

Israel's 'Nation-State Law'

The General Delegation of Palestine to Australia, New Zealand and the Pacific

Context

On July 19, 2018, the Israeli Parliament (Knesset) narrowly passed a new bill: *Israel – The Nation State of the Jewish People*. The 'nation-state law' has drastic implications for the political aspirations of the Palestinian people. It acts as a roadmap for an exclusively Jewish State of Israel that enshrines discrimination against Palestinians by the Israeli Government.

The nation of Israel was founded as a democracy with Western, liberal values. Its 1948 Declaration of Independence commits to ensuring "complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex". However, Israel was also premised on Jewish identity; the 1948 statement proclaims that "The Land of Israel was the birthplace of the Jewish people". Since its formation, a question has hung over the State of Israel. Is it possible for Israel to be a 'Jewish State' that celebrates Jewish identity and, at the same time, a liberal democracy that safeguards the rights of the indigenous Palestinian people?

Israel's nation-state law appears to have formally answered this question. The new 'Basic Law' – equivalent to a constitutional addition – excludes the 1948 Declaration's assurance of equality and is silent on the notion of democracy. Critics of the law within and outside of Israel, from both the Jewish and Palestinian communities, see these omissions as a disregard for the values on which the State of Israel was created. They say it encourages discrimination against Palestinians and other minorities in Israel. The law sets a dangerous pretext for the legal mistreatment of the indigenous Palestinians and other minority groups in Israel and in the Occupied Palestinian Territories (OPT), along with a degradation of their cultural heritage – their language, their religion, their history. It claims *all* of Jerusalem as the Jewish capital and it encourages ongoing Jewish settlement development as a 'national value', without stipulating where the settlements will be, further undermining a two-state solution and the right of return for Palestinian refugees to their homeland.

Background

Palestinians who survived Israel's 1948-49 so-called 'War of Independence' – otherwise known as the Palestinian 'Nakba' (catastrophe) – and who were able to remain in their homeland were permitted Israeli citizenship. More than 700,000 others (out of the 900,000 Palestine Arab population) were forcibly removed or fled their land and their homes. Today, the Palestinian people are the largest minority in Israel, comprising 21 per cent of the 8.5 million population. A large proportion of those displaced and their millions of descendants are now scattered across refugee camps in Gaza, the West Bank, Lebanon, Syria and Jordan in often desperate circumstances.

Israel has doggedly resisted Palestinians attempts to return to their homeland, contravening the 1948 UN Resolution (No. 194) which stated that the refugees should be allowed back as early as practicable. The Palestinian right of return continued to be legitimised by the UN General Assembly with resolution's 242 (following the 1967 war and Israel's military occupation of Gaza, West Bank

and East Jerusalem) and 338 (during the 1973 war). These and all other resolutions have been consistently ignored by Israel. In contrast to Israel's defiance of the international community's requests and conventions regarding Palestinian refugees, a person with Jewish heritage is automatically eligible for citizenship under Israeli law of return. This right of return solely for Jewish people is strengthened in Israel's new Basic Law, which declares the state 'open for Jewish immigration'. It calls for the 'Ingathering of the Exiles', a reference to Biblical promises for a return of the holy land to the Jewish people.

While the 1.7 million Palestinian Israeli's are theoretical citizens of Israel, they are in practice treated as second-class citizens. Embedded discrimination and inequality exist for non-Jewish citizens of Israel. Restrictions in education, land-ownership, housing, employment, health care, voting rights and freedom of movement are highlighted by the United Nations and documented by the Association for Civil Rights in Israel (ACRI), the Israeli human rights watchdog. Palestinian Israeli's have far higher rates of poverty than Jewish citizens and according to ACRI, they are treated by many Jewish people with "hostility and mistrust" and viewed as "a demographic threat".

