CITZENSHIP AS DOMINATION: SETTLER COLONIALISM AND THE MAKING OF PALESTINIAN CITIZENSHIP IN ISRAEL

By Lana Tatour

During the 1948 war, over two thirds of the Palestinian population became refugees. A small, defeated minority remained in what became the state of Israel. It is no secret that the state did not want these Palestinians. As the Zionist adage goes, Israel wanted the dowry (the land) but not the bride (the Palestinian people).[1] The adage holds true to this day.

Beginning with the establishment of Israel and continuing until 1966, the Israeli state subjected Palestinians in territories under Israeli control to a Military Government regime and an elaborate system of surveillance.[2] At the same time, Israel extended suffrage and then citizenship to some, but not all, of those Palestinians. Despite the award of citizenship, the Israeli state did not regard Palestinians as indigenous to the space or as natural subjects of rights.

This view of Palestinians has not changed. In 2018, seventy years after the establishment of the Jewish state, the Israeli parliament, the Knesset, adopted the Basic Law: Israel—the Nation-State of the Jewish People, also known as the Nation-State Law. The law, which enjoys constitutional status,

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determines that "the exercise of the right to national self-determination in the State of Israel is unique to the Jewish People."[3] It enshrines the existing state symbols, such as the flag and the national anthem; confirms Jerusalem as the undivided capital of Israel; demotes Arabic from an official language to one with "special status"; and legalizes the ongoing practice of establishing Jewish-only settlements. Eight months after the law's enactment, Prime Minister Benjamin Netanyahu stated: "Israel is not a state of all its citizens. According to the basic nationality law we passed, Israel is the nation-state of the Jewish people—and only it."[4] Defending the Nation-State Bill, Netanyahu added: "The Arab citizens have twenty-two nation states around them, and they do not need another."[5]

Both the law and Netanyahu's statements drew attention to the citizenship status of '48 Palestinians (known also as Palestinian citizens of Israel). The Basic Law was perceived by many to be a testament to the status of Palestinians in Israel as second-class citizens. This inferior status, however, is neither new nor simply a byproduct of discrimination or marginalization that contradicts liberal ideals and conceptions of citizenship. Rather, the inferiority of '48 Palestinian in the Jewish state has been ingrained in and inherent to Israel's citizenship regime from its outset. To understand the vulnerability of Palestinian citizenship in Israel, we need to turn to history. Accordingly, this article traces the making of the Israeli citizenship regime. It considers how the question of citizenship has been intimately tied to geopolitical considerations of territory and sovereignty, as well as to processes of subjectivation. The article focuses on the period between 1948 and 1952, the period in which the 1950 Law of Return, which governs Jewish entitlement to citizenship, and the 1952 Citizenship Law, which governs the status of '48 Palestinians, were enacted. I am interested in what this formative period, in which the constitutional cornerstones of Israel's citizenship regime came into being, can tell us about Palestinian citizenship in Israel and about the institution of citizenship in settler colonial contexts more broadly.

We are often told that Israel's citizenship regime, which guarantees Jewish preference in access to citizenship, is rooted in Israel's unique position as the state of the Jewish people. The story of citizenship making in Israel is by no means exceptional, however. New archival evidence presented in this article reveals that Israeli leaders consciously drew on citizenship and immigration laws in Australia, the United States, Canada, and South Africa

to shape the Law of Return and the Citizenship Law. Therefore, this article situates the making of the Israeli citizenship regime in the broader history of citizenship making in Anglophone settler colonial contexts, focusing on the relationship between settler colonial domination, race, and citizenship. It shows that in Israel, as in other settler polities, citizenship has figured as an institution of domination, functioning as a mechanism of elimination, a site of subjectivation, and an instrument of race making. What ties these different modalities of domination together is the argument that the Israeli state constituted racial subjects, space, and citizenship in relation to each other in intimate ways. Citizenship transformed space from Arab/Palestinian to Jewish,[6] rendered settlers indigenous, and produced Palestinian natives as alien. The racialization of the territory as Jewish[7] was intertwined with the production of new legal and political subjects.[8] While the Israeli citizenship regime viewed Jewish settlers as natural, authentic subjects of citizenship who were therefore entitled to automatic semi-birthright citizenship, it perceived Palestinian citizenship as a benevolent act by the state. The Israeli state thus designed its citizenship regime to function as the legal embodiment of wider processes of settler indigenization and native de-indigenization, in which "settlers and their polity appear to be proper to the land"[9] and natives become foreign invaders.

When it comes to '48 Palestinians, citizenship has become the commonsense way of conceptualizing them in both scholarly work and activist circles. State, academic, and public discourse continue to describe '48 Palestinians as Israeli Arabs, Arab citizens of Israel, and Palestinian citizens of Israel. These phrases, in both their conservative and progressive iterations, do not merely describe the legal status of '48 Palestinians. They connote an identity to which Israeli citizenship is inherent. This focus reflects a wider acceptance of the liberal notion that citizenship is key to political membership and subjectivity and to the fulfillment of political, civil, and social rights. Citizenship is measured against its inclusionary ideal. Accordingly, the citizenship of Palestinians in Israel—like the citizenship of other indigenous and racialized populations—has been conceptualized in terms of its lack or incompleteness. Thus, many scholars and commentators describe this citizenship as a partial, hollow, and empty category—a citizenship devoid of substance. Others characterize it as a fragile and vulnerable citizenship, a second-class citizenship, an inferior citizenship, or a differentiated citizenship.[10]

A wider epistemological assumption underpins these understandings: that the inherent goal of citizenship—its intrinsic purpose—is to safeguard rights, ensure equality, and promote inclusion. In this reading of citizenship, exclusion is an anomaly. It is the failure of citizenship. Citizenship is viewed as a journey, a movement from "nonpolitical society to political society."[11] It involves, as Danielle Allen points out, "metaphors of 'lines' that can be crossed and horizontal notions of 'inside and outside.'"[12] Even when the literature demonstrates how histories of gendered, racial, and class-based exclusions are constitutive of the making of modern citizenship, accounts still code these histories as a story of the transition of excluded populations from the outside to the inside, from exclusion to inclusion.[13] This telos illustrates how citizenship functions as "both a normative and empirical concept."[14] Consequently, we see failures of citizenship addressed through a normative quest to develop a more substantive, meaningful, and inclusionary vision of citizenship (a multicultural notion of citizenship is one prominent example of this endeavor; another is sexual citizenship).[15] Thus, citizenship per se is not problematized, only its deficiency. It is (re)produced and normalized as a virtue to be nourished and expanded, something we ought to realize, transform, and imbue with meaning. Despite the limits of citizenship, citizenship discourse calls upon us to hold onto its potential, not only out of necessity or because it guarantees us, in Arendtian terms, the right to have rights and protection from statelessness,[16] but also out of a genuine belief in citizenship as an institution. And yet, it continues to fail us.

