ILLUMINE

CSRS Graduate Students Association
The Centre for Studies in Religion and Society (CSRS) was established at the University of Victoria in 1991 to foster the scholarly study of religion in relation to any and all aspects of society, both contemporary and historical. The CSRS Graduate Students Association, led by graduate students who hold fellowships at the centre, draws together students from a variety of disciplines who share an interest in studies concerning the interrelation of religion and society.

Illumine, Vol. 12, No. 1

Contents

Introduction

This is the second special issue of *Illumine* to emerge from the relationship between the Middle East and Islamic Consortium of British Columbia (MEICON BC) and the Centre for Studies in Religion and Society (CSRS) at the University of Victoria. This edition of *Illumine* presents the scholarship of four authors who delivered papers during the fifth annual MEICON Student Conference, held at the University of Victoria on March 23, 2013. Their work comprises inquiry into issues of law, identity, the agricultural landscape and its image, the problematic categorization of militants outside the requirements for humanity, the efforts to reconcile Islamist political sensibilities with the Republican Turkish State, and the convergent political and religious expressions of Near and Middle Eastern societies in the twentieth and twenty-first centuries. These articles offer a cross-section of the pressing questions that are actively shaping communities within the Islamic world and their interactions with non-Islamic societies. They also provide a distinctly Canadian perspective in graduate student scholarship on Islamic and Middle Eastern issues.

Amber Ayers opens this issue with "Idealism 'must not blind us:' British legislators and the Palestine Mandate, 1929-1934." This article examines the complexities faced by the British Mandate in Palestine as they attempted to formulate and enforce the legislation of agricultural rights. The dual goals of balancing a free market land economy with the needs of the *fellahin* peasant population, and the equally dichotomous promises made to newly arriving Zionists and the Arabs following the First World War were brought to their apex by the violence of the 1929 August Revolt, that saw many dead and

the British stunned by their own incapacity to control the situation. Parsing the impact of the implementation of a new legal system on both the Palestinians and their British governors begs the question of whether systems of law and government, introduced by a state's representatives sent to work on the ground, can be held responsible for failures and unrest rather than the ruling figures themselves.

"Romanticizing the land: Agriculturally imagined communities in Palestine-Israel," by Jennifer Shutek continues the politically, historically and socially charged theme of agricultural laws, rights and practices in Palestine. This essay examines the evolution of agricultural images in the imaginings of the Palestinians and the Israelis as they seek to create identities that connect to the land, both justifying their respective cultural and economic claims and creating a symbolic, visual language through which to exclude the other. A system of propagandizing visual media has been part of the creation of a land-based identity at least as far back as Pharaonic Egypt, and it proves to be no less convincing and problematic in our own time, when film, advertising and logos traverse the globe. Middle Eastern movements conflate these images of land, food, safety and freedom for people who have none of any.

Jessica Singh approaches the process of othering in her paper "The Notion of subhuman identity in the War on Terror." By addressing the case studies of the United States and their treatment of al Qaeda and Taliban militants, both during operations and as detainees, she focuses on specific statements and terminology to point towards the dehumanization of the enemy, who can thereafter be treated outside the bounds of moral and legal considerations for human life. This weaving together of twelve years of speeches, press releases and operation lingo creates a disturbing picture of how a "subhuman identity" becomes a key tool in justifying seemingly unjustifiable acts in the name of warfare, rightness, and authority.

"Turkey Post 1980 coup d'etat: The rise, the fall, and the emergence of political Islam," by Khash Hemmati rounds out this issue of *Illumine*. Tracing the events in Turkish politics since the formation of the Republic, he discusses the events that led to the exclusion of Islamic governance and an eventual backlash that saw the formation of political parties founded on "Islamic" platforms. This pro-Islamic identity clashed in the 1980s, as it does today, with the ideologies of Republican supporters, although growing enthusiasm for an "Islamic"

option in Turkey's multi-party system has placed them at a crossroads that began with the 1980 coup d'état. Although Turkey is often seen to have a more "moderate" identity than its Near and Middle Eastern neighbours, it has its own history of military intervention and religious fervour. As we look towards the uprisings, "Springs" and elections both dubious and transparent in the Middle East, Turkey and its Twentieth-century coups are a reminder to consider the present and the future with an eye to the events of the past.

Angela Andersen
Editor

Idealism "Must Not Blind Us": British Legislators and the Palestine Mandate, 1929-1934

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Abstract

In Mandate Palestine during the 1920s and 1930s, the British sought to establish a legal system for the new political entity. This task was fraught with difficulty, as the British soon discovered. Events in Palestine often occurred in such an extreme manner that the British officials could not establish control. As a result of the failure of the legal system to address the new realities on the ground, these officials were often in a position where all they could do was respond to emergencies, as was the case following the Arab Revolt in August of 1929. Despite the fact that much of what occurred on the ground in Mandate Palestine, particularly with regard to land transactions and dispossessions, often occurred outside of British control, officials were acutely aware of the realities facing the Arab agricultural cultivators being threatened with dispossession. The difficulty the British had in suppressing the violence drew attention to their lack of authority over the land question that was creating tensions between the Arab and the Jewish populations. In examining minute sheets of the Colonial Office and correspondence between British officials, it becomes clear that these officials were aware of the impossibility of resolving the contradiction inherent in their position. This paper seeks to examine British responses immediately following the 1929 Revolt to show that the British accurately perceived the problems as they existed on the ground in Palestine but were unable to take actions against them. This will demonstrate the extent to which the failures of the Mandate, with regard to preventing dispossessions, was a failure of the legal system as a whole rather than the result of any individual shortcomings of the officials in control of the territory.

The study of land rights in Mandate Palestine (1920-1948) is particularly important because of the major transformations to the regional demographics and the legal system that occurred during this time. The major changes, especially those that occurred outside of the control of the Mandate government, are significant when they are looked at in the context of government laws. The process of drafting and passing legislation was of particular importance in Mandate Palestine. Roger Owen observes that the Mandate system emerged at the same time as a significant shift was taking place in international law. The shift gave heightened consensus to the idea that military occupiers of a foreign territory should continue to employ the legal system already in place. Owen notes that this was the case in Palestine under both the military (1917-1920) and civilian British administrations (1920-1948) of Palestine.[1]

Land laws stood out as a central focus for the Arabs, the Jews and the British. Despite their importance, land laws were somewhat ephemeral in the context of the Mandate; they remained outside the control of all three groups. Even the British government was unable to take control of land laws to the extent needed for these laws to facilitate the cohesive political entity that it was envisioned that the Mandate would become. The difficulty inherent in the position of the British officials in Palestine was that, while maintaining aspects of the legal system already in place, they were also intended to be fulfilling the "dual obligation." This referred to promises made by the British to the Zionists in the form of the 1917 Balfour Declaration, as well as to post First World War promises made to respect the self-determination and to protect the rights of the "non-Jewish" community, as the Palestinian Arabs were referred to in the Balfour Declaration. At that time, Palestinian Arabs, who were predominantly Muslim, constituted 90 per cent of the population. Clearly, the "dual obligation" agreements implied that significant shifts were expected under British rule in Palestine, particularly in the area of land ownership and land usage.

The problem with the land question in Palestine was that land transactions- that is to say, land sales and land purchases- were

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1 Roger Owen, "Defining Traditional: Some Implications of the Use of Ottoman Law in Mandatory Palestine," Harvard Middle Eastern and Islamic Review 1 (1994): 117.

generally outside of the control of the British. While in a sense this was ideologically consistent with an unregulated economy, the degree to which land was changing ownership and the impact this was having on the Arab small scale landowners and tenants (referred to by the British by the Arabic term fellah, pl. fellaheen) was destructive to the agricultural economy. This decline in the fellaheen's security vis-à-vis their access to the land on which they had been living prior to the Mandate contravened the obligations of the British under the terms of the Mandate to "safeguard" the rights of those living in Palestine prior to the war. Arab land sales to Jewish buyers had started taking place prior to the Mandate and had been an object of controversy.[2] Due to the promises made in the Balfour Declaration and incorporated into the Mandate document, land purchases by Jewish buyers increased significantly in the Mandate period. Controversy remains over land that was sold by fellaheen, how much land was sold by urban notables, and how much land was sold by absentee landowners: the numbers for each group can be used in arguments that criticize the legitimacy of Palestinian nationalism. Kenneth Stein argues that the great number of land sales from Palestinian notables to Jews was indicative of an "absence of true commitment to Arab nationalism."[3] Stein makes the further claim that in the first nine years of the Mandate, more than one quarter of the land sold to Jews by Arabs came from Palestinian notables and fellaheen.[4] This means that three quarters of the land acquired by Jews would have been sold by absentee landlords. Rashid Khalidi argues that the "bulk of land would have indeed seem to have been sold by non-Palestinian absentee landlords, for whom these were no more than straight-forward commercial transactions."[5] What is significant in the matter of land sales, as Stein points out, is that even when land was sold by Palestinian Arabs to Jews, there was not complete freedom of choice on the part of the Palestinian Arab. Stein is heavily critical of the British government for failing to provide

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2 Rashid Khaldi, *Palestinian Identity: The Construction of Modern National Consciousness* (New York: Columbia University Press, 1997). See Chapter 5.

3 Kenneth W. Stein, *The Land Question In Palestine, 1917-1939* (Chapel Hill: The University of North Carolina Press, 1984), 70. See Appendix 3 of Stein's book for a list of Palestinian notables who sold land to Jews.

4 Stein, *Land Question*, 66.

5 Khalidi, *Palestinian Identity*, 114.

money and capital to Arab tenants and owner-occupiers.[6] The British failure to provide money and capital under conditions of economic distress that had existed since the beginning of the Mandate and that increased in intensity in the period around 1930 made land sales the only means of gaining a much needed source of capital in many cases.[7]

When the British took control of Mandate Palestine, the situation of the rural Arab population was beset with problems. Fighting on Palestinian soil during the war had caused significant destruction of the land itself. Existing independently of this situation were the structural problems facing Arab small-scale landowners and tenants, specifically the global economic depression and a period of consecutive low agricultural yields immediately prior to the establishment of the Mandate.[8] The stagnant rural economy facilitated a high volume of land transfers, which threatened to create a group of landless cultivators.[9] British officials recognized that indebtedness leading to dispossession was creating a group of disaffected, unemployed, transient Arabs who, it would be shown, expressed their distress in part through a violent uprising. However, the British were unsuccessful in their endeavour to find some means of preventing Arab cultivators from loosing the rights that guaranteed their access to the land that was the source of their livelihoods. The British failure was not due to ignorance of the issues, for a close reading of official correspondence from this time shows that officials had a detailed and accurate view of the position of Arab agriculturalists and recognition of the need for action.[10] However, officials were unable to translate this into legislation that was capable of addressing the problem of indebtedness leading to landlessness.

The intensification and expansion of legislative measures by the British to try to address land issues and indebtedness amongst the

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6 Stein, *Land Question*, 64.

7 Stein, *Land Question*, 70.

8 Alexander Scholch "European Penetration and the Economic Development of Palestine, 1856-82," in *Studies in the Economic and Social History of Palestine in the Nineteenth and Twentieth Centuries*, ed. Roger Owen, 10-87 (Oxford: St. Antony's College, 1982), 13-14; Stein, *Land Question*, 4.

9 Barbara J. Smith, *The Roots of Separatism in Palestine British Economic Policy, 1920-1929* (Syracuse: Syracuse University Press, 1993), 115.

10 Such documents can be found in official reports and minute sheets from the British Colonial Office between 1929-1934.

fellaheen was the result of a specific occurrence: the 1929 Wailing Wall riots and August revolt by Palestinian Arabs. Ostensibly, the riots of 1929 began over disputes between Jews and Arabs over the Wailing Wall in Jerusalem, a religiously significant site for both Muslims and Jews. These riots spun out of control very quickly, and at the end of a week of violence, 133 Jews and 116 Arabs had been killed.[11] The British were not equipped to handle the conflict and only stepped in to stop it after much confusion. Following the suppression of violence, a considerable number of officials in Palestine, including High Commissioner J.R. Chancellor, realized a shift in British policy was necessary. The difficulty the British had in suppressing the violence drew attention to the challenges they encountered to summoning their authority to deal with the land question that was creating tensions between the Arab and the Jewish populations.

Arab agriculturalists who did not own land but worked on it for their livelihood occupied an obscure position in relation to the government. From 1929 to 1934, there was no shortage of legislation dealing with tenants and non-owner cultivators, yet the British seemed unable to decide how to prevent this group from losing access to the land on which it worked. Under the Ottoman administration, tenants and cultivators had rights to land that were outlined in law and were monitored by government officials, but the details of these rights were not directly transferred and were therefore not readily apparent under the conditions of the Mandate.

The problem of land rights for tenant labourers was not easily resolved. The tumultuous years 1929 and 1930 were marked by the passage of an extensive number of bills specifically dealing with rural property rights: the 1929-1930 Land Courts Bills; the 1929-1930 Land Settlement Bills; the 1929 & 1930 Protection of Cultivators Bills; the 1930 Law of Execution (Amendment) Ordinance; the 1930 Registration of Agriculturalists Bill; and the 1930 Transfer of Agricultural Land Bill. All were concerned with enabling the government to compile accurate information on ownership of land while not unduly interfering with the free market in land sales. The contradiction inherent in simultaneously empowering the government to intervene in the land market and empowering the free-market to

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11 D.K. Fieldhouse, *Western Imperialism in the Middle East, 1914-1918* (Oxford: Oxford University Press, 2006), 162.

rule the land market within a single body of legislation was not lost on officials at the time. In the words of Norman Bentwich, Attorney General from 1922 to 1931, the way in which these bills was produced was "unnatural" because they had been drafted by officials in Britain, not Palestine, and had been subjected to a process of "whittling down" by officials who opposed the principles (specifically, the principle of government intervention) on which they were based.[12] Put into practice, the government took a self-contradictory position in which they simultaneously attempted to ensure that land transactions did not affect Jews and Arabs differently while attempting to allow for the operation of a perfectly functioning free-market economy. This made a successful outcome for British legislative directives over agricultural land impossible in Mandate Palestine.