Following the Oslo agreement of 1993 between the Palestinian Liberation Organization (PLO) and Israel, the Palestinian Authority (PA) was established. The 1967 Israeli military occupation of Palestine continued. Palestinians were given very limited jurisdiction in the newly determined areas of the West Bank: A, B and C. Areas A and B are mainly inhabited by Palestinians, the PA managing security and civilian issues in Area A, but not security in Area B. Area C (61% of the West Bank) has remained under Israeli control. Despite the Oslo agreement acknowledging the indigenous Palestinian population a right to establish autonomy according to 1967 UN-defined borders, the Palestinians in Area C have remained under pressure from sustained Israeli Jewish settlement projects which permanently remove Palestinians from their homes and land. They are replaced by Jewish settlers, thereby altering the demographic structure of Area C in the favour of Jewish people. East Jerusalem (excluded from the Oslo agreement) has suffered similarly aggressive settlement expansion from Israel.

Three million Palestinians now live in the occupied West Bank and East Jerusalem. They are ineligible for Israeli passports or Israeli voting rights, their ability to live freely determined largely by the Israeli authorities. Many of them experience intimidation and direct violence from the Israel Defence Forces and Jewish settlers. The two million Palestinians in Gaza are stateless, most living in abject poverty. They are under siege from Israeli air strikes, unable to leave their virtual open-air prison. Gaza is a humanitarian crisis. Israel is condemned by the UN and the broad international community for routinely restricting aid organisation's emergency food, water and first aid supplies from passing into the blockaded zone. Meanwhile, the seven million Palestinians refugees in the Diaspora long for a return to their homeland.

The Nation-State Law and its implications

The nation-state bill was first introduced in 2011 by centre-right member of the Knesset, Avi Dichter (from the Likud Party), with an aim to establish Israel, in law, as a distinctively Jewish homeland. Following the bill's passing in July this year, proponents were lauding its significance. Dichter told Israeli news website Ynet that the new law prevented "even the slightest thought, let alone attempt, to transform Israel to a country of all its citizens." Prime Minister Benjamin Netanyahu reiterated

Dichter's sentiment: "This is our state – the Jewish state... there have been some who have attempted to put this in doubt, to undercut the core of our being. Today we made it law: This is our nation, language, and flag."

These and other supporters of the new law maintain that Jewish people are promised their own homeland; preserving this principle in Basic Law guarantees that Israel continues to represent its Jewish heritage. Critics, however, say that the nation-state law is unjust, that it enshrines the concept of two classes of citizen in Israel: Jews, and everyone else. Some have compared it with the ethnic segregation in South Africa under apartheid, where the indigenous black Africans had their rights stripped from them and were marginalised and victimised by white European colonialists. For Palestinian Israelis, the nation-state law is the consummation of decades of institutionalised discrimination; a prejudice now enshrined in Basic Law.

The nation-state legislation is one of fourteen Basic Laws that together function as Israel's Constitution. Basic Laws can only be amended by a 'super majority' in the Knesset. The new law is at odds with Israel's Basic Law of 1992 – 'Human Dignity and Liberty' – which determines Israel's values as both Jewish and democratic. Several sections of the nation-state law acutely illustrate its discriminatory nature along with its genuine threat to Palestinian culture, to the right of return of Palestinian refugees, to a future Palestinian State and they show Israel's complete indifference to international law.

Section 1(c): The right to exercise national self-determination in the State of Israel is unique to the Jewish people.

Under the new law, Palestinian Arab citizens of Israel and other non-Jewish minorities do not have a say in their own futures. The right to national self-determination is one of the founding principles of the United Nations, ratified in 1945 as part of the framework of international law. The UN's Charter declares in Chapter 1: Article 1 that their purpose is "To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples." The UN's International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights both reinforce that "all peoples have the right of self-determination." Section 1(c) of Israel's nation-state law plainly disregards this internationally understood principle of human rights.