The failure of citizenship to deliver on its promise stresses the need for a radical rethinking of the very nature of citizenship in the context of settler colonialism. To apprehend the limits of citizenship and to understand its discontents, we need "to raise the issue of history."[17] As Gurminder Bhambra points out, citizenship "is not only to be understood in terms of abstract categories of membership and rights but also in terms of the historical narratives that frame its initial conceptualizations."[18] Turning to the history of citizenship making in settler colonial contexts, including in Israel, indicates that citizenship is not failing. It is doing what it was created to do: normalize domination, naturalize settler sovereignty, classify populations, produce difference, and exclude, racialize, and eliminate indigenous peoples.

Since the second half of the twentieth century, citizenship has become the central institution that regulates the legal and political status of indigenous

peoples and their access to rights in settler states. Indigenous peoples, including '48 Palestinians, have been mobilizing citizenship as an important instrument of claim making.[19] Yet dispossession, strategies of assimilation, and denial of sovereignty continue to shape the everyday lives of indigenous people. The limits of indigenous citizenship, as well as indigenous disillusionment with citizenship for its failure to advance justice, are evident across settler colonial contexts. The experiment of multicultural citizenship in Australia left indigenous peoples with symbolic gestures of recognition that fail to resolve questions of land redistribution, sovereignty, and self-determination. The 2017 Uluru Statement from the Heart, in which the Aboriginal and Torres Strait Islander peoples have called for "the establishment of a First Nations Voice enshrined in the Constitution,"[20] is reflective of a quest to articulate alternative visions of political membership that seek to transcend the primacy of citizenship as a legal-political status. In addition, neo(liberal) logics of citizenship continue to play a role in limiting the rights of indigenous peoples to their land in the name of profit and national interest. In the United States, the Dakota Access Pipeline, an underground oil pipeline that runs through indigenous land, is underway despite the resistance of the Standing Rock Sioux Tribe. In Australia, the Adani coal mine project, which would be the country's largest coal mine, has been granted all regulatory approval despite the objection of the Wangan and Jagalingou peoples in Queensland. And in Israel, the recent legislation of the Jewish Nation-State Law and the failure of citizenship to deliver equality, inclusion, and recognition are leading (some) '48 Palestinians to ponder the utility of citizenship as an organizing principle of their struggle.

Indigenous scholarship on citizenship tends to conceptualize citizenship in liberal terms of exclusion/inclusion, minimalist/maximalist, thin/thick, and formal/substantive. Literature on the Palestinians in Israel is no different. In her important work, Shira Robinson has traced how citizenship functioned as a structure of exclusion in the formation of Israel's colonial aspirations and liberal commitments.[21] A focus on exclusion, however, does not capture how citizenship is incapable of preventing the subjugation of indigenous peoples in settler states. It obscures domination as a key concept in theorizing the history and contemporary working of citizenship and it fails to capture the intricacies of the relationship between domination and citizenship in settler polities.[22] While I am indebted to Robinson's work, my

approach to the question of citizenship differs. Here I treat citizenship as a form of domination, in which exclusion is only one part, that is central to settler colonial frameworks. While overlapping at times, domination and exclusion are not the same. Exclusion is one form of domination, and inclusion does not necessarily mean the end of domination.[23]

Much like the story of settler colonialism, the story of citizenship in settler colonial contexts is also primarily one of domination. Settler colonialism—including the Zionist project—is, as Patrick Wolfe argues, a structure guided by the logic of elimination. It is a project of erasure and replacement: "Negatively, it strives for the dissolution of native societies. Positively, it erects a new colonial society on the expropriated land base."[24] Citizenship, therefore, did not emerge as an autonomous or neutral institution, or as an institution antagonistic to settler colonialism. Rather, it is an institution that emerged out of domination, facilitating the elimination and dispossession of indigenous peoples. After all, as Elizabeth Elbourne writes, indigenous "citizenship exists because of past [and present] colonial conquest."[25] Its evolution in modern settler states has been predicated on the epistemological and historical exclusion of indigenous peoples and on their ongoing dispossession.[26] More than an equalizing force, citizenship has been an institution constitutive of and conducive to the production of administrative categories of difference, racial hierarchies, and inequitable regimes of rights. As Audra Simpson contends, citizenship has been key to the "process of rationalizing dispossession,"[27] working to enshrine and normalize the settlers' right to colonize, dispossess, and dominate indigenous peoples, while producing indigenous peoples as subjects incapable of sovereignty and property rights.[28]

Indigenous peoples in Anglophone settler colonial states have always been suspicious of citizenship, warning that "citizenship could serve the political function of *reproducing* practices of colonization."[29] As Vine Deloria, a Native American intellectual and activist, pointedly remarked: "There was never a time when the white man said he was trying to help the Indian get into the mainstream of American life that he did not also demand that the Indian give up land."[30] This suspicion is not unsubstantiated. As history shows, during the nineteenth century, and for much of the twentieth century, settler colonial citizenship was characterized by unconcealed modes of domination. It blatantly embodied the eliminatory racial logics

of settler colonialism and advanced the genocide of indigenous peoples. In Canada, Australia, and the United States, for example, citizenship and enfranchisement were tied to a civilizational assimilative mission. Indigenous peoples often had to relinquish their indigenous status or prove that they were sufficiently civil and cultured in order to be enfranchised and gain freedom of movement.[31] Enfranchisement, settler states believed, would advance the elimination of indigenous peoples through their absorption into settler society and into whiteness.

In Israel, citizenship as elimination took a different form. There, the racial logics of the Zionist settler project rendered assimilation irrelevant. Zionism, as Wolfe argues, "rigorously refused, as it continues to refuse, any suggestion of Native assimilation . . . Zionism constitutes a more exclusive exercise of the settler logic of elimination than we encounter in the Australian and US examples."[32] In Israel, as I show, citizenship has functioned as an instrument of ethnic cleansing, a way of seeking to deny Palestinians the right to return to their land. As discussions in the Israeli cabinet make clear, the decision to extend citizenship was motivated by a desire to solidify the demographic outcomes of the Nakba (the expulsion and displacement of seven hundred and fifty thousand Palestinians in 1948) by denying the possibility of citizenship to as many Palestinians as possible. At the same time, for the Palestinians who did remain under Israeli control, the possibility of obtaining citizenship and residence status was a matter of survival. Without it, they faced the threat of being deported by the state to neighbouring countries.