In 1930, ten years after the civilian administration had been established and a whole year after the 1929 Revolt, the administration was still unable to move past the issue of establishing security of title to land. Establishing a coherent legal system for the Mandate had been a goal of the British administration from the beginning of its governorship in Palestine. That legal system would have presumably included provisions that guaranteed small scale landowners and tenant cultivators access to the land on which they worked, land being such a significant issue with regard to the "dual obligation" agenda. However, Secretary of State for the Colonies Lord Passfield noted in 1930 that there remained a need to provide a, "machinery under which legal titles can be secured by small-holders and legal security of tenure can be obtained by tenants."[13] This statement is surprising in the context of the post-Revolt period, and draws attention to the fact that, while the British understood that there was a need to protect those agriculturalists who were not landowners, passing permanent legislation that would establish an occupant's right to use of land was considered objectionable. Tenants needed protection, but their legal status was ambiguous and the British were unwilling to make any laws that would codify their legal rights because of the difficulties in justifying the creation of a new legal category. The 1930 Registration

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12 Great Britain, Colonial Office Records, CO 733/199. Mflm. 13356. Minute by Bentwich. March 27, 1931.

13 Great Britain, Colonial Office Records, CO 733/199. Mflm. 13356. Minute by Passfield. March 18, 1930.

of Agriculturalists Ordinance reflected the tenants' ambiguous position. It was a piece of temporary legislation that was meant to register cultivators. One key passage read:

> A cultivator whose name has been entered in the register as being the owner of a holding or (as the case may be) the tenant thereof on certain conditions stated in the register, shall not, by reason only of such entry, be deemed, in law, to be the owner of the holding or, (as the case may be) the tenant thereof or if he is, in law, the tenant thereof, he shall not be reason only of such entry, be deemed in law, to be a tenant upon the conditions stated by the register.[14]

This 1930 ordinance is notable because it was the first piece of legislation to mention occupancy rights (or lack thereof); however, the wording of the ordinance leaves it unclear as to whether the position of tenants was actually improved by the legislation.

In 1931, a year and a half after the Revolt, evictions of Arab tenant cultivators continued to be a problem. The correspondence and pieces of legislation from this period make it clear that the British were fully aware of the phenomenon of dispossession and its grave consequences. The deficiencies of the land registration system and the fact that the system was being allowed to operate without proper supervision together had a destructive impact. As Lewis French of the Development Department argued, in order to prevent dispossessions, "restrictions on free transfers of lands must, in any case, be imposed."[15]

The British government in Palestine simply did not have the authority required to stop the displacements and subsequent revolts from happening on the ground in Palestine. One must ask why the British continued to discuss this issue and to pass legislation that aimed to solve the problem if they lacked the authority to enforce it. The root of the problem was that government officials themselves were not above the law and therefore not able to make the decisions required to control a Palestine in growing turmoil. As

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14 Great Britain, Colonial Office Records, CO 733/199, Mflm. 13356. The Law of Execution (Amendment) Ordinance, 1930. (1931).
15 Lewis French, *First Report on Agricultural Development and Land Settlement in Palestine*, 23 Dec. 1931. CO 733/214/5, 38-39.

High Commissioner Chancellor himself put it in a memo, "I have no power, either under existing law or under proposed Bill to prevent execution of eviction order of a court. The only action open to me would be to issue an illegal order to the police which would result in possibility of proceedings for contempt."[16]

The authority to change and pass laws maintained a very privileged status in the British Mandate of Palestine. Even when it was apparent that the laws in place were unsuccessful in maintaining order, as was the case following the 1929 Revolt, the British were unable to successfully justify unilaterally changing the laws so as to prevent violent uprisings in response to Arab cultivators becoming landless. The British fully recognized the gravity of these cultivators loosing access to the land on which they worked. As Chancellor stated in 1931, "evictions will take place with grave political consequences. The Bill [Draft Ordinance to Provide for Better Protection of the Tenants and Occupants of the Land] will have no effect in preventing evictions in view of provision for monetary compensation."[17] Over a year after the Revolt, the High Commissioner himself acknowledged that the very problem which had precipitated the Revolt was ongoing and legislation aimed at dealing with the problem was ineffectual. The British were not ignorant of the seriousness of the plight of Arab cultivators, yet in the face of their ongoing dispossession, officials were still attempting to draft legislation which would be effective in addressing landlessness. This demonstrates that the disorder that has come to characterize the Mandate period was the result of an intractable legal system that even the government itself was incapable of altering in order to meet the needs of the new political entity.

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Romanticizing the Land: Agriculturally Imagined
Communities in Palestine-Israel

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Abstract

This paper argues that images, and specifically agricultural images, play a significant role in the imaginings of the Israeli and Palestinian communities. Agriculture has symbolic and material value among Palestinians and Israelis, and contributes to identities and land claims made by Zionist and Palestinian organizations. Anderson's discussion of nation building emphasizes the primacy of print in the imagination of a community; this paper highlights non-textual elements of nation building via case studies of the creation and dissemination of propaganda posters by the Jewish National Fund and the Popular Front for the Liberation of Palestine. A survey of propagandistic agricultural images reveals the shared symbols used by Palestinians and Israelis in forging identities and exclusive claims to land. Despite being common symbols from a shared past, agricultural images are crucial in creating and perpetuating a divide between Israelis and Palestinians, and in arguing for organic links between each group and the land of Palestine-Israel.

Agriculture and food are increasingly prevalent themes within discourses on the Palestinian-Israeli conflict. Cookbooks, food blogs, documentaries, and films are emerging that focus upon agriculture and agricultural products. This paper begins with an analysis of one such instance of agricultural products in popular culture in order to explore the intellectual and political history of agriculture and food in the Palestinian-Israeli conflict, namely the 2008 film

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Lemon Tree. This paper argues that images (and more specifically, agricultural images) played a significant role in the imaginings of the Israeli and Palestinian communities. Benedict Anderson's assertions regarding the primacy of print in the imagination of a community deal relatively briefly with non-textual imaginings of nations (such as posters, woodcuts, and radio broadcasts).[1] This paper attempts to draw attention to non-textual elements of nation building in the context of the Palestinian-Israeli conflict. Tracing the emergence and evolution of agricultural images used for propagandistic and economic purposes reveals the shared symbols used by Palestinians and Israelis in self-identification and their justification of an exclusive claim to land. Despite being common symbols from a shared past, agricultural images were and continue to be crucial in creating and perpetuating a divide between "Israelis" and "Palestinians," and in constructing an argument for an organic link between each group and the land of Palestine-Israel.[2] These ideas will be explored via case studies of political organizations representing Israelis and Palestinians, specifically the Jewish National Fund and the Popular Front for the Liberation of Palestine.

"A Lemon Grove Between Us"

Israeli director Eran Riklis' 2008 film *Lemon Tree* is set in areas of the West Bank and Israel adjacent to the Green Line that divides the two.[3] *Lemon Tree* follows the events of a legal case in which the Israeli High Court of Justice ordered the uprooting of an orchard near the house of Israeli Minister of Defense Shaul Mofaz in Judea and Samaria. The

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1 Benedict Anderson, *Imagined Communities* (New York: Verso, 1991). Discussion of the role of non-textual media in the imagination of communities is dealt with cursorily or in footnotes. See, for example, 54, fn 28.

2 I follow Irus Braverman's nomenclature when referring to the area under consideration in this paper. The actual land involved in Palestine-Israel is loosely defined for the purposes of this paper, as the Popular Front for the Liberation of Palestine considers the territory of the state of Israel, the occupied territories, and the kingdom of Jordan to be rightful parts of Palestine. Here, Palestine-Israel approximately refers to the land encompassed by the state of Israel and the occupied territories. See Irus Braverman, *Planted Flags: Trees, Land, and Law in Israel/Palestine* (New York: Cambridge University Press, 2009), 2. fn 1.

3 Internet Movie Database, "Eran Riklis," accessed March 12, 2012, http://www.imdb.com/name/nm0726954/bio.

Palestinian owner of the orchard, Zohariya Morshad, filed a petition with the Israeli Supreme Court, and the latter ultimately ruled that sixty of the eighty trees in the orchard would have to be pruned to a height of thirty centimeters.[4] Thus, while it takes artistic licenses, *Lemon Tree* is based upon real events.

Lemon Tree follows two parallel stories. The first is that of Mira Navon, wife of the Israeli Defense Minister, whose home abuts a Palestinian orchard. The second is that of Salma Zidane, a Palestinian widow and owner of the orchard, whose social, personal, and economic identity revolves around the lemon orchard planted by her father. The film deals concurrently with alienation and understanding. The central conflict derives from the Israeli Secret Services' assessment that Salma's lemon grove poses a potential security risk to the Israeli Defense Minister and his family, and must therefore be removed. Salma seeks the assistance of Palestinian lawyer Ziad Duad in order to protest this ruling and protect her trees. While the plot is inarguably about two women and the lemon grove that is between them, it is also an allegory for the larger Palestinian-Israeli conflict.

A main theme of *Lemon Tree* is that Israelis and Palestinians are not inherently antagonistic towards one another. Rather, through decades of official dehumanization and "Othering," both sides have come to believe that living in proximity with one another is incompatible with a peaceful and secure existence. It is only through the humanization of the Other that a potential solution to the Palestinian-Israeli conflict is feasible. Thus, Riklis offers the proverbial olive branch, suggesting that peace between Palestinians and Israelis is eminently conceivable if people on both sides of the conflict are willing to re-evaluate their "truths" about the Other. However, despite this optimistic perspective, Riklis does not ignore or deny the stark realities of the conflict. He provides numerous examples of the difficulties faced in overcoming the divide between Palestinians and Israelis. Three devices assist in illustrating Riklis' engagement with the obstacles to and possible means of attaining peace: the motif of lemons, female subtext, and the epistemological questioning of vision.

Logically, the principal motif in *Lemon Tree* is the lemon itself; music, dialogue, thematic content, and imagery pertaining to lemons are united through the medium of film to synaesthetically emphasize

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4 Braverman, *Planted Flags*, 138-42.

the importance of lemons, and, by extension, agriculture. Riklis' use of lemons and orchards to engage with a situation as complex as the Palestinian-Israeli conflict illustrates the observation made by numerous food historians and anthropologists that food is never simply food, but carries multiple meanings and associations.[5] The film's opening scene is without dialogue, accompanied instead by the song "Lemon Tree." This song nominally references lemons, but is in fact about a love that once existed, was untenable, and is now lost. The "lemon tree, very pretty" has fruit that is "impossible to eat." However, we witness characters consuming the fruit of the lemon tree throughout the entirety of the film. This consumption of the fruit that is initially described as being "impossible to eat" thus subverts a supposed truth that something sour is unpalatable. While, *prima facie*, the relationships (between Salma and Ziad, Salma and Mira, Mira and Israel Navon, and Palestinians and Israelis more generally) in *Lemon Tree* seem too fraught with complexity or animosity to be sustained, the tension between what is said about lemons and the fact that they are consumed suggests that culinary creativity can be read allegorically. The mindset of exploration that is perfectly viable in the kitchen (such as tasting unfamiliar foods and fusing different cuisines) is also applicable to interpersonal interactions, and can in fact be metaphorically applied to the conflict between Israelis and Palestinians.

Lemons also act as a physical manifestation of memory and identity. Salma dreams of a time when, as a young girl, her father held her on his shoulders and carried her through the lemon grove. Thus, the lemon grove is far more than an economic asset to Salma: it signifies her childhood, family, and inheritance. Further, Salma's identity, generosity, economic self-sufficiency, and familial memories are inextricably rooted in her possession and cultivation of her lemon trees. Numerous scenes, including the opening scene of the film in which viewers first see Salma, involve her preparing or serving food, which always includes lemons. The orchard permits Salma to

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5 Margaret Visser, *Much Depends on Dinner* (Toronto: McClelland and Stewart Weidenfeld, 1986), 12; Reay Tannahill, *Food in History* (London: Review, 2002), xiii. David Mas Masumoto writes: "like an additional flavor, meanings are carried with food." Quoted in Michael Owen Jones, "Food Choice, Symbolism, and Identity: Bread-and-Butter Issues for Folkloristic and Nutrition Studies," *Journal of American Folklore* 120, (Spring 2007), 133.

extend her generosity and hospitality to both Palestinians and Israelis who visit her. Salma's guests' appreciative comments regarding the quality of Salma's lemonade suggest an almost mystical and mutually nurturing link between Salma and the land, on which her life depends almost as much as do the lives of her trees. The parallel between Salma and Palestinian and Israeli farmers is evident, and she functions as a sort of "every-woman." Palestinians and Israelis alike can relate to her emotional and economic ties to the land. Several Palestinian and Israeli political groups have mobilized such ties, using agriculture and its imagery in their conflict over proprietorship of the land of Palestine-Israel.

Lemon Tree's two female protagonists are portrayed as mirror images of one another. The parallels between Mira and Salma play on heteronormative female spheres of agriculture and domestic duties in order to emphasize the possibility of women as brokers of peace. [6] Consequently, "normative" or "traditional" features of female identity that have often been interpreted as indicating female oppression (such as performing largely domestic, private tasks, and having a restricted public voice) are assigned new and empowering meanings in the context of the conflict between Salma's network (Salma, her gardener, her lawyer, and her community) and Mira's (the Israeli Defense Minister, Secret Services, and the Israeli Supreme Court). The subtext in the scenes in which Mira and Salma communicate without speaking (the two do not have a single verbal conversation, due at least in part to the fact that Salma speaks Arabic while Mira speaks Hebrew) suggests that they have a far deeper, non-verbal understanding of one another than one might initially assume. Mira and Salma inhabit a conceptual space, which is a non-physical territory in which Palestinians and Israelis can coexist, being for one another "normal neighbours." They are unique in their imagining of a different community that exists outside of the boundaries of the nation.

The emphasis upon non-verbal forms of communication and interaction is both extended and subverted by an emphasis upon

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6 For a discussion of the relationship between women and agriculture in the Palestinian-Israel conflict, see Ted Swedenburg, *Memories of Revolt: The 1936-39 Rebellion and the Palestinian National Past* (Fayetteville: The University of Arkansas Press, 2003), 184-185,187.

vision, in which Riklis constantly reminds viewers that gathering information through sight alone has the potential to provide inaccurate knowledge. While a focus upon vision impairment and surveillance continues to emphasize non-verbal communication, it provides counterexamples to the silent but effective communication between Salma and Mira. Blindness, vision impairment, and surveillance remind the audience that non-verbal communication has the potential to be ambiguous and equivocal, and is not simply or necessarily a method of interaction that transcends the spoken. The inaccurate "truths" that characters "know" about one another are often obtained through visual observations. In *Lemon Tree*, ocular observations are regularly filtered through objects that impede or distort vision such as curtains, wires, binoculars, sunglasses, window shades, tree branches, webcams, and televisions.