The professed values of the Jewish state are fundamentally shifting. In fact, according to the Israel Democracy Institute, the new Basic Law makes Israel "the only country in the world to establish its legal status as a nation-state without ensuring that the bill protects equal rights for minorities." The 25% minority population of Israel henceforth do not have the same legal rights as Jewish citizens. Palestinian lawyer Sawsan Zaher foreshadows a worsening of the already institutionalised discrimination: "It will be justified; it will even be encouraged to discriminate against Arabs".

Worryingly, the discrimination may not simply apply to Palestinians now living in Israel. In the nation-state law, 'the State of Israel' is a strategically ambiguous term in that it does not reference defined Palestinian territory according to the 1967 borders. Where then does the State of Israel begin and end? Will it eventually include Palestinian land in the West Bank and East Jerusalem and if so, will the nation-state law apply there too? Self-determination is highlighted in this law, but

democracy is not. The formal embedding of Israel's Jewish character, the preferencing of Jewish privileges in court, guarantees that if (or when) Israel annexes parts or all the West Bank and Jews become a minority within its boundaries, the law will prioritise Jewish interests in Palestinian majority communities.

Section 4(a): *Hebrew is the State language.*

(b): *The Arabic language has a special status in the State; arrangements regarding the use of Arabic in state institutions or vis-à-vis them will be set by law.*

Both Hebrew and Arabic have been considered the official languages of Israel for 70 years, since the State's formation. With the passing in July 2018 of Israel's nation-state bill, the Knesset resolved that Hebrew would now be Israel's primary language. The 'special status' applied to the Arabic language in Section 4(b) reads as a meaningless gesture considering the words that follow it; that is, "the use of Arabic... will be set by law." With the nation-state law disallowing Palestinians the right of self-determination, the Jewish citizens of Israel will regulate the way in which Palestinian people use their own language, the indigenous language of the region.

Entrenching Arabic as a secondary language will further disadvantage Palestinians as they become more and more forced to learn, to work, to live, using a language not their own. The profound cultural and economic impact of language restriction is made clear in the multiple UN declarations and conventions designed to protect minority and indigenous languages in all nations. The downgrading of the Arabic language sets the tone for subsequent sections in the nation-state law (the prioritisation of Jewish holidays and the Jewish calendar) that suggest a purposeful attempt to erase Palestinian identity and history in Israel.

Section 7: *The State views the development of Jewish settlement as a national value and shall act to encourage and promote its establishment and strengthening."*

Since 1967, Israel has methodically advanced Jewish settlement programs in the Occupied Palestinian Territories of the West Bank and East Jerusalem against international law, destroying Palestinian homes, displacing Palestinian people and claiming Palestinian land. The UN have repeatedly criticised Israel's settlement program, declaring in the 2016 Security Council Resolution (No. 2334): "Israel's settlements have no legal validity (and) constitute a flagrant violation of international law."

The nation-state law does not specify *where* Jewish settlements should be strengthened; that is, it provides no differentiation between Israel and the Palestinian territories. Zionists assert that the West Bank and East Jerusalem are a part of Israel. They argue that Israel captured the territories in 1967 and because it is part of their biblically-promised 'Holy Land', Jewish Israelis should be free to settle on land that is rightfully theirs. Most of the international community contradict and condemn these views.

With the nation-state law encouraging the continuation of Jewish settlements, Israel continues to undermine the two-state solution and prejudice peace negotiations. The West Bank has long been considered and agreed upon as belonging to a future Palestinian state, as an essential component of

the two-state solution to the Israel-Palestinian conflict. Palestinians are concerned that section 7 of the nation-state law gives Israel colonialists carte blanche to complete their Zionist project and obtain *all* their supposed holy lands – from the Jordan River to the Mediterranean Sea – exclusively for the Jewish people.

