how such resistance operates. As one of the persons I interviewed underlined, these people do “not take non-violent resistance as a strategy”, which can be abandoned if it does not work, but as “a way of life” that refuses to become defined by the settler colonial apparatus. It is such refusal that poses a question concerning how, and through which means and conditions, resistance of settler colonialism is promoted as a part of the everyday Palestinian life.

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¹ According to the Israeli Central Bureau of Statistics ([ICBS, 2015](#)) the official number of Israeli settlers living in the West Bank was 370,700 inhabitants on 31 December 2015. These statistics, however, do not include East Jerusalem.

I start this paper by briefly looking at the broader tenets of contemporary settler colonialism in the occupied Palestinian territories, in particular Area C of the West Bank, which after the Oslo Accords has been under the military, administrative and juridical control of the Israeli authorities. I will focus on the general characteristics of Israeli settler colonialism, scrutinize different techniques and strategies used to claim land, security, and the right to settlement expansion (See also Braverman, 2009; Leshem, 2013; Long, 2009). The second part of the paper moves on to explore the techniques/practices of anti-colonial struggle adopted in Battir and on the Nassar family's farm (located near the village of Nahalin). I ask in particular whether, and to what extent, resistance at these sites can be seen in terms of what Giorgio Agamben calls 'destituent power'. As Agamben (2013; 2014; 2015) defines, such form of power aims to render the acts of governmental apparatuses inoperative, by grasping the potentialities of those forms-of-life that these apparatuses try to marginalize, exclude, and erase. I ask whether Agamben's discussion can be used to further clarify and develop some of the discussions in geography and other cognate disciplines about the use of more mundane and "weaker" forms of resistance (e.g. Allen, 2008; Bayat, 2010; Harker, 2009, 2012). In particular, I elaborate the notion of 'play' peculiar to this way of resisting, which does not simply aim to abolish and erase the separations produced by settler colonialist apparatuses, but rather learns to put them to a new use, to *play* with them (Agamben, 2007: 87). 'Destituent play', I show, is not an act of childish games or powerless performance. Rather, it refers to the foundational 'ungovernability' of the form-of-life, that enables a mobilization of new uses and potentialities that can resist, suspend and deactivate the power and techniques of existing governmental apparatuses.

2. Implementing settler colonialism: apparatuses, conditions, practices

On 31 August 2014, immediately after the end of massive Israeli military aggression in Gaza, Israeli Civil Administration announced its plan to conduct the largest land annexation in the past 30 years in the West Bank (see FOWF, 2015; Strickland, 2014). According to the announcement, and the signboards planted in Wadi Fukin and its four neighbourhood villages (Nahalin, Hussan, Jabaa, and Surif), approximately 4000 dunums (c.1000 acres) of land in the West Bank was about to be confiscated for 'state land'. The confiscation, however, did not allocate the land for public use, but for the expansion of Israeli-only settlements in the Gush Etzion block (See ARIJ, 2014; Shoval & Siryoti, 2014). The announcement followed Israeli Cabinet's decision to confiscate land in response to the kidnapping and killing of three settler youths – an event which was also used to justify the Gaza aggression earlier in June (Joronen, 2016a; Blumenthal, 2015) – and raised several critical reactions within international community, Palestinian Authority (PA) and the Israeli Cabinet itself (See Khoury & Levinson, 2014; Lazaroff, Keinon, & Toameh, 2014; UN, 2014). According to the head of the Wadi Fukin village council, Ahmad Sokkar, the decision was a "collective punishment against the thousands of inhabitants" in these Palestinian communities "for a crime they did not commit" (Strickland, 2014). Together with the fact that the land confiscation allocates more space for the industrial and commercial zones that serve the settler-only communities, it also helps to connect the settlements in the Gush Etzion block to one another, allows unobstructed passage for Israeli settlers into Jerusalem, and thus further hampers and restricts the Palestinian development and movement (Gordon, 2008: 134–138; Lynn, 2014).

Wadi Fukin, which has already lost a significant part of its land to the three settlements encircling the village, has without doubt been one of the Palestinian sites severely affected by Israel's

settlement policies. The situation in the village, however, is no exception among West Bank communities located in Area C, even less among those, like the ones near the Gush Etzion settlement block, that are situated right next to expanding settlements. According to the Israeli Bureau of Statistics, a total of 15,255 housing units have been completed during the nine-year period between 2006 and 2014, which denotes an annual average of 1695 completed housing units. During the year 2015, the construction of 1913 new settler housing units began and 2033 units were completed in the West Bank, which shows a 37% growth rate in construction compared to the preceding year (13% as compared to the 10-year average) (ICBS, 2016).

This wave of settlement construction is not only closely related to land confiscation orders and land use plans, but also to home demolitions, population transfers, protection of unauthorized settler outposts, and the ongoing establishment of the over 700-km long Separation Wall (ACRPA, 2012:2; MDC, 2014). In Area C of the West Bank most of the land is allocated for the benefit of Israeli settlements, which certainly was not the original objective of the Oslo Accords. Today, approximately 70% of Area C is included within the boundaries of Israeli settlements (regional council boundaries), with only 1% of the land allocated for Palestinian development (OCHA, 2014, 2015c: 6). When it comes to demolition orders, according to the Israeli Civil Administration (ICA) between 1988 and 2014 a total of 14,087 demolition orders, affecting approximately 17,000 Palestinian-owned structures, were issued for Palestinians living in Area C (OCHA, 2015a). There has been a steady growth in outstanding demolition orders, from a yearly average of 304 structures (1996–2001) to a yearly average of 966 (2010–2014) (OCHA, 2015a: 8). During the year 2014, the total number of executed demolitions rose to 601 Palestinian owned units in the West Bank (including East Jerusalem), resulting in 1215 displaced Palestinian residents in that year alone (OCHA, 2015c; UNRWA, 2014a). It is crucial to note that the justifications of such large-scale demolitions and displacements were not based on alleged military purposes, but were mostly because the Palestinian residents lacked Israeli-issued building permits (see the statement of UNRWA, 2014b).

Settler colonialism, however, cannot be merely reduced to acts of home demolitions and settlement construction. It includes several juridical, political, economic, and cultural techniques – from land confiscation regulations and ownership laws to the violence and vigilantism conducted by extreme settler movements (e.g. OCHA, 2015a, 2015b; UNHRC, 2013) – that are used to eliminate, replace, and threaten the population living in the occupied territories. According to the much cited formulation of Patrick Wolfe (1999:2), 'settler colonialism' is premised precisely upon the "elimination of the native societies", where the colonizers, instead of extracting a surplus profit without destroying the indigenous life, "come to stay". Such elimination is not a one-off event, Wolfe (2006:388) writes, but "an organizing principal of settler-colonial society" (on settler colonialism, see Gordon & Ram, 2016; Nunn, 2015; Salamanca et al., 2012). Although the formulation of Wolfe clearly sets the stage for settler colonial studies, here I concentrate particularly on the ways in which settler colonialism works in practice; or to be more precise, how it functions as a technique of government and practice of erasure/appropriation. This is not to say settler colonialism cannot contain several institutionalized conditions, forms of power, and logics of control, which can be implemented through various techniques, tactics, and practices that dislocate the colonized people and appropriate the spaces in which they dwell. The case is rather *vice versa*. To take into account both colonial practices/techniques and their directing conditions, I will lean on the notion of apparatuses. The notion of apparatus is particularly helpful, as it allows the production of colonial spaces,

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