In the second half of the twentieth century, however, settler states began to take the citizenship of indigenous peoples more seriously. This process coincided with the rise of the international human rights regime and Third World decolonization processes.[33] Consequently, citizenship assumed more meaningful forms, affording indigenous peoples (at times) the right to movement, (some) protections, and (limited) access to rights. As a result, indigenous peoples, including the Palestinians in Israel, began mobilizing their citizenship to gain recognition of their rights through litigation, lobbying, and public and international advocacy. While this development is significant, it does not preclude an understanding of citizenship in relation to, and as an institution of, domination. Allowing a space for the analytical usefulness of domination requires us to displace liberal readings of citizen-

ship. Once displaced, citizenship becomes visible as a (liberal) technology of governance through which settler states control, manage, and contain indigenous peoples and their claim to sovereignty and self-determination. As Glen Coulthard argues, colonial rule has been transformed from an "unconcealed structure of domination to a mode of colonial *governmentality* that works through the limited freedoms afforded by state recognition and accommodation."[34]

Liberal agendas of inclusion, recognition, and reconciliation are not necessarily in contradiction with systems, structures, and relations of domination. They can work in tandem. Citizenship is a deceptive institution that is shaped by ambivalent registers. It enacts domination and conceals it at the same time. It is informed by inclusionary sensibilities and rhetoric while still operating as a disciplinary, regulatory, and exclusionary mechanism.[35] As indigenous scholars have warned, citizenship is part of a politics of distraction that works to contain native subjectivities and struggles within the liberal grammar of rights.[36] It promises inclusion, but this promise is an illusion.[37] And this illusion is central to the effectiveness of citizenship as a governing institution. Even within its most progressive liberal formation, citizenship is still part of settler colonialism, not exterior to it. The very quest to incorporate indigenous people into the settler state through citizenship is itself guided by eliminatory logics. Liberal incorporation is premised on the negation of indigenous sovereignty and self-determination. As Aileen Moreton-Robinson suggests, citizenship is a "weapon of race" that works to legitimate the sovereignty of the settler state and its authority over indigenous people.[38] Indigenous peoples are intelligible only within the purview of the settler state, making citizenship part of the wider project of politicide, which aims at eradicating "the political existence of a group and sabotaging the turning of a community of people into a polity."[39]

If we follow an understanding of settler colonialism as a structure, then we ought to see citizenship itself as an institution tied to "the idea of the nation" and to processes of nation making.[40] In this respect, citizenship functions as an affective sociopolitical construct that produces and reproduces the nation. In settler polities, the boundaries of the nation have been, and continue to be, defined along racial lines. Therefore, naturalizing settlers as proper subjects of rights while rendering nonwhite people outside the scope of civil society—and, at times, humanity—is a structural feature of settler

colonialism. In his work on the United States, Kunal Parker demonstrates how citizenship and immigration laws have regulated who is an insider and who is an outsider, who naturally belongs and who is foreign. The United States, as Parker shows, not only rendered racialized outsiders (those seeking to immigrate to the country) as foreigners, but also did the same with certain insiders—including indigenous peoples. As he writes, "[t]he history of immigration and citizenship law thus encompasses two intimately conjoined histories: that of the country's absorption and rejection of those from *beyond* its limits and that of its simultaneous efforts to render foreign those *within* its limits."[41] Parker's claim undermines the common view of citizenship as a "positive good." The acquisition of citizenship, he asserts, is not the story of gradual inclusion as per the common convention. It is, rather, "a story about being rendered *less* foreign. Over the centuries, insiders . . . have acquired legal statuses and rights that rendered them *less* like the aliens with whom they once shared much."[42]

While Parker sustains the legal distinction between citizens (those who formally enjoy a citizenship status) and aliens (those who are yet to acquire formal citizenship), others have introduced an understanding of alienage as a sociopolitical category that can be sustained even after the formal extension of citizenship. Mae Ngai, for example, distinguishes between two types of alienage: illegal alienage, which applies to those who have the status of illegal aliens under the law; and alien citizens, referring to those who have acquired citizenship but continue to be presumed foreign in public and state discourses.[43] Alien citizenship, Ngai points out, "flowed directly from the histories of conquest, colonialism, and semicolonialism."[44] Following a similar sociopolitical understanding of alienage, Peter Prince argues that, Australia's citizenship regime not only considered non-Europeans as aliens, but it also did the same with indigenous peoples—despite their official status as British subjects.[45] As this article suggests, the story of citizenship in Israel has included producing alienage and "making foreigners" (to borrow Parker's and Ngai's terminology). This process has involved the production of Palestinian refugees, and Palestinians who remained in their homeland but were not considered lawful residents by the Israeli state, as illegal aliens. At the same time, the extension of Israeli citizenship to some Palestinians did not eradicate conditions of alienage. Palestinian citizens became alien citizens and they continue to be viewed as such.

Sovereignty, Territoriality, and the Question of Palestinian Suffrage in Israel

Today, it is commonly accepted—including in settler colonial states—that citizenship awards, at least in principle, the right to vote. But suffrage and citizenship in Anglophone settler colonies did not emerge as interrelated rights. Neither British subjecthood nor national citizenship status entitled indigenous peoples the right to vote. In the United States, while the 1924 Indian Citizenship Act extended citizenship to all Native Americans, some states continued until the late 1950s to ban Native Americans from casting a ballot.[46] Native Americans as well as African Americans continue to face racial discrimination in voting due to state legislation.[47] The Australian citizenship regime also denied federal voting rights to Aboriginal and Torres Strait Islander peoples, despite their status as British subjects under the Commonwealth Franchise Act 1902, with some states also denying the franchise in their own jurisdictions. It was only in 1962 that federal voting rights extended to all Aboriginal peoples, with the state of Queensland sustaining its ban on Aboriginal voting until 1965.[48]

In Israel, during the first four years of the state and up until the enactment of the Citizenship Law in 1952, the question of suffrage was disassociated from that of citizenship, since the status of Israeli citizenship did not yet formally exist in domestic law. Some Palestinians thus held suffrage rights though formally they were not citizens. It was only with the enactment of the Citizenship Law that suffrage rights and citizenship status would become interlinked and citizenship status would automatically bestow the right to vote. As will be discussed later, however, earlier enjoyment of suffrage rights did not automatically guarantee citizenship status under the Citizenship Law. As a result, the enactment of the Citizenship Law denied citizenship to a significant number of Palestinians who voted in Israel's first elections in January 1948 and/or in the second parliamentary elections in July 1952.