As they shrink Palestinian-owned land, ignoring 1967 borders and 1993's Oslo Agreement, and jeopardise Palestinians right of return (also agreed upon in Oslo), Israel's apparent push towards a Zionist one-state solution is alienating Israel from the international community (with some notable exceptions, such as the US administration under President Trump). However, as evidenced in the troubling Section 3 of the nation-state law – *Jerusalem, complete and united, is the capital of Israel* – Israel is uninterested in international expectation and obligation. With Israel as a Jewish State, a 'complete' Jerusalem is presumably Jewish-controlled, reflecting Jewish identity, showing indifference not just to the Palestinian people and the historical and cultural connection to their homeland, but also to UN Security Council resolutions 478 & 476, which condemn Israel's attempt at annexation in Jerusalem.

Israel's nation-state law is a preface to the annexation of Area C in the West Bank and authority over East Jerusalem – the completion of the Jewish Zionist settlement project – thereby creating what will be the major obstacle for future peace negotiations. The law does not simply prepare the way for an apartheid system throughout Israel, it sends a clear message to the millions of Palestinian refugees in the Diaspora that the dream for a return to their homeland is becoming more improbable. The law creates legitimacy for the notion that Palestinian homelands are in fact Jewish, thereby removing Palestinians right of return; why should Palestinian refugees be able to return to the land that was never their own? The nation-state law undermines the two-state option and it reminds the supporters of a one-state solution that their aspirations for citizenship and equality in a united State of Israel are being sabotaged.

Responses to the nation-state law

Palestinian/Arab Israeli voices

Palestinian Authority President Mahmoud Abbas has slammed the nation-state law as "illegitimate, racist, apartheid". Abbas addressed the United Nations General Assembly in September 2018, appealing for international protection for the State of Palestine. He said the nation-state law dismisses "United Nations resolutions relevant to the Palestine question and the agreements concluded with Israel. This law will inevitably lead to the creation of one racist State, an apartheid state, and nullifies the two-State solution." Abbas reminded the Assembly that Israel has not implemented even one of the hundreds of resolutions regarding Palestine. In respect to the new law's position on Jerusalem (and considering the Trump administration's peace negotiations), he stated defiantly: "Jerusalem is not for sale." Riyad Mansour, the Palestinian ambassador to the UN, is lobbying for a statement of condemnation from the UN General Assembly. UN representatives have been conspicuously passive in their response to the law. A continuing analysis of the nation-state law is their current position, with an official statement to be released at the end of this analysis.

The PLO has warned of the nation-state law's implications. Secretary-General Saeb Erekat has taken the Palestinians case to the UN and to the International Criminal Court (ICC). Like Abbas, he highlighted Trump's policies and specifically US recognition of Jerusalem as Israel's capital. PLO Executive Committee Member Hanan Ashrawi said that the law "gives license to apartheid, discrimination, ethnic cleansing, and sectarianism at the expense of the Palestinian people. Such racist and prejudicial legislation is illegal by all standards of international law, democracy, humanity, justice, tolerance, and inclusion." In a statement typifying the Palestinians outraged but defiant response to the law, she added: "The Palestinian people's resilience and determination to attain their freedom and historical validation will prevail."

The nation-state law has brought all Palestinian, Arabic and Islamic voices together in a rare moment of solidarity. Hamas has slammed the legislation. In a statement, Hamas spokesman Fawzi Barhoum reminded the world of the crucial reality, that "these extremist laws and decisions would not have been made if there was not regional and international silence regarding the occupation's crimes and violations as well as unlimited US support." The Arab League nations joined the condemnation. They announced that the law will generate violence towards Palestinians and implored the international community to act against Israel. The Organization of Islamic Cooperation (OIC) and the Muslim World League (MWL) both added their voices, also calling for international intervention to overturn the law, warning of serious consequences for the peace process.