The most obvious source of vision impairment is the Separation Barrier, which is constructed between the homes of the Zidanes and the Navons in order to protect the Defense Minister from the threat of Palestinian attacks. This Separation Barrier, which in reality required the uprooting of thousands of trees,[7] represents both physical and symbolic blindness. Crucially, this "blindness" is the result of a conscious decision to erect such a barrier that roughly parallels the Green Line surrounding the occupied West Bank. Riklis' portrayal of the construction of the Separation Barrier connotes disruption, dislocation, and wilful mutual ignorance.

Surveillance features prominently in *Lemon Tree*, and in this case, sight is privileged and thus represents power, knowledge, and control. Viewers often see Salma's lemon grove from the vantage of surveillance cameras that are monitored by the Defense Minister's security guards, or from the viewpoint of the watchtower that is erected in this lemon grove. However, surveillance, too, is obscured by distance, lack of context and contact, and technology. As a result, the information that Israeli security forces have about Salma's lemon grove decontextualizes her home, rendering it simply a security threat as opposed to a complex space to which her sense of self and community are deeply tied. Questioning the validity of sight as a way of obtaining truth has larger implications for non-textual media. Riklis' nuanced treatment of sight and vision at once celebrates non-

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7 Braverman, *Planted Flags*, 136.

textual, non-oral understanding (such as the silent connection that exists between Mira and Salma) and censures exclusive reliance upon observation as something that can excacerbate misunderstanding and animosity between Israelis and Palestinians by facilitating reductive and superficial knowledge about one another.

"Well, I wish I could be a better neighbour to her, normal neighbour. But I suppose it's a bit too much to hope for. There's too much blood and too much politics, and there's a lemon grove between us."[8] Mira speaks these lines in response to a reporter's question about the decision to uproot Salma's lemon grove. More than just a lemon grove separates these two women, however: decades of propaganda produced by Palestinian, Jewish, and international groups have contributed to a reification of differences between Palestinians and Israelis. The remainder of this paper will attempt to deconstruct the agricultural symbols present in *Lemon Tree* by tracing their creation and dissemination via visual media.

Jewish National Fund Propaganda

In order to deconstruct the semiotic meaning of the lemon, it is helpful to concentrate upon agriculturally themed propaganda posters created by Zionist, Palestinian and Israeli organizations. This section focuses upon posters published by the Jewish National Fund (JNF) and the Popular Front for the Liberation of Palestine (PFLP). Over four hundred images (produced by the JNF, PFLP, Democratic Front for the Liberation of Palestine, and citrus exporting companies, as well as images uploaded onto Facebook pages) pertaining to food and agriculture were examined, and over one hundred were closely analysed.[9]

The JNF has historically been a prolific producer of propaganda, and especially of agriculturally themed propaganda. Documents and statements issued by the World Zionist Organization (such as the WZO's proposal for the creation of a British Mandate in Palestine at the Paris Peace Conference) reveal a narrative of a Zionist *mission*

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8 *Lemon Tree*, directed by Eran Riklis (Israel: Heimatfilm/MACT Productions/ Eran Riklis Productions/Riva Filmproduktion, 2008), 1:17:51-1:18:10.
9 This study makes no claims to an exhaustive analysis of posters published by the JNF and PFLP during the twentieth century due to the elusive and ephemeral nature of posters as mediums of communication.

civilisatrice;[10] posters are the illustrations of this particular narrative of Zionist return and the redemption of the land of Israel. As a result, one can observe the use of Zionist-Israeli propaganda directed at Jews in the Diaspora, Israeli Jews, and members of the international community in order to bolster ideological, political, and economic support for Eretz Israel, in a "large and widespread propaganda network."[11]

Established in 1901 during the Fifth Zionist Congress, the JNF's initial functions were to collect donations and purchase land for Zionist immigrants.[12] Although a *firman* (an imperial edict) issued by Ottoman Sultan Abdülhamid II (r. 1876-1909) in 1882 technically prohibited the settlement of Jews in Palestine (while allowing them to settle selectively in other locations in the Ottoman Empire), the vast size of the empire, the relative inefficiency of the Ottoman bureaucracy, and the Ottoman Empire's lack of finances in the late nineteenth and early twentieth centuries rendered this largely unenforceable.[13] Throughout the early years of the twentieth century, members of the WZO refined the JNF's mandate. The Twentieth Zionist Congress of 1937 assigned to the JNF "responsibility for the vigorous and rapid redemption of new areas of land as a solid foundation for the establishment of the Hebrew homeland."[14] This mandate united biblical, historical, environmental, and nationalistic sentiments, all of which furthered the cause of the creation of a homeland for Jews in Palestine.

10 "The Zionist Organization's Memorandum to the Peace Conference in Versailles Asks for Support for the Establishment of a Jewish State in Palestine, February 3, 1919," in Akram Fouad Khater, *Sources in the History of the Modern Middle East* (Houghton Mifflin Harcourt, 2003), 193-200; James Gelvin, *The Israel-Palestine Conflict: One Hundred Years of War* (2nd ed.) (New York: Cambridge University Press, 2007), 66.
11 Yoram Bar-Gal, *Propaganda and Zionist Education: The Jewish National Fund 1924-1947* (New York: The University of Rochester Press, 2003), 10. This section relies upon over two hundred posters produced by the JNF over the course of the twentieth century, a close examination of over twenty-five posters that overtly related to agriculture or the land, and perusal of the JNF website.
12 Ibid., 2; Gelvin, *The Israel-Palestine Conflict*, 63.
13 Gelvin, *The Israel-Palestine Conflict*, 52-53; Kahraman Sakul, "Abdulhamid I," eds. Gábor Ágoston and Bruce Masters, *Encyclopedia of the Ottoman Empire* (New York: Facts on File, Inc., 2009), 6.
14 Bar-Gal, *Propaganda and Zionist Education*, 8.

From its inception, the JNF was highly involved in the dissemination of propaganda, which aimed to simultaneously bolster both ideological and financial support for the Zionist enterprise. A statement in *The JNF Box* describes the role of commercial propaganda as follows: "commercial propaganda essentially aspires to achieve the same goal we are trying to achieve, and that is to arouse as many people as possible for a known purpose to do something that they would not have done without the propaganda … We also wish to cause the large Jewish multitudes to remember the JNF at all times."[15] Much of the JNF's propaganda was designed by *Propagandistim* who were educated and spent time on Jewish settlements, and were then sent to the international Jewish Diaspora to disseminate propaganda.[16] Material symbols such as the Blue Box fundraiser, stamps, filmstrips, the Golden Book, and memorial stones involved and educated Israeli Jews and members of the international Jewish Diaspora in and about the Zionist cause. These symbols were accompanied by another medium of propaganda: the poster.[17] Many of these posters drew parallels, at times implicit, between the plight of the Jewish Diaspora and the land of Israel via themes of environmental stewardship, land reclamation, and the mutually dependent return of Diaspora Jews and the revitalization of the land.

One JNF poster portraying a cornucopia of food harvested from the land uses overtly biblical rhetoric to justify Jewish rights to the land of Israel. This poster features onions, grapes, olives, wheat, and a fig against a background of a tilled plot of agricultural land. Its caption reads: "the seven-fold blessed land of Israel awaits redemption by the people of Israel through the Jewish National Fund." Thus, the text interweaves stewardship, religious legitimacy, the political state of Israel, and the international organization of the JNF.[18] This religious claim is bolstered by a seemingly natural ability possessed by Jewish

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15 The Blue Box Work: *Karnenu*, Year 3 (1926), no. 5-6, 5, in Ibid., 12.
16 Ibid.
17 Bar-Gal, *Propaganda and Zionist Education*, 11; Braverman, *Planted Flags*, 62-70.
18 Franz Krausz (Israeli artist), "The Seven-Fold Blessed Land of Israel Awaits Redemption," poster, ca. 1935, originally published by the Jewish National fund, accessed via the *Palestinian Poster Project Archive*, accessed February 21, 2012, http://www.palestineposterproject.org/poster/blessed-land-of-israel-awaits-redemption.

peoples to render the land of Israel abundant and healthy. Numerous posters published by the JNF in the twentieth century stress the positive correlation between the possession and cultivation of the land of Israel by Jews and the redemption of the land that will ensue.

As scholars writing on Zionist settlement have noted, Arabs were seen as usurping and foreign to the land of Israel on one hand, and as an adverse or hostile aspect of the natural environment that had to be tamed or rooted out on the other.[19] Posters such as the one previously discussed, through conspicuous omission, suggest that "the redemption of the land by the people of Israel" is in stark contrast to the desolate wasteland conditions that prevailed under Arab mismanagement. Others, such as a poster in which an image of a desolate wasteland is being pulled off of an underlying image depicting an Israeli settlement abutting fertile and geometrical plots of agriculture, more overtly juxtapose the supposed mismanagement of Palestine-Israel's Arab inhabitants with the efficacious stewardship of Jewish Israelis.[20] The straight lines used in the JNF's depictions suggest that Jews are not only the most capable of returning fertility and civilization to the land of Israel, but that they are rational and modern in their use of arable land. Again, this implies that, prior to the creation of *kibbutzim* and *moshavim* (cooperative agricultural settlements), Arabs were improperly using the land, thus occluding the prosperous agricultural economy of late-Ottoman Palestine.[21]

As Irus Braverman observes, the JNF had a duty to forge and

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19 Charles S. Kamen, *Little Common Ground: Arab Agriculture and Jewish Settlement in Palestine, 1920-1948* (Pittsburgh: University of Pittsburgh Press, 1991), 18. Uri Eisenzweig writes that, "Zionists would "purely and simply, not *see* the Arab Palestinians." They *could* perceive "natives" who, like trees and stones, formed part of the virginal, natural space, but not an Other. These "natives" did not constitute any particular social group, namely Arabs, for, "the vision of natural space, of landscape, is correlative of the absence of otherness." Uri Eisenzweig, "An Imaginary Territory? The Problematic of Space in Zionist Discourse," *Dialectical Anthropology* 5 (1981): 121-130, cited in Swedenburg, *Memories of Revolt*, 47.

20 David Zak (Israeli artist), "From a Wasteland to a Settlement," poster, ca. 1935, originally published by the Jewish National Fund, accessed via the *Palestinian Poster Project Archive*, accessed February 2012, http://www.palestineposterproject. org/poster/from-a-wasteland-to-a-settlement.

21 See Gelvin, *The Israel-Palestine Conflict*, 25-30 and 69 for a discussion of late Ottoman Palestine's agricultural economy. See also *Jaffa, the Orange's Clockwork* for an explanation of the mechanisms of erasure of Arab agriculture in the particular case of Jaffa.

disseminate the idea of an inalienable, mythic, historical, and religious tie between the Jewish people and the land of Israel.[22] Following the Second World War, the full force of the Holocaust was added to the list of grievances to be remedied by the creation of the state of Israel. The memory of the Holocaust is preserved via museums and memorials. In Palestine-Israel, trees also assist in the commemoration of this significant event in Jewish history. A poster advertising the Forest of the Six Million relies upon mixed media. Its full effect is appreciated at the intersection of the language, through a title that reads "we shall never forget our martyred dead," which depicts Holocaust victims as martyrs, and the image, which conveys ideas of tangible and enduring memorialization of the dead, and Jewish permanence in their homeland.[23] Because forests require upkeep (watering, fertilizing, pruning, planting, monitoring for fires), the Israeli Jewish community and the Jewish Diaspora can continually contribute to the assertion of Israeli rootedness in Eretz Israel and the commemoration of a shared past of suffering through the care of the trees. This adds to the imagination of a community of suffering which involves all Jews in simultaneous commemoration and shared memories of past trauma.

JNF propaganda posters rely heavily upon the multivocality of trees, which symbolize rootedness, longevity, and memorialization of the dead. It also stakes figurative and physical claims to the land of Israel while drawing parallels between Jewish people and trees, both of which flourish in the soil of Eretz Israel. This conflation of the people and the land is also a common theme within PFLP propaganda, as will be discussed below.

Braverman notes in her introduction that, "national wars are typically associated with soldiers, with blood, and with large flags blowing in the wind. They are not associated with trees or with greening the landscape."[24] Significantly, this statement refers to *national* wars, thus establishing agriculture and land ("trees" and "greening the landscape") as facets of the Israeli and Palestinian communities. This paper contends that visual representations of landscape, trees, and

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22 Braverman, *Planted Flags*, 59-63.
23 Unknown Artist, "Forest of the Six Million," poster, ca. 1950, originally published by the Jewish National Fund, accessed via the *Palestinian Poster Project Archive*, accessed March 11, 2012, http://www.palestineposterproject.org/poster/we-shall-never-forget-our-martyred-dead.
24 Braverman, *Planted Flags*, 1.

agricultural goods in Palestine-Israel were crucial tools of non-textual nation building projects undertaken by various Palestinian and Israeli organizations and, by extension, that non-textual imaginings of the nation were just as crucial as were textual ones in the Palestinian-Israeli conflict.

Propaganda, Poster Making, and the Popular Front for the Liberation of Palestine

PFLP posters relying upon agricultural images generally employ images and symbols that have already been encountered in the previous discussion of JNF propaganda; the PFLP and the JNF both operated and continue to operate within the same symbolic universe. The PFLP was established in 1967 and is a self-proclaimed Leninist-Marxist political organization.[25] A reading of its 1969 platform reveals a strong ideological commitment to workers and peasants, and suggests a reason for which agricultural imagery has been so prevalent in the PFLP's posters.[26] An interview with Doctor George Habash, an Arab Christian medical doctor who was the first Secretary-General of the PFLP, permits a deeper understanding of this party's ideologies.[27] While disparaging nationalist sentiment as something that subverts class struggle (specifically in the context of Jordanian collusion with Israel), Habash also calls for recognition of the "special characteristics of the Palestinian people, particularly as far as their dispersion and experiences are concerned."[28] It is this very dispersion that permits Habash to describe the Palestinians and their relationship to the land of Palestine-Israel with agricultural diction, suggesting that Palestinians are akin to indigenous agricultural products on this land.

25 Aaron Mannes, *Profiles in Terror: The Guide to Middle Eastern Terrorist Organizations* (Maryland: Rowman and Littlefield, 2004), 309-310; Gelvin, *The Israel-Palestine Conflict*, 203-204.
26 Popular Front for the Liberation of Palestine, "Platform of the Popular Front for the Liberation of Palestine (1969)," accessed March 7, 2012, http://pflp.ps/english/1969/12/platform-of-the-popular-front-for-the-liberation-of-palestine-1969/.
27 George Habash, *Palestine Lives: Interviews with Leaders of the Resistance* (Beirut: Palestine Research Center and Kuwaiti Teachers' Association, 1973); this interview was first published in a 1972 volume of *Shu'un Filastinyya*.
28 Habash, *Palestine Lives*, 71-72. This comment is noteworthy for its similarity to descriptions of Jews as a Diaspora group.