In the period between 1948 and the enactment of the Citizenship Law in 1952, Israel was a state without citizens. This absence of national citizenship was not unique to Israel. In fact, settler colonies such as Canada, Australia, and New Zealand created their own national citizenship only in the mid-twentieth century. Unlike Israel, however, Anglophone settler colonies sustained the imperial legal status of British subjects, a de facto citizenship, for significant

periods.[49] Israel, with its creation, effectively, even if not formally, nullified the 1925 Palestinian Citizenship Order-in-Council, a British law that created the legal status of Palestinian citizenship in Mandatory Palestine.[50] Israel's decision to discontinue Palestinian citizenship was an act of affirming Jewish independence and proclaiming sovereignty. It signified the end of British authority over Palestine. Nullifying Palestinian citizenship was also an act of erasure. It was aimed at severing the legal ties and claims that Palestinians had to Palestine, thereby undermining their right of return.

At the same time, Israel did not rush to create its own national citizenship. This legal lacuna affected both Jewish settlers and Palestinian natives, albeit in different ways. It prevented the issuance of Israeli passports and the extension of diplomatic protection, compromised inheritance rights, and made the signing of extradition treaties impossible.[51] The absence of an Israeli citizenship especially affected stateless Jews, predominantly European Jews who had lost their citizenship as a result of the Holocaust, as they were effectively without status. On the Palestinian side, after having enjoyed a formal legal status under both the Ottoman Empire and the British Mandate, all Palestinians—both refugees and those who remained in territories under Israeli control—became stateless and status-less.[52] The Palestinians who did manage to remain in their homeland became vulnerable targets for expulsion and deportation. For them, the acquisition of Israeli citizenship was a matter of *sumud* (steadfastness), a term that refers to Palestinian resistance and survival under conditions of Zionist/Israeli colonization and oppression.

Israel's inaugural elections, which took place in January 1949, constituted the first significant moment at which Israel had to deal with the status of the Palestinians who remained in the territories it controls. Suffrage was the main question with which it grappled. Israeli leaders decided to extend voting rights to the Palestinians under their rule, thus making Israel the only settler state to grant suffrage rights to (some of) its indigenous population from its very first parliamentary elections. Robinson attributes the decision to international constraints. With Israel having emerged as a settler colonial state in the mid-twentieth century, she argues, its leaders wanted international recognition at a historical moment of emerging human rights norms and a consolidating liberal order. Israel thus sought to be admitted as a UN member state. When its first bid for membership in the UN failed in 1948, Israel submitted a second. Fears of another failure, Robinson argues,

prompted Israeli leaders to enfranchise Palestinians.[53] Pursuing an image of a normal democratic state that enjoys the consent of its native minority, Israel made sure to highlight to international audiences the Palestinians' electoral participation of Palestinians and to showcase the elected Arab members of the Knesset.[54] Importantly, enfranchising Palestinians allowed Israel to claim that it was fulfilling its obligation to safeguard equality under the 1947 UN Partition Plan and to push back against international pressure to permit the return of refugees.[55]

While the desire to succeed in its second UN bid was important, other geopolitical considerations of territory and sovereignty also played a role in Israel's decision to extend voting rights to Palestinians. Arab suffrage, the discussions among Israel's leaders reveal, was instrumental to the making of Jewish sovereignty. The head of the Foreign Office's Middle East division, Yaacov Shimoni, and the prime minister's adviser on Arab Affairs, Joshua Palmon, objected to enfranchisement, fearing that it would encourage integration. They warned: "Enfranchising the Arabs will strengthen their feeling of citizenship. They will demand restitution of property, many will return, claim freedom of movement—all these are undesirable."[56] While most ministers supported enfranchisement, Bechor-Shalom Shitrit, the Minister of Minorities' Affairs, argued during a cabinet meeting that Arab suffrage contravened Jewish interest, since borders were yet to be defined. This argument would be repeated in subsequent debates about whether Israel should pursue the enactment of a citizenship law. Mobilizing international law to make his claim, Shitrit asked: "Would anyone dare to consider that England would include residents of her administered territories in her parliament?"[57] To that, Felix Rosenblueth (later known as Pinchas Rosen), the justice minister, replied: "We have done something that perhaps contravenes international law: we applied the state laws on the administered territories. Therefore, we have an obligation to hold the elections also in these territories."[58] Rosenblueth and the other ministers understood what Shitrit and state clerks had missed: that the question of suffrage was intimately tied to the question of territory and sovereignty. By applying Israeli law in the territories (especially in parts of the Galilee) that the international community had not yet acknowledged as part of the Jewish state, and by holding elections and giving Palestinians in those territories voting rights, Israel kept the question of territory and borders open. In effect, the state advanced international recognition of its

sovereignty in these territories by creating facts on the ground. The participation of Palestinians in the elections further foregrounded the legitimacy of a de facto annexation.

Israel planned its first parliamentary elections in the context of a state with neither citizens nor defined borders. In the absence of a citizenship law, residency became the criterion that defined eligibility to vote. To determine who was a resident, Israel conducted a census under a seven-hour curfew on 8 November 1948. The census included a registry of the population and a registry of Arab property.[59] The former prepared the ground for Israel's war on "infiltration" or what Robinson calls the war on return, as it prevented the return of Palestinian refugees to their homes.[60] The latter facilitated the mass confiscation of Palestinian land and property, which was later declared "absentees' property" under the 1950 Absentees' Property Law.[61] With no citizenship law, the census became a semi-citizenship law in itself.[62] It defined who could be recognized as a lawful resident and served as the basis for the voter list.