Arab Israeli members in the Knesset tore up the bill on its passing, crying "apartheid". They were dismayed that Israel could enshrine the Jewish identity above that of its democratic character. Ayman Odeh, head of the 'Joint List' coalition of Arab Israeli members, said that Israel's message to the Palestinians is one of "Jewish supremacy... that we will always be second-class citizens." Nizar Farsakh, Palestinian Liberation Organisation (PLO) peace negotiator in the 2000's, believes that the law makes future peace negotiations unfeasible. He observed: this is "how Palestinians experience Israel – but to actually make it into the (Basic Law) is a first." These and other Palestinian representatives are all too aware of the nation-state law's significance. It sanctions a denial of rights for the Arab minority in Israel, for Palestinians in the OPT and for the Palestinian people in general.

One of the law's more vocal critics has been Arab Israeli MK Zouheir Bahloul of the Zionist Union (led by the Labor party) who immediately announced his resignation from the Knesset following the bill's passing. He described the law as "racist and extreme; it makes the Arab population officially, constitutionally outside the realms of equality in Israel." Ahmad Tibi, Knesset and Joint List member, was more succinct in his judgment: this is "the end of democracy... the official beginning of fascism and apartheid."

Along with the PA, the High Follow-Up Committee for Arab Citizens of Israel (the extra-parliamentary, non-partisan and key body representing the rights of Israeli Arabs) and the Joint List (an Arab Israeli Party) have appealed to the EU and the UN, requesting a strong international rebuke of the nation-state law. Head of the Follow-up Committee Mohammed Barakah, of the Hadash Party, is championing what is considered by many as the only realistic strategy to overturn the law: "We are embarking on an international effort." Barakah and those seeking outside support argue that the nation-state law would not be in place without the impunity afforded to Israel regarding their breaches of international law.

Jewish voices

Denunciation of the nation-state law from Jewish political representatives has been widespread, even from within Netanyahu's right-wing Likud party. Likud MK Benny Begin (son of former Israeli Prime Minister and founder of Likud, Menachem Begin) abstained from the nation-state vote. He cautioned against Likud's increasing detachment from human rights. The departing head of the Zionist Union Isaac Herzog warned that "the voices of the minorities in Israel have to be heard." He was joined by Zionist Union colleague, Shelly Yachimovich, who said that the law encouraged a "debased" Israel, one "that hates the Other." Speaking to the security implications for Jews in Israel and the Diaspora, Reuven Rivlin, Israel's usually politically-shy president, wrote that the nation-state law "could harm the Jewish people worldwide and in Israel and could even be used as a weapon by our enemies."

Labor party chairman, Avi Gabbay, and the leader of the opposition in the Knesset, the Zionist Union's Tzipi Livni, have both been critical of the law. They have accused Netanyahu of "seeking to divide the Israeli people". Livni has raised suspicion about the Prime Minister's motives along with other Jewish commentators who say populist politics aimed at ensuring Netanyahu's fourth term is at the core. She insists the introduction and the wording of the nation-state law has been an act of purposeful antagonism:

"When I asked coalition MK's why they weren't bringing forth a version of the law that a hundred MK's could unite around, they smiled at me cynically and said Netanyahu wants the law to create friction. 'Otherwise how will people know he's more patriotic than you? What will we get out of supporting it?' That's the method."

In Israel, the nation-state law has polarised the community. While 58% support the law in a July 2018 *Wallah* poll, 92% of Likud and 97% of Jewish Home supporters back the bill, compared to the three-quarters of the Zionist Camp and 89% of Meretz voters who are against it. Jews in the Diaspora have been particularly vocal in their criticism, infuriated by the nation-state law and Israel's move further away from a democratic ideology. Head of the US Union for Reform Judaism Rick Jacobs wrote "the damage that will be done by this new nation-state law to the legitimacy of the Zionist vision... is enormous." Steven Wernick, from the United Synagogue of Conservative Judaism, gave a stern appraisal: "Israel is losing its soul and weakening its democracy and Jewish character."

International criticism

Following the passing of the nation-state bill in the Knesset, the UN held a press briefing voicing concern over Israel's new law highlighting a "need for all states to adhere to universal human rights principles, including the protection of minority rights." UN spokesman Farhan Haq said that the only way for Israel and Palestine to find lasting peace was to honour UN resolutions and past agreements and that parties "refrain from unilateral moves that undermine the two-state solution."