He uses an analogy between plants and people when he states that as long as "there are people in camps, exiled from their land, then there will be revolution. […] we should […] not allow ourselves to be attacked or uprooted."[29]

While Habash's perspective illuminates the theoretical ideology of the PFLP, it does not necessarily reveal the mechanisms by which this organization's posters were designed, created, and disseminated. In order to further deconstruct the creation of PFLP propaganda it is useful to investigate the mechanisms of poster production. However, due to the statelessness of Palestinians and the fact that many Palestinian resistance organizations (including Fatah, the Democratic Front for the Liberation of Palestine, Hamas, and the PFLP) are identified as terrorist organizations, there is a marked lack of easily accessible and verifiable information.[30] Marc Rudin (a.k.a. Jihad Mansour) is a Swiss-born artist who has produced posters and graffiti for various socialist movements and has designed numerous posters for the PFLP. Extracts from a correspondence with him are available on nadir.org, a German-based left wing website that functions as a database and area of communication, and these permit insight into the actual mechanism of poster production.[31] He provides invaluable information regarding the logistics of designing and producing a poster, which include difficulties in obtaining supplies, cramped quarters, and poor communication systems. The PFLP provided him with health care, clothes, rent, a small stipend, and materials to design posters.[32] From a cultural perspective, Rudin acknowledges the difficulties he faced in employing contextually relevant and appropriate posters:

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29 Ibid., 78.

30 Federal Bureau of Investigation, "Terrorism Project: List of Known Terrorist Organizations," last modified January 15, 2009, accessed April 11, 2012, http://www.cdi.org/terrorism/terrorist-groups.cfm.

31 Nadir.org; Donatella Della Porta, *Globalization from Below: Transnational Activists and Protest Networks* (Minnesota: Regents of the University of Minnesota, 2006), 112. Here, nadir.org is described as an organization that promotes "alternative and critical information."

32 Marc Rudin, (Swiss artist), accessed March 4, 2012, http://www.nadir.org/nadir/initiativ/rev_linke/sanat/jihad/jihad.html.

> Of course I had to learn a lot of things, as the symbols or even the symbolic aspects of colours for instance differ from one culture to another. In 1980 I designed a poster for Labour Day with dominant green colours. I was harshly criticized by a young fighter that green was the colour of Islam and that we were no fundamentalists. In his opinion the colour of green had therefore nothing to do on a Labour Day poster, a fact I had not taken into account with my cultural background.[33]

Rudin identifies the assumptions and potential miscommunications that are involved in viewing symbolic work produced within another cultural context as major obstacles when using posters as a lens through which to view popular culture and popular consciousness. Attempting to interpret such works, and drawing conclusions about the ideas and ideologies of those who view and engage with the artwork in question, are also critical concerns. Rudin cites feedback from *Shabiba*, a Palestinian youth organization, as being significant and valuable in his design process. These Palestinian youth not only helped Rudin construct an understanding of the larger Palestinian population, but also provided the mechanism by which his propaganda posters were actually distributed throughout Palestinian communities.[34] Rudin notes another difficulty of communicating the messages of the PFLP via posters: the challenge of condensing a complex set of values into one or two easily recognizable images without being overly reductive.[35] A closer look at several posters published by the PFLP reveals tropes that are employed in its agriculturally themed propaganda, and helps us to understand how the PFLP addressed some of the difficulties inherent in the use of posters to convey messages of resistance, revolution, and solidarity.

A 1985 poster produced by the PFLP and designed by Marc Rudin observes Martyr's Day.[36] In it, a pair of hands holds up a framed picture of a *kuffiyah*, a cotton headdress iconographically associated

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33 Ibid.
34 Ibid.
35 Ibid.
36 Marc Rudin, "Martyr's Day," poster, 1985, originally published by the Popular Front for the Liberation of Palestine, accessed via *Palestinian Poster Project Archive*, accessed February 3, 2012, http://www.palestineposterproject.org/poster/palestine-will-win-0.

with the Palestinian people. In place of a face, however, there is fecund orange tree. Rifle tips emerging from the bottom of the poster belie the message of purely peaceful resistance, reminding viewers of what George Habash described as the "fundamental importance" of "revolutionary violence." This image powerfully conflates the land and its agricultural abundance with Palestinians and their revolutionary liberation cause. This poster also evokes the viewer's memory, as its commemoration of Martyr's Day invites people to remember what has been lost. Due to the conflation of Palestinians and the land, it becomes impossible to commemorate the loss of people without simultaneously recalling the loss of a homeland. This poster highlights the need for poster artists to have fairly extensive cultural capital.

A poster designed for Land Day, 1981, contains multiple symbolic layers.[37] It features a tree in the shape of the state of Israel, which has roots that extend deep into the earth. This tree is not only embedded into the soil of the land, but is bountiful, producing numerous leaves that bear the same colours and design as the Palestinian flag. While clarification is offered by the poster's bilingual Arabic-English text ("Land Day" is written in both Arabic and English) indicating that it has been specifically produced for Land Day, the fundamental messages communicated in this image are not restricted to the literate (hence exemplifying a non-textual imagining of the Palestinian community). The tripartite themes of rootedness, statehood, and Palestinian identity clearly convey the notion that Palestinians naturally and organically exist in symbiosis with the land of present-day Israel. While Palestinians belong to and rely upon the land, the land is only truly fruitful when they are planted in it.

The images that have been so frequently employed by both the JNF and the PFLP during the twentieth century have carried through into the twenty-first century. However, especially in the wake of the massive networks of communication facilitated by the internet, these images are being conveyed in different forums. Aside from being disseminated via online social networks, blogs, magazines, and websites, agricultural and food-related images are being imbued

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37 Kamal Nicola (Palestinian artist), "Land Day," poster, 1981, originally published by the Popular Front for the Liberation of Palestine, accessed via *Palestinian Poster Project Archive*, accessed February 8, 2012, http://www.palestineposterproject.org/poster/land-day-pflp.

with new meanings that are consistent with the realities of a world in which people increasingly inhabit urban areas.

Cuisine and Constructions of Identity

This paper will return to the tensions of the twenty-first century by discussing the use of agricultural images as metonyms for the supposedly mutually exclusive and hostile Palestinian and Israeli sides of the conflict that create and reinforce the idea that two distinct and oppositional sides exist. When looking at images procured from Facebook, it will be crucial to consider the "blogosphere" an open and largely anonymous domain on which anybody can post images without needing to authenticate their content or sources. It thus has the potential to be much more democratic and grassroots than does scholarship, and at the same time can be fraught with issues of legitimacy, authority, and representation.

Contemporary Palestinians and Israelis still engage and identify deeply with agricultural symbols. An examination of two open Facebook groups dedicated to food or agriculture reveals how successfully images of agricultural products have entered into Palestinian and Israeli discourses of identity. It is this entry of agricultural images into popular culture that gives lemons in *Lemon Tree* their rich symbolic value. Online Facebook groups and blogs dedicated to food or agriculture reveal that, at least to some extent, the images associated with Israeli and Palestinian national identities have entered into the "popular nationalism"[38] (grassroots, and hence not necessarily uniform, nationalistic ideas held by a group of people) of contemporary members of both of these groups. The Facebook group "Palestinian Food," which has over seventy-eight thousand members (most of whom live in Jordan and are likely members of the Palestinian diaspora), contains numerous pictures of olive oil, olives, dishes featuring lemon wedges, oranges, and orange juice, *inter alia*. Interspersed with culinary photographs are numerous images of fruit-bearing trees, the Palestinian landscape, Palestinians wearing traditional clothing, and images of the Palestinian flag, all of which reinforce links between Palestinians and the land in the
popular imagination.

38 Swedenburg, *Memories of Revolt*, 76.

The JNF Facebook page makes overt use of twentieth-century agricultural propaganda images and has a membership of over forty-three thousand. Its photographs relate predominantly to raising funds for tree planting, parks and recreation areas in Israel, and celebrities planting trees in Israel. The page portrays agricultural and landscaping aspects of the Israeli state as authentic, modern, and enjoying the ideological support of the international community. The number of "likes" that the JNF Facebook page receives is used to assert domestic and international support for the ideology and actions of the JNF. The JNF Facebook page celebrates landmarks (such as receiving 15,000 "likes") by posting an image of a hand holding soil and a growing tree alongside the number of current "likes" for the page.[39]

Conclusion

Riklis' *Lemon Tree* causes viewers to reflect upon the significance of the lemon: why is this fruit so laden with symbolism, and what historical and cultural factors act upon its significance? The lemon's semiotic value in this film can be understood via a deconstruction of a century of agriculturally themed propaganda relied upon by both Palestinian and Israeli organizations and companies, as is evidenced by an examination of several posters produced by the JNF and the PFLP. One of the most striking aspects of their agriculturally themed propaganda is a common visual-symbolic vocabulary. Both organizations employ images of olives, trees, oranges, lemons, flowers, and agricultural cultivation to assert their unique right to the land, with an implied contradistinction to the lack of legitimacy that the "Other" has in claiming the same land. The very fact that both sides are appropriating the same images to justify their claims to the land of Palestine-Israel has several implications. First, the JNF and the PFLP both employ imagery that suggests shared values: the importance of the land and cultivation, the organic and symbiotic ties between people and the land, and a desire for autonomy and the ability to live life without threats to one's health, livelihood, family, or community. Second, the differences and hostilities between these two

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39 See Jewish National Fund (Facebook page), accessed April 19, 2012, https://www.facebook.com/jewishnationalfund.

communities are not primordial or inevitable, but rather aspects of life that have emerged relatively recently and have been emphasized by political organizations in order to bolster their arguments for exclusive rights to the land of Palestine-Israel.

Although many observers of the Palestinian-Israeli conflict despair of a viable solution, a discourse in which "Palestinians" and "Israelis" do not, in fact, comprise monolithic, homogenous, and mutually hostile entities does exist. Films such as *Lemon Tree* suggest that some artists and academics are in the process of exploring and disseminating perspectives on the conflict that subvert notions of inevitable conflict, creatively contributing to this discourse that sees potential for cooperation and coexistence between the various groups of people living in Palestine-Israel.[40] Engagement with this discourse occurs outside of academic and artistic spheres, as well. Several grassroots movements currently exist that involve Palestinians, Israelis, and members of the international community who are working towards a peaceful coexistence. One of these is the Olive Tree Campaign, an initiative led by the East Jerusalem YMCA and the YWCA of Palestine. This initiative engages with financial donors and volunteers on an international scale to plant olive trees on the land of selected Palestinian farmers whose orchards have been uprooted by the Israeli military, as well as to assist with the annual olive harvest that takes place in late October.[41]

Agriculture and landscape are tools, soldiers, and arenas of conflict in the ideological and physical dispute between those who have supported Zionism and those who have opposed it.[42] This is not to negate a materialist understanding of the conflict by implying that agriculture and landscape did not have any tangible importance, or that these were simply tools of political machinations bent upon gaining power. To the contrary, much of the symbolic weight

40 See also the documentary *Jaffa, the Orange's Clockwork*, directed by Eyal Sivan (Tel Aviv: Trabelsi Productions,
2010), for an in-depth discussion of the use of images to erase Arab presence in Palestine-Israel and to market commodities to an international community via Orientalism.
41 Joint Advocacy Initiative: The East Jerusalem YMCA and YWCA of Palestine, "Olive Tree Campaign: The Ninth Season 2010-2011 (an annual report on plan and implementation of olive tree planting campaign)," (Jerusalem, 2010).
42 Gelvin, *The Israel-Palestine Conflict,* 2-3; Braverman, *Planted Flags*, 47-57.

attached to agriculture stems from its importance in the livelihoods of Palestinians. Today, over 70,500 farmers living in the occupied Palestinian territories own olive trees, and an increasing number of Palestinians are becoming reliant upon agricultural production as a source of income and for subsistence.[43] Therefore, agriculture endures as an important facet of quotidian lives and has symbolic and material value. It contributes materially and ideologically to identities and claims to land that are disseminated by Zionist and Palestinian organizations.

Attempting to deconstruct competing nationalist narratives and refuting notions of "Palestinian" and "Israeli" nations certainly does not undermine people's claims to land, food, shelter, freedom, and respect, as is evidenced by organizations such as the Olive Tree Campaign and the Coalition of Women for Peace.[44] If anything, a deconstruction of various national identities can facilitate a reconceptualization of "Israelis" and "Palestinians" as members of a regional community. The examination of images reveals two groups, vociferously arguing for their uniqueness, who appeal to shared agricultural symbols and values to make these claims. *Lemon Tree* illuminates the role that food and agriculture can play in humanizing Palestinians and Israelis, breaking down rigid binaries that have been promoted, ironically via images of food and agriculture, in JNF and PFLP propaganda throughout the twentieth century.

Reflecting upon Arab-Jewish relations during the early twentieth century, Gideon Makoff, the Jewish General-Secretary of Pardes cooperative, a fruit-exporting cooperative that operated near Tel Aviv, recalled that, "they [Arabs] lived off us, and us off them, simple … so we gave one another life."[45] Makoff's recollection of Arab-Jewish relations at the time of the first and second *aliyot* (literally, "ascensions," in reference to waves of Jewish migration to Palestine) subverts the narrative used by both the JNF and the PFLP, albeit with different characters according to the organization. From Jewish agricultural

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43 Braverman, *Planted Flags*, 122-123.
44 The Coalition of Women for Peace is a feminist organization involving Israeli and Palestinian women working together to raise awareness about the Israeli occupation and advocate a just peace between Palestinians and Israelis. "About CWP," accessed April 5, 2012, http://www.coalitionofwomen.org/?page_id=340&lang=en.
45 Gideon Makoff, in *Jaffa, the Orange's Clockwork*, 19:49-20:12.

propaganda posters, viewers see that Jews and the land of Palestine-Israel work symbiotically with one another. The same conclusion can be drawn about Palestinians from the PFLP's agriculturally themed propaganda. However, according to memories of people like Makoff, the true symbiosis has historically been, and can be again, between the Palestinian and Israeli people themselves.