The census was not a neutral bureaucratic act. It was rather an instrument of statistical extermination, a genocidal practice by which the settler state sought to reduce the number of indigenous peoples in official statistics through the production of administrative categories that encoded difference between settlers and natives, as well as among natives themselves.[63] Canada, Australia, and the United States used blood quantum criteria to distinguish between indigenous full-blood persons, viewed as a dying race, and half-caste persons who were considered assimilable.[64] Israel, in contrast, divided Palestinians—based on the census and later, in 1954, also under the Prevention of Infiltration Law[65]—into two categories: legal and illegal. The aim was to limit the number of Palestinians who could be considered lawful residents. The census automatically excluded Palestinian refugees. It differentiated between Palestinian refugees and '48 Palestinians, but it also divided '48 Palestinians into legal and illegal residents based on the criterion of registry. The census did not enumerate all Palestinians under Israeli rule. Only sixty-nine thousand of an estimated one hundred thousand Palestinians at the time of the census were registered.[66] Palestinians in parts of the Galilee were not registered; nor were the thousands of Palestinians in prison camps, or the thirteen to fifteen thousand bedouin in the Naqab. Even in the areas that were surveyed, the census left thousands of Palestinians unrecorded.[67]

As Anat Leibler shows, the census effectively established differentiated statuses of citizenship, defined through residence. The first category was Jewish citizenship. The census automatically categorized Jews as lawful residents, regardless of whether census officials had counted them on the day of the census. The second category was a Palestinian citizenship, with residence status dependent on registry at the day of the census. A third category of "present-absentees" referred to Palestinians whom Zionist militias or Israeli forces had expelled from their homes but who remained in territories controlled by Israel.[68] Finally, the fourth category referred to Palestinian refugees who were excluded altogether from Israeli citizenship because they were not in the country during the first census. The census categorized registered Palestinians as lawful residents entitled, in principle, to food rations, suffrage rights, and protection from deportation. This protection, however, was not total: in some cases, registered Palestinians also faced deportation.[69] The state deemed unregistered Palestinians, including Palestinian refugees who attempted to cross the borders and return as well as unregistered '48 Palestinians, as infiltrators. Infiltration (*histanenut* in Hebrew) became a dominant discursive and legal frame that criminalized Palestinians seeking to return to, or remain in, their homes as "illegal aliens."[70] Criminalization was a manifestation of the de-indigenization of Palestinians and their production as invaders, trespassers, and foreigners in their own homeland, as well as the de-indigenization of the territory itself. As Yinon Cohen and Neve Gordon argue, criminalization also rests on the production of the space itself as exclusively Jewish.[71]

The Battle over the Citizenship Law

As elaborated above, in the absence of a citizenship law, the legal status of Palestinians was determined in accordance with residence. Yet residence status, like suffrage, is not the same as citizenship. In the absence of a citizenship law, the question of citizenship remained open and depended on the resolution of the "Arab problem." The main dilemma Israeli leaders faced was the extent to which the creation of an Israeli citizenship would compromise Israel's demographic and territorial interests. As the discussions in the cabinet reveal, Israeli leaders were divided over whether it was necessary to legislate a citizenship law. At the same time, with the nullification of Palestinian citizen-

ship, the Israeli government was under pressure—especially from stateless Jews and the Ministries of Foreign Affairs, Justice, and Interior—to create its own national citizenship. In a commonsense manner, the Ministry of Justice began preparing a citizenship bill soon after the establishment of the state of Israel. A draft of the bill was first brought for discussions in the government in November 1948.[72] These discussions halted, however, until after the first elections before resuming in April 1949. By then, ten different drafts had been prepared by the Ministry of Justice.[73] Yet Israel's first prime minister, David Ben Gurion, insisted on raising a principal question: is there really a need for a citizenship law? He fiercely opposed the idea that Palestinians should have any right to citizenship. Speaking to his party, Mapai, he said: "These Arabs should not be living here. Anyone who thinks that the Arabs have the right to citizenship in the Jewish State is saying [in fact] that we should pack our bags and leave . . . We have no need of a law of citizenship [because civil rights for Arabs] undermine our moral right to this country."[74]

Ben Gurion's objection to the citizenship law was further informed by considerations of demography and territory. The following exchange between Ben Gurion and then Transportation Minister David Remez, illustrates his position:

> Ben Gurion: When you have a country in a stable condition, then the question of citizenship is a simple one. But here you are asking to make decisions about matters that we are not interested in finalizing.
>
> David Remez: Following your logic, let's assume that the questions of borders and Arab refugees have been settled, but thirty years afterward we occupy an additional territory. What should we do then?
>
> Ben Gurion: In that case, the citizenship law will wait for another thirty years. We are in an unstable and changing situation, so why should we get ourselves into trouble by resolving this matter? I don't understand the urgency.[75]

For Ben Gurion, territorial consolidation trumped considerations of demography. Once territory was secured, the status of Palestinians was a question that would remain open—in Ben Gurion's vision, for decades if necessary. This line of reasoning guided his decision making. In May 1949, the cabinet discussed the hypothetical question of absorbing the Gaza Strip, which at

the time had one hundred fifty to one hundred seventy thousand Palestinian inhabitants, if an international agreement offered it to Israel. Ben Gurion had no hesitation: the answer was an unequivocal "yes."[76] While some cabinet members, such as Moshe Sharett, the minister of foreign affairs, and Dov Yosef, the minister of agriculture, feared an increase in the number of Palestinians, Ben Gurion saw the big picture. He knew that as long as formal citizenship did not exist, residence did not necessarily translate into suffrage or citizenship, and suffrage did not necessarily mean citizenship. Creating a vulnerable status for the Palestinians under Israeli rule was his guiding principle. For Ben Gurion, Jewish citizenship was not really in question; he considered and treated the Jewish population as citizens. As for the Palestinians, Ben Gurion wanted their status to remain a matter of administrative—and preferably military—discretion. Preserving that discretion was the main motivation behind his decision to disestablish the Ministry of Minorities Affairs nine months after it had been formed.[77] Ben Gurion did not want a ministerial overseer. He sought to keep Palestinians in a liminal position between law and lawlessness, governed by a state of temporariness. As long as Israel was expanding territorially and as long as the question of borders remained open, Ben Gurion sought flexibility. Citizenship, he recognized, could provide protections that would make scenarios of future expulsion more complicated, if not almost impossible.

Despite Ben Gurion's objection, the government decided to bring the bill to a vote. It passed by the thin margin of six to five, demonstrating the issue's contentiousness.[78] Citizenship, however, was not constituted as an inclusionary measure. At the same time, it was more than an exclusionary measure.[79] The decision to form an Israeli citizenship was guided by the desire to solidify the ethnic cleansing of Palestinians. The same aspiration drove both the opponents and the proponents of a citizenship law: to limit the number of Palestinians in Israel. They differed only on whether a citizenship law would advance or hinder this goal. Opponents of the citizenship law shared Ben Gurion's position, while proponents argued that leaving the citizenship question unresolved would jeopardize Jewish demographic superiority. This lacuna in the law, they feared, could inhibit rather than facilitate the deportation of Palestinians. It could also invite the court's interference, creating legal precedent that might impede the war on infiltration.[80] Citizenship, the law's proponents stressed, would cement

who was legal and who was illegal. In the words of Dov Yosef: "When we publish the citizenship law and a person is found not to be a citizen, we can then deport him."[81] As the cabinet discussions reveal, citizenship operated as tool of ethnic cleansing. Israel's citizenship regime continues to perform this function by denying citizenship to Palestinian refugees and to Palestinians in the West Bank, East Jerusalem, and the Gaza Strip. At the same time, to achieve this goal, Israel had to extend citizenship to a small minority of Palestinians, making future mass expulsion more difficult. This was the price Israel had to pay to ensure that the smallest possible number of Palestinians would remain within its territory. As history shows, despite the desire of settler states to see all natives vanish, elimination is never total or completely triumphant. Nonetheless, settler states strive to keep the number of natives in the territories they control to a minimum. In the Israeli case, citizenship was central to this endeavor.