The EU has joined the chorus of criticism. A spokesperson for Federica Mogherini, Foreign Affairs chief, announced: "We are concerned, we have expressed this concern and we will continue to engage with Israeli authorities in this context." She expanded, "We've been very clear when it comes to the two-state solution... it is the only way forward and any step that would further complicate or prevent this solution of becoming a reality should be avoided."

President Trump's administration has been conspicuously quiet on the nation-state controversy, though it apparently sought further explanation following the bill's passing. There were concerns raised as to how the new Basic Law might impact on minorities in Israel, particularly the section relating to the expansion of Jewish settlements. The US was reportedly reassured by Netanyahu that the law will not affect any Israeli citizen or minority group. The Prime Minister's office later issued a statement that "there was no criticism or clarification from the American side." With no action or public comment regarding the nation-state law, the US continues to display a transparent bias in their peace-broker role. Mahmoud Abbas has described the "destructive effect" of President Trump's policies toward the Palestinians as a contributing factor to the passing of the nation-state law.

Russia has backed the greater international community's evaluation of the new law, repeating their ongoing call for Israel to comply with UN resolutions aimed at a two-state solution. The Russian Foreign Ministry announced that the nation-state law "complicates the peace process" and "increases regional tension". Russian foreign ministry spokesman Artyom Kozhin said that "a just and guaranteed settlement of the Palestinian-Israeli conflict must be based on the principles of international law, relevant Security Council resolutions and the UN General Assembly."

Some influential Jewish lobby groups in Australia have downplayed the significance of the new law. The Australia/Israel & Jewish Affairs Council (AIJAC) director Colin Rubenstein wrote in an editorial that the nation-state law was an "almost entirely symbolic reaction to those who object to the continued existence of Israel as a Jewish and democratic state." Rubenstein admitted that the law should have recognised the "the legal, social, political or civil rights and equality of Israel's non-Jewish minority", while at the same time stating that "in principle, there is nothing wrong with such legislation." However, The New Israel Fund Australia (NIF Australia), a group of Israeli citizens and supporters of Israel working for social justice and democracy in Israel, said that the law contained "a core message of exclusion" that "undermines Israel's Zionist vision".

In keeping with their determined and long-held pro-Israel stance, The Australian Government's response to the nation-state law has been one of overwhelming silence. Prime Minister Scott Morrison's recent announcement regarding a possible relocation of the Australian Embassy to Jerusalem characterises Australia's apparent disinterest for Palestinian aspirations, in favour of their relationship with Israel and the US.

Strategies and conclusions

Mahmoud Abbas is working with Mohammed Barakah for a combined Palestinian protest strategy from within Israel and the Occupied Territories. The Knesset's Arab Israeli Joint List, the High Follow-up Arab Committee and other representatives of Palestinians in Israel and the OPT's continue to lobby Brussels and Geneva, appealing to the international community to protect Arab Israeli's and all Palestinians from further discrimination. They met in September 2018 with Kate Gilmore, the UN deputy commissioner for human rights, asserting that the "nation-state law contradicts Israel's commitments towards the international community, therefore requiring significant international steps to protect the Arab community". They await meaningful action from the UN and the EU.

Since the passing of the nation-state bill, representatives of the Druze community (a non-Jewish, but patriotic minority in Israel), including three Knesset members, have petitioned Israel's High Court in opposition to the law, describing it as "extreme" legislation, one that prejudices Israel's minorities. In mid-September 2018, their eighth petition to rescind the law was accepted; Justice Esther Hayut will head an enquiry in January 2019. According to Netanyahu's office, there have been negotiations with Druze leaders offering an arrangement which would see new additions to the law, ones that would safeguard the status of Druze and Circassian people. No such concession has been afforded to the Palestinian or Muslim community, suggesting that the nation-state law is designed to discriminate specifically against these groups.