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The Notion of Subhuman Identity in the War on Terror

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Abstract

Foreign policies in the global political arena continue to demonstrate the consequential after-effects of the terrorist attacks in New York on September 11, 2001. Propagations of a "terrorist threat" are strategically used by Western political actors to achieve a multiplicity of ends. In some cases, these ends supersede accepted international precedents, both in the realms of international law and convention. In particular, United States President George W. Bush's War on Terror, and President Barak Obama's continuing drone operations in the Middle East exemplify instances of political transcendence. Through the strategic enactment of ambiguous laws and through intimate utilizations of notions of "state sovereignty" and "national self-defense," the American Government has gained unprecedented authority in the treatment of suspected terrorists. This article examines the legal, theoretical, and ethical elements of the War on Terror and the American drone operation in the Middle East to illustrate the exceptionalness of Al-Qaeda and Taliban combatants in American legal understanding.

Twenty-first century Americans are living in an age of "Islamophobia," in which the enemy has been explicitly labelled. This phenomenon is not new; it has existed ever since Western colonialists first began their attempts to dominate the worlds of the "uncivilized."[1] With regard to proto-colonialism for example, the Crusades represent one of Europe's first systematic attempts to

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1 Hamid Dabashi, *Brown Skin, White Masks,* (New York: Pluto Press, 2011), 33.

annihilate Islam and to erase 'Eastern' identity from the world. Today, we see a similar phenomenon made manifest in the United States' strategies in the War on Terror, an ongoing international military campaign designed to eliminate enemy terrorist organizations The primary targets of this war, members of al Qaida and the Taliban, are depicted through the lens of an existential Western bigotry that has existed since antiquity. The notion of a divide between the Occident and the Orient is not one that has been generated from facts or reality, but rather from preconceived archetypes of the "Other."[2] As Zachary Lockman suggests, the Westerner has historically considered the Oriental man an inherent "barbarian."[3] Lockman illustrates various accounts of Western conquests that contend that the Oriental being's actions are sheer manifestations of his "barbaric" nature and that therefore, there exists an almost constant need for a superior interference.[4] In this way, the perceived pitiful and inferior existence of the Oriental constitutes the noble and superior essence of the Westerner. Thus, in this preconceived Western notion, the Oriental being is a subhuman being. In this paper, I will use specific examples of American foreign policy and military strategy in the War on Terror to illustrate the American preconception of the subhumanness of al Qaida and Taliban militants.

As Hamid Dabashi provocatively argues, "brown has become the new black," and "Muslims are the new Jews."[5] Since the events that have come to be termed "9/11," (the September 11, 2001 terrorist hijackings of four American passenger airliners that progressed into cataclysmic suicide attacks in New York City and Washington) al Qaida and Taliban combatants have been recognized by the American Government as the   principal targets of its War on Terror. The criminal nature of the combatants' actions is often minimized, and the Government instead focuses on the supposed inhumanity of their conduct and what it implies about their essence as human beings. Through both policy and strategy, the American Governmenthas used the War on Terror to "dehistoricize" and transform the criminal

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2 Zachary Lockman, *Contending Visions of the Middle East: The History and Politics of Orientalism*, 2nd ed., (New York: Cambridge University Press, 2010), 13.
3 Lockman, *Contending Visions,* 10.
4 Ibid*,* 12-19.
5 Dabashi, *Brown Skin, 6.*

events of 9/11 into events of inhumanity.[6]

Within the American System of Criminal Justice, there exists a stark disparity between the lawful treatment of al Qaida and Taliban combatants and that of citizen criminals. Although sentencing in the United States varies by state, life imprisonment and "humane" forms of capital punishment are the severest penalties available; the American Constitution's Eighth Amendment prohibits the Government from imposing "cruel and unusual punishment" upon criminals.[7] By virtue of this constitutional clause, any act of torture is outlawed in the United States. However, since accused members of al Qaida and the Taliban are not U.S. citizens, they are excluded from the protections of the Eighth Amendment. For this reason, their right to ethical treatment as non-citizen criminals held in U.S. custody is an explicitly contentious issue.

Despite the U.S. Constitution's prohibition of the use of torture, retired Harvard Law professor Alan Dershowitz, has controversially argued for its legislation as a tool in the interrogations of suspected terrorists.[8] In his article, "Want to Torture? Get a Warrant," Dershowitz asserts that torture should necessarily be used if there is an "absolute need to obtain immediate information in order to save lives, coupled with probable clause that the suspect has such information and is unwilling to reveal it."[9] In essence, he suggests that although the pain of torture is bad, the good produced, namely the saving of lives, makes the torture morally just. Using the specific example of the state of Israeli's legal use of torture in certain circumstances but speaking in the hypothetical, Dershowitz argues that the lives of "a thousand innocent people" should be "valued more than the bodily integrity" of one potentially guilty person.[10] Within this argument, the terrorist has undergone a transformation in which he is no longer a sinful human being, but rather a stock resource of information, which can

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6 Ibid.

7 Cornell University Law School: Legal Information Institute. "United States Code," accessed April 11, 2012, http://www.law.cornell.edu/uscode/text.

8 Professor Dershowitz retired in December of 2013.

9 Alan Dershowitz, "Want to Torture? Get a Warrant," *San Francisco Chronicle*, January 22, 2002, accessed June 2, 2012, http://www.sfgate.com/opinion/openforum/article/Want-to-torture-Get-a-warrant-2880547.php.

10 Alan Dershowitz, *Why Terrorism Works: Understanding the Threat, Responding to the Challenge,* (New Haven: Yale University Press, 2002), 144.

and should be used to save the "innocent."[11]

Despite the divergent views surrounding the humanness of suspected terrorists, torture remains a standard part of procedure at the American detention facility, Guantanamo Bay. Former detainees claim that upon arrival, they were unapologetically informed of their inferior status, with statements such as: "You are now the property of the U.S. Marine Corps."[12] The detainees further allege they were frequently degraded, humiliated and tormented, all as part of the United States' plan to extract information. As Giorgio Agamben notes, these detainees were reduced to a "bare life" status, in which they were deprived of any form of agency over their own lives.[13] Their lives were included in the juridical order solely in the form of exclusion; that is, they were kept alive only to be dehumanized and used as tools in the capturing of other suspected terrorists. Why were al Qaida and Taliban militants treated outside of existing boundaries concerning the ethical treatment of human beings? Further, how is it that the United States acquired the ultimate authority in determining the rights and non-rights of these militants? The question of how such widely contested forms of treatment came to be permitted in a state that powerfully advocates for the universal ethical treatment of human beings is one with an intricate answer. From here, I will use Carl Schmitt's theory on the political phenomenon of sovereignty and the "exception," in conjunction with a legal analysis to illustrate the foundations for such unprecedented state authority.[14]

Evidenced through the legally sanctioned, degrading treatment of suspected terrorists in Guantanamo Bay, the U.S. Government acquired the ultimate authority in determining the humanness of al Qaida and Taliban combatants. Carl Schmitt's theory on the political phenomenon of sovereignty and the "exception" explains the foundations for such state authority.[15] Schmitt contends that in each community there exists a set of actors who hold enough power to

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11 Ibid.

12 Michael Otterman, *American Torture: From the Cold War to Abu Ghraib and Beyond,* (Victoria: Melbourne University Press, 2007), 137.

13 Giorgio Agamben, *State of Exception,* trans. Kevin Attel, (Chicago: The University of Chicago Press, 2005), 4.

14 Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty,* trans. George Schwab, (Chicago: University of Chicago Press, 2005), 6.

15 Ibid.

decide if, and when, to suspend the conventional legal order. These actors are much like the gods of the political state, in that they hold a kind of metaphysical power that allows them to transcend the law when circumstances demand. A "state of exception" is thus created when these actors determine that an extraordinary emergency exists for the state, and that it is in the state's best interest to not only suspend, but to also transcend the existing law.[16]

The exclusive power to decide on the "exception" is the foundation for the establishment of Guantanamo Bay, as well as for President Bush's (terms of office 2001-2009) Military Order of November 13, 2001, regarding the "Detention, Treatment, and Trial of Certain Non-Citizens in the War against Terrorism."[17] As Giorgio Agamben asserts, the "state of exception appears as a threshold of interdeterminancy between democracy and absolutism."[18] In this way, Guantanamo Bay is a constant embodiment of the "state of exception" because it exists in the realm of legal limbo. Since the facility is not on American land, it is exempt from the American Constitution. It is the only American military institution located inside the territory of a state that does not have formal diplomatic relations with the United States. It detains al Qaida and Taliban militants whose existence is considered to be so outside of the boundaries of humanity, that the facility was exclusively created for their incarceration. The treatment of these militants under American custody is unlike anything that other criminals in the United States endure. It is for this reason that the imprisoned militants themselves are constant embodiments of the "state of exception." The American Government legally recognizes them as "unlawful combatants."[19] They fall outside of the normal bounds of political reality simply because they do not wear the uniform of a recognized political entity. Within Guantanamo Bay, these "unlawful combatants" are relentlessly tortured, most often for long, indefinite periods of time, and their inhumane treatment was legally sanctioned

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16 Agamben, *State of Exception,* 2.
17 George W. Bush, "Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism," *Federal Register* 66:222, November 13, 2001, accessed August 30, 2013, http://georgewbush-whitehouse.archives.gov/news/releases/2001/11/20011113-27.html.
18 Agamben, *State of Exception,* 3.
19 Jennifer Elsea, *Terrorism and the Law of War,* (New York: Nova Science Publishers Inc., 2008), 26.

by Bush's strategic Military Order.

The passing of the controversial Military Order exemplified President Bush's position as the ultimate authority in deciding on the "exception." On November 13, 2001, he officially declared the United States' then existential "state of emergency" to eventually legitimize the unprecedented authority of the American Government in the detainment of al Qaida and Taliban militants:

> Having fully considered the magnitude of the potential deaths, injuries, and property destruction that would result from potential acts of terrorism in the United States, and the probability that such acts will occur, I have determined that an extraordinary emergency exists for national defense purposes, that this emergency constitutes an urgent and compelling government interest and that issuance of this Order is necessary to meet the emergency.[20]

The Bush Administration further used the national state of emergency to strategically include only vague and unspecific clauses within the Order. For example, the Order applies to any individual that the president has "reason to believe" is a member of al Qaida or "anyone causing or seeking to cause harm to the United States, its citizens, or its economy."[21] Another example of the Order's intentional ambiguity is illustrated in the clause outlining the powers of the United States Secretary of Defence, which states that the Secretary of Defense "shall issue such orders and regulations as may be necessary, to carry out any of the provisions of [the] Order."[22] The indistinct phrase, "such orders and regulations as may be necessary," delegates to the Secretary of Defense a nearly unlimited authority over suspected terrorists. Further, the Order states that "if," not when, a suspect is to be tried, he is to be tried by "military commission."[23] Because of the relative newness of mass acts of terrorism against the United States, there are no precedents for judges and lawyers to rely upon; thus, the authorities involved in the military commissions work

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20 Bush, "Detention, Treatment, and Trial."
21 Ibid.
22 Elsea, *Terrorism,* 46.
23 Bush, "Detention, Treatment, and Trial."

within malleable circumstances in which statements made under torture are considered legitimate, and the death penalty is authorized. Further, the rules of the military commissions state that suspects can be "barred from attending their own trials and seeing the evidence against them."[24] In this way, the accused are lawfully restricted from any opportunity of a fair trial. As evident through the imbalanced nature of the military commissions, the U.S. Government holds an unprecedented power; Bush's Military Order purposely isolates members of the Taliban and al Qaida from established legal traditions so that their fate is ultimately left in the hands of the American Government.

The trend of "unprecedented power" is continued further in the Order, in the declaration that the American Government will treat the 9/11 attacks as "acts of war" rather than as criminal acts.[25] Similar to the clause stating the powers of the Secretary of Defense, the "acts of war" clause is also intended to expand the United States' authority with as much legal certainty as possible. Under international law, an "act of war" is: "A use of force or other action by one state against another which the state acted against recognizes … as an act of war, either by use of retaliatory force or a declaration of war."[26] In a traditional sense, the 9/11 attacks were not "acts of war" because the perpetrators were not overtly acting on behalf of a state, and because they did not employ conventional military weapons. However, the Bush Administration chose to classify the acts as such to ensure justified autonomy for the United States in the War on Terror. Evident through the indistinct declarations of the Military Order, it was through both ambiguousness and untraditional legal classification that the U.S. Government was able to acquire supreme authority in its War on Terror.

Even after the enactment of the Military Order, the U.S. Government continued its expansion of power in the detainment of suspected terrorists. In October 2006, the Bush Administration enacted the "Military Commissions Act," which authorized the executive to conduct military tribunals of "unlawful enemy combatants," and to hold them indefinitely without judicial review

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24 Otterman, *American Torture,* 138.
25 Elsea, *Terrorism*, vii.
26 Ibid, 14.

under the terms of *habeas corpus*.[27] The Act codified the term "unlawful enemy combatant," and in doing so it invested the U.S. Government with extensive discretionary power in terms of determining who constituted such an entity. According to the Military Commissions Act, an "unlawful enemy combatant" is:

> A person who has engaged in hostilities or who has purposefully and materially supported hostilities against the United States or its co-belligerents who is not a lawful enemy combatant (including a person who is part of the Taliban, al Qaida, or associated forces), and a person who, before, on, or after the date of the enactment of the Military Commissions Act of 2006, has been determined to be an unlawful enemy combatant by a Combatant Status Review Tribunal or another competent tribunal established under the authority of the President or the Secretary of Defense.[28]

The Military Commissions Act is an exemplification of the "systematic dehumanization" of al Qaida and Taliban militants.[29] The U.S. Government created and codified the term "unlawful enemy combatant" to deliberately exclude al Qaida and Taliban militants from enjoying any of the rights of "lawful enemy combatants," and in essence, any of the basic rights of human beings. For example, unlike "lawful combatants," "unlawful combatants" do not qualify for Prisoner of War status under the Geneva Conventions.[30] To further clarify and establish this exclusion, Bush unapologetically declared: "None of the provisions of Geneva apply to our conflict with al Qaida in Afghanistan or elsewhere throughout the world."[31] This Act was the rationale for erasing any legal status of al Qaida and Taliban militants, by holding them neither as criminal suspects nor as Prisoners of War, but as a third category of beings. Even though there are no

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27 David K Linnan, *Enemy Combatants, Terrorism, and Armed Conflict Law: A Guide to the Issues,* (Connecticut: Greenwood Publishing Group, 2008), 110.
28 U.S. Government Printing Office. "Military Commissions Act of 2006.," accessed August 20, 2013, http://www.gpo.gov/fdsys/pkg/PLAW-109publ366/html/PLAW-109publ366.htm.
29 Dabashi, *Brown Skin,* 5.
30 Linnan, *Enemy Combatants,* 109.
31 Ibid.

substantial differences in the ways in which "lawful combatants" and "unlawful combatants" engage in warfare, the Military Commissions Act strategically differentiates between the two. Because al Qaida and Taliban militants do not act on behalf of a state organization, and because they do not wear a "fixed distinctive sign," they are legally recognized as beings that are somehow outside of the boundaries of humanity.[32]

In addition to legally establishing a third category of beings, the Military Commissions Act stipulates that any testimony coerced through humiliating or degrading treatment is admissible. Although the Act does ban torture, the clause which references the use of torture is problematic because it only prohibits acts that are "specifically intended" to cause "severe mental and physical pain."[33] The Act integrates these ambiguous restrictions because under international law, it must comply with the War Crimes Act, which prohibits the "cruel or inhumane" treatment of enemy combatants.[34] Despite the War Crimes Act's restrictions on torture, Central Intelligence Agency (CIA) agents have consistently used tormenting interrogation techniques in Guantanamo Bay. The techniques include water-boarding, sleep deprivation, induced hypothermia, and solitary confinement without a time restriction.[35] According to the CIA, these techniques are "not intended to cause gratuitous, severe physical pain or suffering or prolonged mental harm," but are instead intended to "induce cooperation" over a period of time by weakening the detainee's mental and physical ability to resist.[36] Surprisingly, the U.S. Government has not violated any international laws with its use of torture because under the War Crimes Act, an action is only considered "cruel or inhumane" if it produces "serious" physical or mental pain.[37] Since water-boarding and solitary confinement only produce brief pain, and since induced hypothermia, sleep deprivation and hand slaps do not cause "serious" bodily injury, they are not considered "cruel or inhumane" and are thus all legal tools in the interrogator's toolbox.