Ben Gurion knew that he could not overturn the government's decision. Instead, he stalled work on the law while trying to reduce the number of Palestinians in Israel and to make changes to the status of Palestinians in Israel. As Robinson shows, village sweeps intensified and deportation operations accelerated, targeting Palestinians categorized as "illegal aliens." In the absence of a citizenship law, a semi-citizenship status was regulated through a differentiated regime of identification documents, constituting citizenship as an instrument of colonial control that allowed the government to monitor and manage the Palestinian population. Importantly, Ben Gurion introduced temporary residence permits in an attempt to register as many '48 Palestinians as possible, including those whom the 1948 census enumerated as temporary rather than permanent residents.[82] In the meantime, he also objected to measures that implied further formalization of the status of Palestinians in Israel and the expansion of their rights. When it was time for Israel's second general election in 1951, Ben Gurion opposed enfranchising more Palestinians beyond those registered in the 1948 census—even though tens of thousands of Palestinians were not registered at that time. He took this position despite the 1949 armistice agreements with Jordan, which added more than thirty thousand Palestinians to Israel's population.[83] The idea that more Palestinians would be considered citizens or enjoy suffrage rights was, for Ben Gurion, a threat to the integrity of the Jewish state. As he stated:

> What is the rush? We already have 100,000 Arabs with voting rights. That is enough and we do not need, nor is it our duty, to add to that number. This is a matter not of equal rights, but of civil rights. Civil rights are not pregiven. We made an exception for the Jew. When he comes here, to his country, he immediately becomes a citizen. But with non-Jews conditions must be set, as is done in every other state.[84]

Similarly, when a draft of the Entry into Israel Law suggested the transformation of tens of thousands of Palestinians from temporary to permanent residents, which also meant the addition of forty thousand Arabs to the voter list, Ben Gurion was furious: "Why the rush to give all Arabs permanent residence? Why do you care if an Arab has a temporary residence permit? I do not understand this urgency."[85]

In retrospect, although it appears that Ben Gurion lost the battle over the citizenship law, Israel's current citizenship regime reveals that in fact his vision triumphed. Territorial expansion remains the guiding logic of Israel's policies. And since Israel is the effective sovereign power in Palestine, on both sides of the Green Line,[86] the Israeli state denies citizenship to the vast majority of Palestinians under Israeli rule. If anything, the status that Ben Gurion envisaged was a combination of the current status of the Palestinians in the West Bank and the Gaza Strip and the residence status of Palestinians in East Jerusalem. The latter case is particularly relevant. With the occupation of East Jerusalem in 1967, Israel introduced a permanent residency status. Despite being named "permanent," this status can in fact be awarded or taken away at the interior minister's discretion—and mostly the latter. Since 1967, Israel has applied a policy of creeping transfer, revoking the residency status of nearly fifteen thousand Palestinians.[87] Ben Gurion's vision was precisely that: leaving the majority of Palestinians in a condition similar to that of the Palestinians in the West Bank and Gaza, while creating a vulnerable and revocable residency status for those registered in the first census.

Settler Indigenization and the Making of Alien Citizens

The decision to draft a citizenship law, as discussed above, was motivated by an aspiration to solidify the outcomes of the 1948 war and to advance Israel's war on infiltration. The drafting of the law, however, proved difficult. Guided by an "imperative to establish a colonial rule of difference within

a liberal order imposed largely from the outside,"[88] the cabinet instructed the Ministry of Justice to draft the new law in universal and liberal terms of nondiscrimination while sustaining discrimination based on race. Not surprisingly, it proved to be an impossible task. The cabinet rejected all the ministry's drafts, for it considered the idea of putting Jewish citizenship on par with that of Palestinians outrageous. It went against the raison d'être of the state. The United Religious Front's Zerach Warhaftig, a lawyer who later served as a Knesset member and as a cabinet minister, offered a solution to this conundrum. In a report prepared for the Ministry of Justice, Warhaftig suggested the legislation of two laws instead of one.[89] The first, the Law of Return, which was enacted in 1950, provides every Jew the right to immigrate to Israel (aliyah) and to be granted automatic citizenship rights. The second, the Citizenship Law of 1952, was designed to govern the citizenship of Palestinians and other non-Jews.

In making the case for his suggested model, Warhaftig referred to the experience of other countries, naming Australia, Canada, the United States, and South Africa. The reference to other settler colonial states was not arbitrary. In these countries, the relationship between race, citizenship, and migration laws is an intimate one. When presenting Warhaftig's report to the cabinet, Minister of Justice Pinchas Rosen described the citizenship regimes of those countries as "discriminating racially in their immigration laws between different races, but not in their citizenship laws."[90] He therefore recommended, based on Warhaftig's report, that "the principle of Jewish preferability ought to be enshrined in the politics of aliyah, but not citizenship."[91] Australia, in particular, served as a source of inspiration for Warhaftig. His model was a mimetic of the White Australia policy, which was Australia's immigration policy until 1973. It guaranteed the immediate naturalization of white British migrants and restricted the naturalization of nonwhites.[92] The Law of Return, alongside restrictions on the naturalization of non-Jews, particularly Palestinians, was Israel's own version of the White Australia policy. Despite Israel's claim to exceptionalism, a position that Ben Gurion held, Warhaftig was well aware that Israel was not inventing the wheel. At the first meeting of the legislative committee mandated to work on the bill, Attorney General Chaim Cohen commented that Israel's citizenship regime was globally unique in extending citizenship to persons immediately upon their entry to the country. Warhaftig immediately corrected him: "There is such an example—the British in Australia."[93]

Warhaftig's solution allowed Israeli leaders to have their cake and eat it, too. As Ben Gurion commented: "I suggest that the citizenship law will apply in practice only to non-Jews, without needing to mention that . . . it will apply to everyone except for Jews."[94] The cabinet, however, knew very well that the distinction between citizenship and immigration policies in those countries was artificial: race determined both. As in other settler colonial polities, in Israel, immigration and citizenship laws went hand in hand, producing "new categories of racial difference."[95] As with migration, the imposition of legal disabilities restricted racialized minorities' access to citizenship. The right of Jews to immigrate to Palestine under the Law of Return guaranteed their immediate and automatic entitlement to citizenship under section 2 of the Citizenship Law (citizenship by return), while Palestinians faced legal disabilities that impeded their entitlement to residence and citizenship.