As protests and negotiations continue, Netanyahu's Government, the most right-wing in Israel's history, limits criticism of his Government's draconian policies. He has recently outlawed groups who educate in schools about the occupation of Palestine. He has advocated for laws that make funding human rights groups more difficult. Forever the opportunist, Netanyahu lobbies for support from fellow right-wing leaders and democracy-sceptics Donald Trump, Vladimir Putin, the Crown Prince of Saudi Arabia Mohammed bin Salman and even Viktor Orbán, the Hungarian leader known for his anti-Semitic sentiments.

While Noah Efron, a professor at Bar-Ilan University, admits the new law demonstrates Israel's "rising commitment to ethnocracy," he believes the bill's significance has been overstated because of its somewhat inexplicit wording. Realistically, however, one must concede that the law's potential application is not yet fully understood. Any suggestion that the nation-state law is largely symbolic has been quashed in the first testing of the legislation on September 17, 2018, when the Jewish character of Israel, now enshrined in law, was applied in the Jerusalem District Court. Punitive damages far exceeding normal limits were awarded to a Jewish man injured in a 1998 Hamas bombing. The ruling was based on section 6(a) of the nation-state law – *The state will strive to ensure the safety of the Jewish people*. Justice Dori, who has long been accused of bias against Palestinians, said that "We, the judges, as part of the government authorities in Israel, must apply and invoke the Basic Law: Israel as the Nation-State of the Jewish People, including clause 6(a)."

As the potential consequences of Israel's nation-state law are realised by Palestinians in the face of international apathy and strengthening right-wing influences, there is a need for immediate and significant action. The apparently disastrous nation-state law offers the Palestinian people an opportunity to not only look outwards for new assistance but to seek fresh ways to unite in their common cause. What most Palestinians agree on is their want for democracy – for equality in a democratic state – and the only alternative to the State of Israel, with its undefined borders and where Palestinians are considered as second-class citizens, is a Palestinian State; a democracy for all people and all religions. How should Palestinians form a cohesive power of protest to obtain their common goal?

Palestinian unity is required in order to achieve shared objectives. Hamas' approach of antagonism and their failure to recognise Israel enables supporters of Israel worldwide to focus on the narrative of a disorganised, disparate, violent Palestinian people. Hamas and the PA's response to the nation-state law echoes the other. The opportunity for solidarity is evident. Non-violence is clearly the only tolerable form of protest for the international community and a united, non-violent response to the new law is the best hope for the political aspirations of all Palestinian people. It will allow the world to better empathise with the Palestinian suffering while silencing the inaccuracies and criticisms of

Israel and other detractors. It will bring about further recognition of the Palestinian State in the UN's General Assembly and improve relations with the Arab world. And crucially, it will re-engage young Palestinians with the political process, encouraging creative, non-violent means for Palestinian self-determination.

The nation-state law has all but guaranteed that the one-state option will offer no solution for the Palestinian people. It is designed to send a message to not just Palestinians and Jews, but the world, that the State of Israel – from the Jordan River to the Mediterranean – belongs to the Jews, is promised to them by God; therefore the rights, the conventions and the laws which apply to the rest of the world do not apply to Israel.

Israel's identity crisis persists, however, so too does the strategy by which Palestinian aspirations will be fulfilled. Mahmoud Abbas' recent appeal to the UN General Assembly most aptly summarises the prevailing solution, the *only* solution for Palestinians to the occupation and for the return of refugees. It remains the pathway to Palestinian freedom in a self-determining nation of Palestine and it will allow for lasting peace:

“Peace in our region cannot be realised without an independent Palestinian State, with East Jerusalem as its capital... There is no peace otherwise. There is no peace with a state of temporary borders. There is no peace with an alleged state in Gaza. The path to peace is enshrined in your resolutions, including resolution 67/19 of 29 November 2012, which was adopted by an overwhelming majority and refers to the State of Palestine on the basis of the 1967 borders.”