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32 U.S. Government, "Military Commissions Act."
33 Otterman, *American Torture,* 187.
34 Elsea, *Terrorism*, 63.
35 Otterman, *American Torture,* 188.
36 Ibid, 147.
37 Ibid, 187.

Despite the controversy surrounding the use of torture, Bush advocated for its use in the interrogations of suspected terrorists. He described the CIA's interrogation program as "the single, most potent tool that [the U.S. Government] has in protecting America and foiling terrorist attacks."[38] He further referred to the interrogation techniques as "an alternative set of procedures," and "vital tools that are needed to protect the American people and [their] allies."[39] He also continuously referred to al Qaida and Taliban militants as "the world's most dangerous terrorists" in an attempt to justify the cruel treatment towards them by placing them in a distinct category.[40] Further, Bush's Vice President, Dick Cheney (terms of office 2001-2009) also publicly supported the inhumane treatment of the militants, stating: "I think [the Military Order and the Military Commissions Act] guarantee that [the U.S. Government] has the kind of treatment available for these individuals that they deserve."[41] The militants are considered to constitute such a unique existence that the treatment they supposedly "deserve" is unlike any treatment given to other criminals of the United States. Bush insisted that this was because:

> The War on Terror ushers in a new paradigm, one in which groups with broad, international reach commit horrific acts against innocent civilians, sometimes with the direct support of states. [The United States of America] recognizes that this new paradigm, ushered in not by [Americans], but by terrorists, requires new thinking in the law of war.[42]

The "new thinking" has thus far resulted in the dehumanization of enemy combatants and the establishment of a new category of beings. By integrating the ambiguous legal status of the militants into convincing rhetoric, the Bush Administration gained public acquiescence. They then used this acquiescence to enact controversial

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38 Ibid, 186.
39 Ibid, 13.
40 Ibid, 186.
41 The White House, "Remarks by Vice President Dick Cheney to the U.S. Chamber of Commerce," November 14, 2001, accessed August 30, 2013, http://georgewbush-whitehouse.archives.gov/vicepresident/news-speeches/speeches/vp20011114-1.html.
42 Otterman, *American Torture,* 128.

foreign policies and further, to justify the exclusion of al Qaida and Taliban combatants from both domestic and international law.

In the "state of exception," the decision on the humanness of the captured person is made by those with judicial power. Within this state, the captured, unclassifiable being, regardless of the accuracy of the accusations, loses the ability to use his voice. The individual has not only been deprived of his citizenship, but also of any form of agency over his own life. Following the 9/11 attacks, the "state of exception" became the rule in the United States. It was with this rule that the Bush Administration was able to override existing laws to create a torture facility and also to enact discriminatory foreign policies. Through both the Military Order and the Military Commissions Act, the U.S. Government acquired the ultimate authority in determining the rights of al Qaida and Taliban militants and further, the authority to decide on their humanness.

The U.S. Government exemplified its categorization of al Qaida and Taliban militants through its initiation of a unique, mechanized military operation beginning in 2004, bringing into existence a new kind of warfare, in which the traditional human element of offensive combat was replaced with preprogrammed machinery.[43] In June of 2004, the Bush Administration launched a series of airborne attacks on suspected al Qaida and Taliban militants in the regions along the Afghanistan and Pakistan border.[44] The ongoing attacks involve an armed, unmanned aircraft or "combat drone," which is controlled remotely either autonomously, by a computer, or by an agent from the CIA's Special Activities Division.[45] Because combat drones do not require any personnel onboard, they provide constant, uninterrupted surveillance of proposed targets and their surroundings, so that an exceptionally precise attack can eventually take place. Further, the United States' drone operation does not constitute a traditional military battle because the targets are attacked without the ability to reciprocate strikes. In this way, the automated, procedural nature

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43 The New America Foundation, "The Drone War in Pakistan: All Strikes," accessed August 20, 2013, http://natsec.newamerica.net/drones/pakistan/analysis?page=17.
44 Ibid.
45 Bobby Ghosh and Mark Thompson, "The CIA's Silent War in Pakistan," *TIME Magazine,* June 1, 2009, accessed April 20, 2013, http://www.time.com/time/magazine/article/0,9171,1900248,00.html.

of drone warfare has removed the human essence from offensive warfare, which in effect has created an asymmetrical war.

Since al Qaida and Taliban militants do not wear the uniform of any "recognized state army," there are conceptual difficulties in fitting their activities into the rigid grid of the international law of war.[46] However, the U.S. Government contends that the drone operation is completely legitimate, as cited in a March 2010 statement from then U.S. Legal Advisor, Harold Koh. Koh adamantly insisted that the United States' "targeting practices, including lethal operations conducted with the use of unmanned aerial vehicles," complied with "all applicable law, including the laws of war."[47]

The U.S. Government has strategically interpreted the international law of war in order to legitimize and continue its drone mission. Both the Bush and Obama Administrations have contended that the drone strikes are lawful acts of war, as well as a means of "self-defense" in what they perceive to be an "armed conflict" with al Qaida and the Taliban.[48] The U.S. Government has established the position that it has the right to kill in accordance with the "Authorization to Use Military Force," or as an "act of self-defense" when:

(i) It identifies an individual who is part of al Qaida, the Taliban, or associated forces;
(ii) The individual poses an imminent threat to American interests at home or abroad;
(iii) [The individual's] capture is infeasible.[49]

Similar to the indistinct clauses of both the Military Order and the Military Commissions Act, the U.S. Government once again intentionally included capacious definitions of when it might exercise particular powers, including lethal force. For example, they

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46 Elsea, *Terrorism*, 13.
47 Greg Bruno, "U.S. Drone Activities in Pakistan," Council on Foreign Relations, July 19, 2010, accessed March 13, 2012, http://www.cfr.org/pakistan/us-drone-activities-pakistan/p22659.
48 Ibid.
49 David Cole, "Obama and Terror: The Hovering Questions," *The New York Review of Books,* July 12, 2012, accessed August 20, 2013, http://www.nybooks.com/articles/archives/2012/jul/12/obama-and-terror-hovering-questions/?pagination=false.

strategically included the term "imminent threat," contending that al Qaida militants want to strike the United States whenever they have a chance and therefore always pose an "imminent threat" to American safety. [50]

An "international armed conflict" is legally understood as a war between states, and not a war between states and "non-state actors."[51] Both al Qaida and the Taliban are considered "non-state actors" under international law, which means that the United States' "self-defense" claim in this context of conflict is invalid.[52] Even though al Qaida and the Taliban have attacked the United States, the use of force by private persons has not traditionally constituted an "armed conflict."[53] Additionally, the United States' claim that the drone strikes are legitimate "acts of war" is highly problematic, as neither Afghanistan nor Pakistan has attacked the United States. The United States' nonconformity to the law of war and the unconventional nature of its drone mission could potentially result in its violation of the law of war. As Georgetown University professor Gary Solis, suggests, the agents involved with the implementation of the drone operation may be subject to prosecution, albeit with some irony, as "unlawful combatants."[54]

Despite the legal discrepancies and the asymmetrical nature of the United States' drone operation, President Obama (elected to office 2009) continues to justify and support the United States' military intervention along the border between Afghanistan and Pakistan. He insists that the drone strikes are needed not only because it is "necessary" to destabilize al Qaida and the Taliban, but also because the drone strikes supposedly have superior precision when compared to conventional military tactics.[55] According to reports from the CIA and the United States military, the drone strikes have seldom result

50 Ibid.
51 Ibid.
52 Elsea, *Terrorism,* 15.
53 Ibid, 13.
54 Gary Solis, "CIA Drone Attacks Produce America's own Unlawful Combatants," *The Washington Post,* March 12, 2010, accessed August 20, 2013, http://www.washingtonpost.com/wp-dyn/content/article/2010/03/11/AR2010031103653.html.
55 Cole, "Obama and Terror."

in civilian fatalities.[56] The CIA claims that only a minimal number of civilian deaths have occurred since the operation's initiation, and that since 2008, the drone strikes have primarily killed only those targeted.[57] This claim is highly unlikely, as drone missiles are most often launched in areas where people fit the generic description of "hostile enemy combatants," so as to increase the probability of striking actual "unlawful enemy combatants."[58] The drone operators senselessly kill anyone they identify as an enemy without any concrete evidence of their identity and behaviour. As a result, innocents who go about their daily business, as well as the friends and family members who surround them, are often the unsuspecting targets of drone strikes. In this way, the CIA's statistics are nowhere near the actual number of civilian deaths; some independent research suggests that during the Obama Administration alone, drone tactics have killed as many as five hundred civilians.[59] Despite such statistics, President Obama continues to expand the drone operation in a way that supersedes the accomplishments of his predecessor; of a total of 383 CIA drone strikes launched against al Qaida and Taliban combatants between 2004 and 2014, only 51 were launched by the Bush Administration.[60]

Obama's campaign may protect the citizens of the United States, but it transforms the environments of the accused and innocent alike into a remote-controlled killing game. With its procedural and mechanized nature, the drone war is a high tech war that has "created the impression, albeit an erroneous one, that war itself has become bloodless."[61] From the attacker's point of view, the drone war takes

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56 Daniel L. Byman, "Why Drones Work: The Case for Washington's Weapon of Choice," The Brookings Institution, July 2013, accessed August 20, 2013, http://www.brookings.edu/research/articles/2013/06/17-drones-obama-weapon-choice-us-counterterrorism-byman.

57 Mark Landler, "Civilian Deaths Due To Drones Are Not Many, Obama Says," *The New York Times*, January 30, 2012, accessed June 21, 2012, http://www.nytimes.com/2012/01/31/world/middleeast/civilian-deaths-due-to-drones-are-few-obama-says.html?_r=0.

58 Cole, "Obama and Terror."

59 Byman, "Why Drones Work."

60 "Covert Drone War: Casualty Estimates," The Bureau of Investigative Journalism, accessed March 28, 2014, http://www.thebureauinvestigates.com/category/projects/drones.

61 Th.A. van Baarda and D.E.M. Verweij, eds., "Introduction," in *The Moral Dimension of Asymmetrical Warfare,* eds. Th.A. van Baarda and D.E.M. Verweij ,

place through an intricately constructed simulation of the battlefield, in which the enemy is illustrated as a faceless target. The dehumanized essence of drone warfare creates an eerie parallel between the United States' drone operation and a war-themed videogame. Like the agent who controls a combat drone, the player of a videogame is the controller of an operation with a clear objective. Disconnected from the reality of combat, the player sits behind a screen and pushes various buttons to attack his opponents. He has total control; he decides when to attack, which weapons to use, and ultimately, when to turn off the game. Similarly, drone operators monitor their targets intimately through lifelike simulations of the enemy combatant and his environment. They too decide when to attack and which of the drones is best suited for the attack. The ultimate player, the United States, decides when to turn off the operation. With such parallels, the operators of the United States' drone mission are quintessentially the players of a legally sanctioned videogame.[62]

In contrast to the systematic dehumanization of accused enemies detained as part of the War on Terror, criminally accused American citizens are given the opportunity to defend themselves by law. Once enough evidence has been gathered, a legal community determines their fate through adherence to the definite laws within the American Constitution. In the context of the United States' drone operation, however, the fate of the accused lies in the hands of the operators, who dispense of human life at their discretion. The only evidence they need is their own judgment on whether an individual appears to be a "hostile" enemy combatant.[63] In this way, the drone war has evolved the United States' war against al Qaida and the Taliban into a

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(Leiden: Martinus Nijhoff Publishers, 2009), 16.

62 The parallels between the United States' drone operation and modern videogames involving warfare exemplify the transformation of the enemy combatant from human being to stock object. In a videogame, the opponents have no individual identity other than that of an enemy. Similarly, within the drone operation, Taliban and al Qaida militants are identified exclusively by their existence as "unlawful enemy combatants." For this reason, many militants are often killed simultaneously with a single drone strike. Such strikes are known as "signature strikes" and they target and kill groups of men who are not personally identified but who appear to be combatants. Cole, "Obama and Terror."
63 Van Baarda and D.E.M. Verweij, eds., "Introduction," 16.

dehumanized, technological spectacle in which the enemy combatant's life is not only objectified, but fundamentally reduced in value. These men are placed so far outside of the existing boundaries of humanity that they are legitimately executed without trial through the American Government's interpretation of intentionally ambiguous laws.