Fundamentally, the decision to create two laws enshrined Jewish superiority and Jewish exclusive right to the land, self-determination, and sovereignty. As stated by Ben Gurion:

> There needs to be a naturalization law, but not for the Jews. A Jew who comes to settle in the country is automatically a citizen; he is guaranteed the right to be a citizen in advance. I differentiate here not in the laws, but in the rights towards this country. The others are granted the right to be here only by an act of *benevolence*, but not the Jew. He is entitled. That is by basic assumption.[96]

This statement became the underpinning logic of Israel's citizenship regime and the rationale that guided the drafting of both the Law of Return and the Citizenship Law. The two laws came to embody a racial distinction between Jews, as natural and authentic subjects of citizenship, and Palestinians, whose citizenship was the result of the state's benevolence. Importantly, they signify the indigenization of settlers and the de-indigenization of natives. Together, the two laws transform settlers into natives, while rendering Palestinian natives alien. Nicola Perugini terms this process "*settler colonial inversions*—the mimic transformation of the settler subject into the indigene, and of the Palestinian indigene into the settler."[97] The elimination of the native, as he points out, "passes through the erasure of the settlers' identity as settlers."[98]

Seeking the indigenization of settlers, the Law of Return codified the principle that the Jewish people have an "a priori right . . . to settle in this land."[99] Ben Gurion insisted that Jewish citizenship, as opposed to that of non-Jews (predominantly, but not only, Palestinians), is beyond the law. For him, it was not the law that created the right of Jews to citizenship; the law ought simply to formalize what is a natural right. In his words: "This law determines that it is not the State that grants diaspora Jews the right to settle in the State [of Israel]. This right is intrinsic by the virtue of being Jewish, if he only wishes to partake in settling the land [of Israel]."[100] The right of Jews to citizenship, therefore, has been based on primordial biblical mythologies that produce settlers as an indigenous population returning to its ancestral lands. Ben Gurion narrated settlement and colonization as a miraculous revival of a nation. Presenting the law to the Knesset, Ben Gurion remarked:

> On May 14, 1948, a new state was not formed ex nihilo but rather signaled the return of ancient glory, 1,813 years after the independence of Israel had been seemingly destroyed forever in the days of Bar Kokhva and Rabbi Akiva . . . And just as it was clear [in the Declaration of Independence] that the renewal of the state of Israel did not signal a beginning but rather a continuation of ancient times, so it was understood that this is not an end but rather another step on the lengthy road to Israel's total redemption . . . The Law of Return is one of the foundational laws of the State of Israel. It denotes the central purpose of our State, the mission of the ingathering of exiles.[101]

The Law of Return demonstrates that settler indigenization entails not only the transformation of settlers into natives but also the indigenization of the space as Jewish. It reflects a biospatial politics, a term coined by Cohen and Gordon, in which the "space is constituted as racialized or in racialized terms."[102] The production of racial subjects and space is entwined in complex ways. The Law of Return effectively indigenizes all Jews—regardless of whether or not they reside in Israel. As Ayelet Shachar observes, it "reflects a perception of membership in the state which is not territorially bound or defined."[103] At the same time, the Law of Return was consciously designed to create and strengthen the bond between Jewish settlers and the territory as Jewish. Interestingly, the Law of Return governed the citizenship of both Jewish European settlers and native Palestinian Jews who had lived in Palestine for centuries.[104] The

law erased the history and identity of native Jews as Palestinians and their relation to the territory as Palestinians or Arabs. Instead, native Jews were re-indigenized as belonging to the territory through the Law of Return—an immigration law, in its essence—even though they had never immigrated. When it came to Palestinians, the law structured citizenship as territorially bound and temporally restricted. At the same time, Israel's citizenship regime unbounds Palestinians from the territory through their production as alien to it.

While settler indigenization is a common feature in all settler colonial contexts, Israel is unique in its systematic denial of the indigeneity of the native population.[105] The Citizenship Law embodies that rationale, taking as a premise the production of Palestinian natives as aliens, foreigners, and invaders. If the Law of Return frames the Jewish right to the land and citizenship in historic terms, the Citizenship Law is ahistorical. It did not extend Palestinians citizenship by virtue of their indigeneity or their long history of residence in Palestine. Their right to citizenship was not a natural right. Instead, it referred to their citizenship as a discretionary gesture, a reflection of the settler state's generosity. The notion of Palestinian citizenship as gesture guided the discussion on the Citizenship Law in the cabinet, the Knesset, and the legislative committee. Rabbi Yehuda Leib Maimon, the minister of religions, for example, argued that "every Jew is a citizen. This is not, however, the case for the gentile . . . [A]ll the others need to acquire a citizenship."[106] Similarly, during a meeting of the legislative committee, a member of the Knesset, Yaacov Klivnov, stated that "foreigners can be extended citizenship only by gesture."[107] Israeli jurisprudence echoed this sentiment. In a Supreme Court decision from the early 1950s, Justice Shneor Heshin determined that a civil identification card offers no legal protection per se, since the Palestinian presence in the country is based on inhabitancy by benevolent gesture.[108]

While Jewish citizenship was equated to birthright citizenship, the citizenship of Palestinians was governed by the logic of naturalization. Indeed, Ben Gurion referred to the Citizenship Law as the naturalization law. His choice of words captured the spirit behind the law. The entitlement of Palestinians to citizenship, unlike that of Jews, was not unconditional. It was regulated in section 3 of the Citizenship Law (citizenship by residence), which specifically applied to Palestinians. Israeli lawmakers referred to section 3 as automatic citizenship and they distinguished it from section 5 (citizenship by naturalization). Nonetheless, section 3 was a form of naturalization and

was informed by the same rationale. Neither section of the law awarded automatic citizenship. Both were conditional and applied legal constraints that restricted Palestinians from qualifying for citizenship status. Section 3 set a series of cumulative criteria:

> (a) A person who, immediately before the establishment of the State, was a Palestinian citizen and who does not become an Israel national under section 2, shall become an Israel national with effect from the day of the establishment of the State if:
>
> > (1) he was registered on the 4th Adar, 5712 (1st March 1952) as an inhabitant under the Registration of Inhabitants Ordinance, 5709–1949; and
> >
> > (2) he is an inhabitant of Israel on the day of the coming into force of this Law; and
> >
> > (3) he was in Israel, or in an area which became Israel territory after the establishment of the State, from the day of the establishment of the State to the day of the coming into force of this Law, or entered Israel legally during that period.
>
> (b) A person born after the establishment of the State who is an inhabitant of Israel on the day of the coming into force of this Law, and whose father or mother becomes an Israel national under subsection (a), shall become an Israel national with effect from the day of his birth.[109]

Palestinians struggled to meet these conditions, and they had to meet *all* the conditions. As a result, only sixty-three thousand of the estimated one hundred sixty thousand Palestinians living in Israel in 1952 received citizenship with the law's enactment.[110] The law was so restrictive that entitlement to suffrage during the first and second parliamentary elections did not guarantee the extension of citizenship if a person failed to meet the set conditions. Consequently, many Palestinians found themselves denied citizenship despite having enjoyed voting rights in the past. Those denied citizenship by residence had to apply for citizenship under section 5 of the law, citizenship by naturalization, which was subject to the interior minister's discretion. Section 5 was designed to govern the naturalization of foreign (non-Jewish) immigrants. Palestinian natives who found themselves outside the scope of section 3 were

now just like immigrants. They had to prove lawful residence in the country for three and five years, which many Palestinians struggled to do. They also had to demonstrate "some knowledge of the Hebrew language."[111] While the Law of Return immediately categorized Jewish settlers, who for the most part had no knowledge of Hebrew when they arrived in the country, as citizens under the Law of Return, Palestinian natives had to know the language of the settlers (despite the formal status of Arabic as an official language).[112] In a Knesset discussion, Yaacov Klivnov, the chair of the legislative committee on the Citizenship Law, defended the language requirement:

> As for the Hebrew language requirement, if a person applies for citizenship in Israel *without having the natural right to become one*, which means that he is essentially asking the state to extend its generosity and welcome him as a naturalized citizen, then it will be only just to ask him to have a certain level of knowledge of the Hebrew language.[113]

Demands for language proficiency are never neutral, as language is a key signifier of national identity. The revival of Hebrew was vital to the Zionist project of forging the Jewish nation.[114] Foregrounding the dominance of the settler language through citizenship and immigration laws was central to the naturalization of settlement and settler nationalism. In Israel, as in other settler states, the language requirement became a barrier to naturalization. While other settler states, such as Australia, used language skills as a racial tool to exclude non-European migrants,[115] in Israel the demand for language proficiency was a tool against the native population itself. In fact, Israel still uses language proficiency tests to deny citizenship to Palestinians from East Jerusalem, claiming that they fail to exhibit adequate knowledge of Hebrew.[116]

The naturalization of Palestinians proceeded slowly. In the years that followed the law's passage, Palestinians submitted thousands of citizenship applications. But according to Ministry of Interior figures, the Israeli state only naturalized 218 Palestinians between July 1952 and January 1959.[117] It was estimated that the number of Arabs who were not citizens of Israel but who could be eligible to apply for naturalization, provided that they settled their residence status as legal, was about thirty-three thousand.[118] By the late 1960s, the number of stateless Palestinians in Israel had reached sixty thousand.[119] Thousands of cases reached the courts. The citizenship status of some was settled in the late 1960s, following Israel's decision to join the

Convention on the Reduction of Statelessness.[120] Others had to wait for the 1980 amendment to the Citizenship Law, which extended citizenship to Palestinians who had been registered as citizens by July 1952 or who had entered legally afterward.[121] Today, hundreds of bedouin in the Naqab remain stateless and their citizenship status is yet to be resolved.[122]

For '48 Palestinians, Israeli citizenship functioned—and continues to function—as a means of *sumud*. This protection, however, is not total. New evidence reveals that although Palestinians attained citizenship, Israel nonetheless pursued plans for mass expulsion in its first decade. As the Israeli historian Adam Raz has recently shown, the Kafr Qasim massacre, in which the army executed 51 Palestinians, was part of a larger secret plan called Hafarperet for the expulsion of the Palestinian population from the Little Triangle.[123] In addition, in the early 1950s, Israel attempted to advance a plan for the expulsion of ten thousand Palestinians from seven villages in the Galilee,[124] as well as other plans for the resettlement of Palestinians in Argentina and Brazil.[125]

Today Israel has yet to make peace with the existence of its Palestinian citizens. It still desires to see Palestinians vanish and makes efforts to reduce the number of Palestinian citizens. Nearly half of the Israeli Jewish population supports the expulsion or transfer of Palestinians[126] and the advancement of what has come to be known as "population exchange"—the planned transfer of Little Triangle villages and their estimated three hundred thousand residents to the Palestinian state as part of a peace deal.[127] Additionally, in recent years Israel has been revoking the citizenship of hundreds of bedouin in the Naqab,[128] in an apparent test case for a wider project of denaturalization of Palestinian citizens. These measures are the direct consequence of the construction of Palestinian citizens as aliens and guests in their homeland.

Conclusion

Through tracing the making of Israel's racialized citizenship regime, this article has illuminated the function of citizenship as an institution of domination and an instrument of race making. Citizenship cannot be disassociated from the history and contemporary workings of settler colonialism as a structure of elimination. As the lived realities of indigenous peoples make clear, the acquisition of citizenship has not eradicated the violence of settler colonialism

and the conditions of colonial subjecthood and alienage. On the contrary, citizenship has been instrumental in the process of governing indigenous peoples as surplus populations that ought to be managed, controlled, and tamed.

The question of citizenship is yet to be resolved in the context of Israel-Palestine. Palestinian refugees and Palestinians in East Jerusalem, the West Bank, and the Gaza Strip continue to be denied the right to citizenship and the right of return. At the same time, the citizenship of '48 Palestinians has been structured as inferior and thus foregrounds their subjugation in the Jewish state. Despite their formal status as citizens, the Israeli state still regards Palestinians in Israel as temporary guests and movable people. Therefore, we are witnessing growing attempts to erode the citizenship of '48 Palestinians and to make it more easily revocable. The vulnerability of the citizenship of Palestinians in Israel is structural and must be understood in relation to the earlier construction of their citizenship as an act of benevolence rather than a natural right. The implications are grave. When citizenship is not a natural right, it is bound to be conditional, making the very existence of the Palestinians in their homeland contingent on the state's good will. The dependence of Palestinians in Israel on citizenship for *sumud* and survival is a testament to the inextricability of citizenship and settler colonial domination.

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