The amalgamation of the American Government's foreign policies in the War on Terror and its dehumanizing military operation has created a legally sanctioned norm for the subhuman treatment of accused al Qaida and Taliban militants. Schmitt's theory on sovereignty and the "exception" explains the circumstances under which the U.S. Government was able to establish itself as the legal determinant of identity. Using Bush's 2001 recognition of the United States' "state of emergency," the American Government continues to expand its authority in its war against the Taliban and al Qaida, without effective domestic or international interference. Together, the Military Order and the Military Commissions Act legally allow the U.S. Government to codify its own notion of subhuman identity. This unique identity is entrenched within American law under the term "unlawful enemy combatant," and it is presently only assigned to members of the Taliban and al Qaida. Through its several unique and often unprecedented mediums, the American Government treats "unlawful enemy combatants" as inferior beings. The detainees in Guantanamo Bay are a constant exemplification of how the U.S. Government segregates and exclusively treats those whom it determines to be outside of the existing boundaries of humanity. Within Guantanamo Bay, the interrogator's use of torture to extract information, which may or may not exist, constitutes a means to an end and the categorization of the accused as an object.

Within the CIA's drone war, the deaths of enemy combatants are regarded as mechanical and procedural necessities. Thus, these drone operations are also a constant exemplification of the American Government's notion of al Qaida and Taliban militants as beings who do not meet the requirements for human identity. As Agamben notes, through their unique treatment in Guantanamo Bay as detainees, and through their procedural deaths on their own land as "unlawful enemy combatants," al Qaida and Taliban militants have been reduced to a "bare life" status in which they have lost all forms of agency over

their own lives.[64] These militants are treated by the U.S. Government as beings that belong to the most inferior category in a hierarchical model of humanness. Despite the United States' decision to create an exclusive facility to house al Qaida and Taliban combatants, the codification and entrenchment of a preconceived notions, and the subsequent launch of an asymmetrical war, the U.S. Government is, and will continue to be the ultimate, self-appointed authority in the decision-making process regarding the humanness of the captured because of its exclusive authority to supersede all existing law within the state of exception.

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64 Agamben, *State of Exception,* 4.

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Turkey Post 1980 Coup D'etat: the Rise, the Fall, and the Emergence of Political Islam

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Abstract

While it has often been perceived that Kemalist Turkey succeeded in firmly establishing secularization, the Islamist movement that followed the 1980 military intervention questioned the fundamental principles of Mustafa Kemal Ataturk by embracing Islamic identity and Islamic values in the social and public sphere. This paper will examine the rise, the fall, and the emergence of political Islam in Turkey following the 1980 coup d'état. Following the military intervention of 1980, the level of Islamic activism rose due to state policies during the 1980s and 1990s. It can be observed that the consequences of the Islamic tolerance during the 1980s and 1990s led to the rise and the fall of the Islamic leaning Welfare Party of Necmettin Erbakan. This paper will also explain how the Justice and Development Party (AKP) differed its policies from the Welfare Party, by blending a moderate Islamic identity with a pro-Western mentality, to achieve support and stability for Islamist politics.

The struggle between different kinds of Islamists on one side and the state founded on the principles of Mustafa Kemal Ataturk (1881-1938) on the other, have been a continuous factor in the shaping of Turkey's politics. The foundation of the Turkish Republic effectively pushed Islam out of the political and social arena, and marginalized Islamic actors that posed threats to Kemalist secularism. With the advent of the multiparty system in 1945 and the country's first free and fair multi-party elections in 1950, Islamist groups sided with the Democratic Party, led by Turkey's first democratically elected

Prime Minister Adnan Menderes (Prime Minister from 1950-1960). Under his leadership, they opened the door for the resurgence of cultural and political Islam.[1] The policies of Menderes reinstated Arabic as the official language of prayer and supported the expansion of Imam Hatip schools (secondary schools for prayer and sermon leaders), agitating the secular establishment and leading to the first military coup d'état of 1960 and the execution of Menderes in 1961.[2] The 1960 coup d'état is only one example of the consequences of the attempts by civilian governments in Turkey to enforce policies that defer from the policies of Ataturk's secularism. Nevertheless, Islamic social and political activism continued to grow following the execution of Menderes. In the 1980s, politicians like Turgut Ozal (Prime Minister from 1983-1989; President from 1989-1993) attempted to soften the boundary between Islam and secularism. The state's increasing tolerance of Islam in the 1980s would lead to further military intervention to uphold the importance of the fundamental principles of Ataturk in the face of politicians like Necmettin Erbakan (Prime Minister from 1996-1997), who launched "grass-roots efforts to restore Islam's key role in Turkey."[3] The three sections of this essay aim to explain: how the level of Islamic activism rose following the military intervention of 1980, due to state policies during the 1980s and 1990s; how consequences of the Islamic tolerance during 1980s and 1990s led to the rise and fall of the Islamic leaning Welfare Party (Refah Partisi**,** 1983-1998) of Erbakan; and, finally, how the Justice and Development Party (the Adalet ve Kalkinma Partisi or AKP) differed its policies from the Welfare Party in the 1990s to ensure political victory.

I. The Turkish-Islamic Synthesis-Islamic Tolerance and the 1980 Coup d'état

In the 1970s, Turkey was polarized by intense ethnic, sectarian, and ideological conflicts that were in large measure fueled by a severe economic downturn caused by the 1973 oil crisis and the long-term

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1 Hakan Yavuz, *Islamic Political Identity in Turkey* (New York: Oxford University Press, 2003), 33.
2 Zeyno Baran, *Torn Country: Turkey between Secularism and Islamism* (Stanford: Hoover Institution Press, 2010), 31.
3 Baran, *Torn Country*, 140.

consequences of massive rural-to-urban migrations that had been taking place since the 1950s.[4] By the late 1970s, Turkey was suffering economically and teetering on the brink of civil war between extreme right-wing groups and their counterparts on the left. In this context, there was a growing fear among secularists that the recent Islamic revolution of Ayatollah Khomeini in Iran would prompt a similar Islamist takeover in Turkey.[5] On September 6, 1980, a rally was led in Konya by Necmettin Erbakan's National Salvation Party (Milli Selamet Partisi). Individuals marched in Ottoman-style clothing while carrying green flags with Islamic symbols.[6] Within six days, Turkish military forces led by General Kenan Evren seized power in what became known as the military coup d'état of 1980.[7]

In an attempt to reduce social tension and focus on the main political danger, Evren's military forces sought to adopt the policy of "controlled Islam," with the goal of forming a "Turkish-Islamic synthesis," a policy which praised the Islamic interpretation of Sunnism in Turkey for guarding pious Turks from international Islamist movements.[8] In this section, I will explain how religion was used by the military as a source for an ideology of national unity. These decisions by the Turkish military and government functioned as stepping stones for the Islamists to strengthen their political power and for Islam to regain momentum as a key determinant of Turkish nationalism and politics.

The military forces dissolved parliament, then quickly moved in to purge anyone that was perceived as a "leftist," members of the extreme right, and some of the more prominent Islamists. This included Erbakan, who was banned from running for office for seven years. Post-coup policy thereafter aimed to use and promote Islam as a tool against communism, a threat with which, in the words of Chris Morris, "the military regime which ruled Turkey in the early

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4 Yavuz, *Islamic Political Identity*, 68.

5 The economic crisis was due to a combination factors including: a persistent balance of payments deficit, an industry depended on foreign inputs, and the oil price shocks of the 1970s. For more on the economic crisis of the late 1970s. See: Erik J. Zurcher, *Turkey: A Modern State*, (New York: I.B. Tauris, 2009), 267.

6 Feroz Ahmad, "Islamic Reassertion in Turkey," *Third World Quarterly* 10, (1988): 750.

7 Ibid., 750.

8 Baran, *Torn Country*, 140.

1980s was obsessed."[9] By using institutions and symbols of Islam as a counterweight to the Marxist organizations and Leftist movements, the military encouraged the fusing of Sunni Islamic values with national goals, in the sense that the military government planned to foster a co-opted and less political Islam to confront a much-exaggerated leftist threat.[10] General Evren valued the "rational" nature of Islam[11] and he proposed that there was an enlightened Islam that promoted modernity, was open to change and secularism, and could act as social cement for unifying the Turkish state against what he felt were the Kurdish separatist and Marxist threats.[12] For Evren, Islam "was an element in the service of the nation and nationalism rather than as an autonomous force to compete with either secularism or nationalism."[13] Fundamentals of Turkish Islam were used by military leaders to legitimize temporary rule and to attempt to unite the nation under its guidelines.

Religion was imbued with the role of providing social solidarity by the military's reforms, which in turn would pave the way for the strengthening of political Islam and the re-emergence of Islam as a key factor in Turkish nationalism and politics. Compulsory religious education for all primary and secondary schools was introduced, while many religious and Koranic schools were expanded and a mosque building campaign was undertaken.[14] At the same time, the military formed the Department of Propagation as a new department in the Directorate of Religious Affairs, and used this new organization as a platform for their fight against Kurdish nationalism and Marxist-nationalist ideologies which were popular in southeast Anatolia.[15] These reforms engaged public religious education as religious television programs increased and Imam Hatip schools expanded from 72 in 1970 to 382 in 1988.[16] The expansion of religious schools

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9 The emphasis on traditional values, a combination of Turkish nationalism with religion, was used by the secular guardians in the military as a counterweight against Marxism. See Chris Morris. *The New Turkey: The Quiet Revolution on the Edge of Europe* (London: Granata Publications, 2005), 72-73.
10 Hakan Yavuz, *Islamic Political Identity*, 69.
11 Ibid., 70.
12 Ibid.
13 Ibid., 71.
14 Chris Morris. *The New Turkey*, 73.
15 Hakan Yavuz, *Islamic Political Identity*, 70.
16 Zeyno Baran, *Torn Country*, 36.

increasingly allowed graduates to find positions in the government bureaucracy.[17] The military leadership's efforts to open Islam to the social, public, and political arenas had results contrary to their vision, in that Islam-focused politicians, like Ozal, Erbakan, and Recep Tayyip Erdogan, who eventually became the influential leader of the AKP, would come to play dominant roles in Turkish politics. In 1980, the opportunity to "invent a more religious Turkish polity" arrived, and it was with this that the military helped the Islamist to attract the votes of the discontented.[18]

The outcome of the 1983 parliamentary elections, which marked the return to a parliamentary democracy, albeit a carefully circumscribed one, sharply deviated from the victory that the Turkish military had expected.[19] The results of the election would lead to the rise of a leader who played a significant role in allowing Islam to regain momentum as a key determinant of Turkish nationalism and politics. The Motherland Party (Anavatan Partisi) of Turgut Ozal, which was openly criticized by the military regime, won the election over the military supported Populist Party.[20] Ozal, who became the Prime Minister and later the President of the Republic, was a former Islamist with Kurdish roots who had openly declared himself to be a practicing Muslim.[21] Ozal was the first Turkish president to undertake the *haj* to Mecca, and he stood against some military decisions, as when he vetoed the appointment of a new chief of the general staff.[22] The failure of the military leaders to perceive the Motherland Party as a threat led to the rise of Ozal and further strengthened the Islamists' position in Turkish politics. Although Ozal mostly acted within the framework set by the military, he was perceived as the man who officially legitimized the "radically new perspectives on the role of Islam and the Ottoman heritage in contemporary Turkish society."[23]

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17 Ibid.

18 Sam Kaplan, *The Pedagogical State: Education and the Politics of National Culture in Post-1980 Turkey* (Stanford: Stanford University Press, 2006), 44.

19 Sabri Sayari, "The Changing Party System," in *Politics, Parties, and Elections in Turkey*, ed. Sabri Sayari and Yilmaz Esmer (London: Lynne Rienner Publishers, 2002), 16.

20 Yavuz, *Islamic Political Identity*, 75.

21 Oliver Roy, "Turkey: A World Apart, or Europe's New Frontier?," in *Turkey Today: A European Country*, ed. Oliver Roy (London: Anthem Press, 2004), 18.

22 Morris, *The New Turkey*, 44.

23 Yavuz, *Islamic Political Identity*, 75.

Ozal's years in power nurtured the Islamic identity and strengthened Islamic values in the social and public sphere. In the 1983 elections, Ozal appealed to what he termed "the long repressed Muslim identity of Turks," and followed up by claiming that, under his rule, the political leadership would be more sensitive to religious issues.[24] Ozal's party encouraged owners of small capital in the smaller cities and towns in Anatolia to invest their money in market-oriented businesses.[25] Ozal's notion of liberalism and free market capitalism within Muslim parameters allowed for the increasing tolerance of Islam, and "contributed to the expansion of **the** public sphere in multiple directions."[26] Ozal's reforms were mainly to the benefit of entrepreneurs based in Anatolia who had been marginalized by the previous governments which tended to be closely allied with the elite of Turkey's secular business leaders like the Koc and Sabanci families. Ozal's economic policies were favourable towards and greatly supported by the Islamist forces that thrived under his leadership conditions. Ozal's government introduced Turkey to Islamic finance and banking according to *sharia* requirements and this led to a large influx of capital investments from oil-rich countries like Saudi Arabia.[27] This oil money was then distributed to new Islamic groups via well-funded financial circles. Ozal's policies provided the legal foundations for charitable donations used for religious purposes.[28] The increased interaction with other Islamic business communities and the restoration of historic connections by Islamic groups marked a change from pre-1980 Turkey. Ozal's anti-bureaucratic and free market policies were supported by the bourgeoisie of large Turkish cities, as well as the small-scale business owners who supported Islamic symbols and ethics as a weapon against state intervention in the economy and big industrialists who enjoyed state patronage.[29] These factors contributed in the formation of Islamic associations like The Independent Businessmen and Industrialists Association (Mustakil

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24 Baran, *Torn Country*, 39.

25 Sefa Filmflek, "New Social Movements in Turkey Since 1980," *Turkish Studies* 5, (2004): 121.

26 Berna Turam, *Between Islam and the State: The Politics of Engagement.* (Stanford: Stanford University Press, 2007), 49.

27 Baran, *Torn Country*, 39.

28 Yavuz, *Islamic Political Identity*, 89.

29 Ibid.

Sanayici ve Isadamlari Dernegi, MUSIAD), which offered small business owners a critical voice in engaging in economic discourse and business.[30] During the Ozal period, a new type of bourgeoisie emerged which closely identified with "Islamically inclined segments of the populace" and by the mid-1980s the transformation of Islamic organizational networks led to a major increase in pro-Islamic corporations in Turkey, where more than 4,000 corporations were identified as pro-Islamic.[31]

It becomes clear that, following the 1980 coup d'état, there was a new window of opportunity for Islamist groups to assert themselves in order to gain political power and influence in Turkish nationalism and politics. Prior to the 1980s, Islam was officially isolated from politics and the secular-supporting military repressed leaders like Menderes who supported Islamic foundations. With the 1980 military takeover of the government, the military did not view Islam as the main threat to the values of Secular Republic, but instead saw Leftist movements and communism as the threat against Kemalist secularism. While using Islam as a cementing force for uniting Turkish society against Leftist threats, the military leadership in the early 1980s became tolerant of Islamic principles, allowing Islamists to gain political power and influence.

II. Islamism and Its Limits: The Rise and Fall of the Welfare Party

Following the 1980 coup d'etat, the Turkish state permitted Islamist groups to participate in the country's economic and political spheres. Islamist groups were consequently incorporated into state plans. Following Ozal's death in 1993, Turkey entered a new period of economic and political instability, causing dissatisfaction amongst the population. This worked to the advantage of Erbakan's Welfare Party.[32] The strengthening of power and the rising numbers of Islamist groups under Ozal's leadership produced votes for the Welfare Party in the 1994 municipal elections. The Welfare Party became a major

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30 Ibid.

31 Ibid., 91.

32 Baran explains that the Turkish population was weary of the corruption scandals surrounding Ozal's time in office and of the persistent disputes between Turkey's centre-right and centre-left factions. See: Zeyno Baran, *Torn Country*, 40-41.

representative of political Islam, first coming to power at the level of
local governments and later in the national government with the True
Path Party (Dogru Yol Parti) in 1996.[33] The Welfare Party utilized its
grassroots mobilization by reaching out to the urban poor, and served
people across the lines of class, occupation and gender. However, the
success of the party sparked "widespread public fear and suspicion by
the state and secularists."[34] This section explains how the tolerance of
Islam by the military government of 1980-83 and Ozal's leadership
until 1993 would lead to the utilization of Islamic ideas by the Welfare
Party, bringing them into power. This section will also address the
accusations against the Welfare Party of activities that challenged the
principles of the Turkish state. These charges resulted in an indirect
military intervention against the party in what became known as the
soft coup of 1997.

The rise of the Welfare Party can be associated with the state
tolerance of Islamic principles under the military rule's notion of
"Turkish-Islamic Synthesis," as well as Ozal's integration of Islamic
values in the national political culture, which led to the rise of Islamist
groups. The increased visibility of Islam and the influence of Islam and
religious activism in Turkish politics resulted in the increased popular
appeal of the Welfare Party.[35] Following the 1983 election, the political
elite under the eyes of the military leadership decided that Islamists
needed to be integrated into the Turkish system in order to eliminate
the Leftist threat. It was decided that this integration could only be
achieved by accepting what Hakan Yavuz calls "soft Islam."[36] This
form of Islam, it was thought, would be closely monitored and tamed,
and "subsequently the Islamist groups entered the system through
the expansion of educational opportunities, economic activity, and
party politics."[37] Thus, by inviting the Islamist groups into the system,
the secular state thought it could maintain its hold on the religious
movements while using their religious notions to combat the Left-
leaning Marxist groups.

During the 1990s, the Islamic challenge brought success for the

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33 Filmflek, "New Social Movements," 122.
34 Turam, *Between Islam and the State*, 49.
35 Sayari, "The Changing Party System," 19.
36 Yavuz, *Islamic Political Identity*, 214.
37 Ibid.

Welfare Party in both national and municipal elections.[38] With the sudden death of Ozal in 1993, the Welfare Party was able to win over the traditional urban voters by promising them an end to corruption by imposing a "just order" rooted in Islamic traditions.[39] Voters supported the party's embrace of Islam because "it made it seem morally "purer" than the discredited parties of the center-left and center-right."[40]

Studies attribute the popularity of the Welfare Party to a rise in religiosity and religious values.[41] Under the military rule and later under the leadership of Ozal, first as Prime Minister then as President, religion was highly valued and religious schools were greatly expanded to drive home these values. Although the supporters of the Welfare Party were not necessarily Islamists in the political sense, they were moved by religious motives.[42] This explains the support for the Welfare Party in municipal elections by the rural voters that had migrated to the cities, since this group traditionally considered Islam "a core element of their identity."[43]

In the 1960s and 1970s, mass migrations to the cities occurred due to increased poverty in the countryside as a result of state policies that favoured the mechanization of agriculture.[44] However, the rural population failed to integrate into their new surroundings in the cities. The low-income newcomers needed low-cost housing which led to the development of squatter houses, known as *gecekondu*, often on state land.[45] Among these squatter towns, Islam "became a means of communication and alliance formation," which Erbakan utilized to gain votes. The Welfare Party's supporting base grew in the poor neighbourhoods and squatter towns, and the Welfare Party used religious organizations and foundations to help the poor, gaining

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38 Fuat Keyman, "Introduction: Modernity and Democracy in Turkey," in *Remaking Turkey: Globalization, Alternative Modernities, and Democracy*, ed. Fuat Keyman (Plymouth: Lexington Books, 2007), xxiii.

39 Baran, *Torn Country*, 41.

40 Ibid.

41 Yilmaz Esmer, "At the Ballot Box: Determinants of Voting Behavior," in *Politics, Parties, and Elections in Turkey*, ed. Sabri Sayari and Yilmaz Esmer (London: Lynne Rienner Publishers, 2002), 93.

42 Ibid.

43 Baran, *Torn Country*, 41.

44 Yavuz, *Islamic Political Identity*, 83.

45 Ibid.

popular support for their political movement.[46]

The policies of Erbakan's Welfare Party demonstrated the extreme form of the Turkish-Islamic synthesis, by illustrating that political Islam was still limited and under the control of military leaders who valued Ataturkism. By the time Erbakan's party was winning municipal and national elections, there was a sharp division between secular and Islamist sociocultural lines; the Welfare Party became one of the main platforms for "political Islam to articulate its demands within the public sphere."[47] Erbakan's victory set the stage for him to challenge the secular establishment through his Islamist policies, but his call for the establishment of an Islamic state caused extensive public fear and suspicion.[48] Erbakan's actions following his 1996 election victory included: hinting that he might pull Turkey out of NATO; forming a new, NATO-style alliance amongst Islamic nations; threatening to terminate Turkey's long-standing bid to join the European Union; and vowing to overturn the legislation forbidding women to wear the *hijab* while working in state buildings.[49] Erbakan's propositions directly challenged Ataturk's policy of aligning with the West, and his suggestion of attempting to legalize Islamic clothing in state buildings was a further blow to Ataturk's state policies of secularism, which promoted western modernity and clothing. Although Ozal also valued Islamic symbols and principles and expanded openings for Islam under the notion of the Turkish-Islamic synthesis, unlike Erbakan, he embraced Western ideas, demonstrated through his support for the Americans against Saddam Hussein in the first Gulf War in 1991.[50]

It became clear that the Turkish military, as the supporters of the fundamental principles of Ataturk, were not going to go along with Erbakan's radical plans for an Islamic revival.
On February 28, 1997, in what became known as the "February 28 Process," the National Security Council (an advisory body composed of top military commanders, the Prime Minister, and several cabinet

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46 Haldun Gulalp. "Political Islam in Turkey: The Rise and Fall of the Reftah Party," *The Muslim World* 89, (1998): 35.
47 Yavuz, *Islamic Political Identity*, 214.
48 Turam, *Between Islam and the State*, 49.
49 See Ann Louise Bardach, "A Real Turkey," *The New Republic* 217, (July 7, 1997): 17.
50 Baran, *Torn Country*, 40-41.

members) came to the conclusion that measures were necessary to curb the pro-Islamist activities of the Welfare Party.[51] The military presented Erbakan's government with a list of measures that were intended to curb his Islamist activities and Erbakan was left with no choice but to accept the military's measurements.[52] While Erbakan initially agreed to the imposed measures, he feared that restricting the Islamist media and closing private Koranic schools would alienate his party's grassroots support.[53] With increasing public pressures led by the military, which used public meetings to warn of the dangers of Islamic fundamentalism, Erbakan resigned as prime minister on June 18, 1997; the Welfare Party was subsequently dissolved and Erbakan was banned from politics for five years.[54]

III. Successful Campaign by Dissociation: The Victory of the AKP

Following the fall of the Welfare Party, "alternative codes of conduct" were formulated between the state and the Islamic politicians.[55] The primary role of the Turkish military can be defined by looking at Article 35 of the Internal Service Act of 1961, which states that the role of the military is to "safeguard and defend Turkish territory and the Republic of Turkey as designated by the constitution."[56] Since the Kemalist principles and doctrine are fully incorporated into the constitution, the Turkish military then sees itself as the protector of those principles and doctrines.[57] In the final section of this paper, I argue that, although the founders of the Justice and Development Party (AKP), registered in 2001, have their roots in the Welfare Party, they had to change their political actions in order to avoid the fate of Erbakan's party. The key founders of the AKP, Recep Tayyip Erdogan, Abdullah Gul, and Bulent Arinc, had all represented separate currents within Erbakan's wing.[58] In order to gain legitimacy and the approval of the state's elites, like the military leadership, these politicians had

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51 Gulalp, "Political Islam in Turkey," 39.
52 Gareth Jenkins, "Muslim Democrats in Turkey?," *Survival* 45, (2003): 50.
53 Ibid., 51.
54 Ibid.
55 Turam, *Between Islam and the State*, 134.
56 Yavuz, *Islamic Political Identity*, 245.
57 Ibid.
58 Zeyno Baran, *Torn Country*, 45.

to keep their policies different from that of Erbakan's Welfare Party. The 2002 elections, which brought the AKP to power with 363 out of the 550 seats in the parliament, represented an historical break, as a socially Muslim party was now given the opportunity to restructure the political landscape and expand the public sphere.[59]

The AKP leaders, unlike Erbakan's Welfare Party, appreciated Ozal's policies and aimed to shape their own policies to match his. The AKP's most prominent figure, Erdogan, came to identify himself with Ozal's policies as a way for society to reactivate Ozal's legacy, and utilized this association to promote his own policies. [60] Erdogan became the only leader to identify himself with the spirit of both Menderes in the 1950s and Ozal in the 1980s; by invoking Ozal's legacy, Erdogan was able to form a public policy that demonstrated the compatibility of overt religiosity with what the state considered tolerable.[61] Erdogan was able to redefine the Islamic identity of Turkey and to distinguish that identity from Erbakan's notion of Islamic identity. Prior to the formation of the AKP, Erdogan had publically stated "praise to god; we are all for *sharia*" and went further by saying "one cannot be secular and a Muslim at the same time. You will either be a Muslim or a secularist."[62] The statements made by Erdogan illustrate his views as a former member of the Welfare Party, as they resemble Erbakan's radical Islamic views. Erdogan and the AKP founders recognized that a patient approach was needed to gradually build support for a greater political role for Islam within the structures of the Turkish Republic.[63] In order to achieve support and stability for Islamist politics, the AKP founders "thus decided to break with Erbakan's confrontational approach."[64]

The AKP founders were able to appeal to both Western supporters and Islamist supporters by avoiding the policies of Erbakan, which insisted upon Islam as the guideline for Turkish politics. The adoption of a pluralist aspect allowed the AKP leaders to appeal to a wide range of supporters. According to Yavuz, the AKP leaders were more exposed to European ideas, while also maintaining a sense of clearly defined

59 Yavuz, *Islamic Political Identity*, 256.
60 Ibid.
61 Ibid.
62 Baran, *Torn Country*, 45.
63 Ibid., 46.
64 Ibid.

Islamic identity.[65] Accordingly, their centre-right political party appealed to Islamists who were willing to work within the democratic system, as well as to the liberal democrats who wanted further social, political and economic freedoms.[66] This then explains why the AKP leaders based their politics on that of Ozal rather that of Erbakan, since Ozal's Motherland Party was able to integrate the business community, liberal democrats and the Islamists.[67] The pluralist approach was successful, as the supporters that were attracted to the AKP were drawn to factors other than the party's views on religion; this explains why two-thirds of the people who voted for the AKP in their first election had never voted for Islamist parties before.[68]

One major difference between Erbakan's politics and those of Erdogan is that the AKP leadership had a desire to take Turkey into a stronger relationship with Europe. Immediately following their national electoral victory in 2002, the AKP leadership worked on the project of fulfilling the European Union criteria for beginning accession talks.[69] The AKP saw the EU criteria for democratization, human rights and state reform as "an echo of its own struggle against the army and the Islamists over the past 20 years."[70] The normative base of the AKP consists of a Turkish-Islamic synthesis, which promotes a new global discourse of human rights and democracy, representing the Westernization of Islamism in Turkey.[71] When the accession talks began in 2005, the "AKP seemed legitimized as a pro-Western political party pursuing Turkey's traditional foreign policy," and EU support among "pro-Western liberal Turks" had increased significantly.

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65 Yavuz, *Islamic Political Identity*, 258.
66 Baran, *Torn Country*, 46.
67 Ibid.
68 Morris, *The New Turkey*, 70.
69 Baran, *Torn Country*, 126.
70 Roy, "Turkey: A World Apart," 25.
71 Yavuz, *Islamic Political Identity*, 261.

Conclusion

In conclusion, the 1980 coup d'état was a turning point in Turkish nationalism and political affairs. While the Turkish military censored some public references to Islam, at the same time they used religion as a means to appeal to national unity after the military intervention of 1980. Following the military coup d'état of 1980, a new window of opportunity emerged for the Islamists groups to reassert themselves. Turgut Ozal successfully utilized the military's goal of Turkish-Islamic synthesis to soften the boundary between Islam and secularism. Following Ozal's death in 1993, the Islamist Welfare Party was ready to take advantage of the more liberalized society that Ozal had put together. Erbakan's victory in the mid 1990s brought Islamism to power. The policies by Erbakan's Welfare Party demonstrated the extreme form of the Turkish-Islamic synthesis, which accordingly also demonstrated the limits of political Islam, as the soft coup of 1997 brought an end to his leadership. The military leaders of the Turkish Republic illustrated that they were unwilling to accept a radical Islamist agenda in the political sphere. As the winner of the 2002 national elections, the AKP represented a transformation of the Islamic groups in Turkey with an increased sense of ideological moderation.[72] By blending a moderate Islamic identity with a pro-Western mentality, the AKP aimed for social integration and stability. By avoiding radical Islamist policies, the AKP leaders have managed to gain the trust of segments of the Turkish military and the civilian population since they acknowledge that the government has to pursue a secular, and more specifically, a pro-Western political agenda. The AKP have promoted the image that, with the right balance between policies that are both Islamic and pro-Western, various segments of the Turkish population can utilize the secular political framework.

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72 Ali Resul Usul, *Democracy in Turkey: The Impact of EU Political Conditionality,* (Abingdon: Routledge Taylor & Francis Group, 2011), 158.

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