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Wild Legalities: Animals and Settler Colonialism in Palestine/Israel

This article examines the underlying biopolitical premises of wildlife management in Palestine/Israel that make, remake, and unmake this region's settler colonial landscape. Drawing on interviews with Israeli nature officials and observations of their work, the article tells several animal stories that illuminate the hierarchies and slippages between wild and domestic, nature and culture, native and settler, and human and nonhuman life in Palestine/Israel. Animal bodies are especially apt technologies of settler colonialism, I show here. They naturalize and normalize settler modes of existence, while criminalizing native livelihoods and relations. Utilizing the terra nullius doctrine, creating biblical landscapes by reintroducing extirpated wild animals, controlling the movement of Palestinians and their animals while letting Jewish settlers and their animals roam unhindered, criminalizing the Palestinians' more-than-human relations, and introducing restrictions on native engagement with animals are all an inherent part of nature administration in Palestine/Israel. But while they serve as tools for advancing colonial practices, nonhuman animals are also subject to the same violence that afflicts humans. Understanding the more-than-human dimensions of the settler colonial order is instrumental for thinking about how to subvert this order and redirect its violence toward decolonized, or "wild," legalities. [animal studies, settler colonialism, biopolitics, nature conservation, Palestine/Israel]

How are we to live and die in this present age of extinction, when colonial legacies help determine who and what is in better position to survive?

—Juno Salazar Parreñas (2018, 8)

This article examines the underlying biopolitical premises of wildlife management in Palestine/Israel and the powerful interplay between human and nonhuman mobility, privilege, viability, and resilience that takes place in this region and that makes, remakes, and unmakes its settler colonial environments. Drawing on over thirty in-depth interviews with Israeli nature officials and on observations of their work conducted between 2015 and 2019, I present several animal stories that illuminate the hierarchies and slippages between wild and domestic, nature and culture, native and settler, and human and nonhuman life in Palestine/Israel.

The first stories I tell here are about Israel's two flagship reintroduction projects: the Persian fallow deer and the Asiatic wild ass—biblical wild animals who were extirpated from this region in the early twentieth century and released to roam the old-new landscape a few decades into Israel's establishment as a state. Documenting their instrumentalization for the settler colonial project, I argue that reintroducing these animals into the natural environment has contributed to the Zionist project of Judaizing the landscape and

normalizing it as such. A third animal story I tell in this article focuses on the death and life of the European goldfinch, which annotates how Israel's protection of a tiny songbird has been utilized for the elimination, normalization, and criminalization of less valued birds as well as marginalized Palestinians.

The article's more-than-human stories exemplify the strong ties between nature protection and the settler colonial enterprise. In these stories, nonhuman animals figure both as proxies—namely, as extensions of human agency—and also as technologies that intensify this agency toward acts of domination and resistance. Animal bodies are especially apt technologies of settler colonialism: their lifeways intertwined with the particular ecological, cultural, legal, and national trajectories that occur in a place, they naturalize and thereby normalize settler modes of operation (Belcourt 2015). At the same time, animal bodies either criminalize native practices or make them seem as devoid of agency and as part of the natural landscape of the place.

Yet animal bodies are also subject to the same settler colonial violence that afflicts humans. Understanding that more-than-humans and their regulation are an important part of the settler colonial order is instrumental for identifying how to subvert this order and redirect its attempts “to violently reproduce the entire planet in its image” (Todd 2017). The term “wild legalities” thus takes on a double meaning here: first, it encompasses all of the laws and regulations that pertain to wildlife and nature management and, second, it points the way toward such alternative legalities that are capable of moving beyond the human, while defying the colonial order of things.

The central governmental administration for wildlife protection in Palestine/Israel is the Israel Nature and Parks Authority (INPA). Established in 1963 and reauthorized under new legislation in 1998, INPA operates under two main statutory umbrellas: the Wild Animal Protection Act of 1955 and Israel's Nature and Parks Protection Act of 1998. These laws establish the general presumption that wild animals are legally protected, unless stated otherwise. On the books at least, Israel's legal protections are some of the most powerful anywhere in the world, which is crucial for understanding how the rule of law is harnessed in support of the colonial conservation project in Palestine/Israel.

As a former environmental lawyer in Palestine/Israel, I was already familiar with INPA's work and knew several of the officials I interviewed and quote in this article. And yet my choice to focus this project on Israeli nature officials was not intended to further the vantage point of conservation scientists generally, or of Israel's nature officials in particular. While wildlife managers here, as elsewhere, typically perceive themselves as apolitical, their work in fact serves to advance certain political agendas, which bias specific humans and nonhumans. The stories I tell here about INPA's engagement with more-than-humans demonstrate that this engagement is both a feature and a mechanism of settler colonialism. Utilizing the *terra nullius* doctrine, creating biblical landscapes, controlling the movement of Palestinians and their animals while letting Jewish settlers and their animals roam unhindered, criminalizing the Palestinians' human-animal relations, and introducing restrictions on native engagement with animals (and plants) are all an inherent part of nature administration in Palestine/Israel.

This work is situated at the nexus of several disciplines, and draws in particular on animal geographies and animal studies (Belcourt 2015; Johnson 2019; Philo and Wilbert 2000), political ecology (Agrawal and Redford 2009; Dowie 2011; Grove 1995), landscape studies (Braverman 2009; Said 2000; Schama 1995), and the emergent literature on settler colonialism in Palestine/Israel (Allegra, Handel, and Maggor 2017; Busbridge 2018; Salamanca et al. 2012; Veracini 2015; Wolfe 2006). Despite the richness of this latter literature and its cutting edge contributions to the general field of settler colonial studies,

it has typically been blind toward more-than-human forms of life. To correct this oversight, I propose here that nonhumans and their ecologies are entwined with settler colonial regimes generally, and with the settler colonial regime practiced in Palestine/Israel in particular.

The Persian Fallow Deer: Introducing Biblical Bambi into the Jerusalem Hills

The rich yet dramatically declining biodiversity in Palestine/Israel has been well documented by Palestinian and Israeli environmental scientists alike. Approximately half a billion birds migrate through the thermal currents of the Great Rift Valley, from central Africa to Europe, rendering Palestine/Israel a “superhighway” of bird migration, where an estimated 540 species converge. In addition to the exceptional bird variety, the wealth of this region’s biodiversity is expressed in some twenty-six hundred plant species, nearly one hundred reptiles, and about one hundred mammal species. Yet, due to incremental human population growth, habitat loss, pollution, and climate change, Palestine/Israel’s uniquely biodiverse wildlife is under increased threat: 54 percent of the species here are endangered and 9 percent of mammals are already extinct.¹

In addition to the already documented threats to this region’s biodiversity, this article considers another, much less evident, threat to wildlife in Palestine/Israel: the violence of settler colonialism and its various technologies of elimination, such as normalization and criminalization. Mazin Qumsiyeh, a zoologist by training and the founder and director of Palestine’s first natural history museum in Bethlehem, explained in an interview that ecologists often point to several grave mistakes in the early days of nature management by the Zionist enterprise: the drying of the Hula Valley, the establishment of the National Water Carrier project, and the afforestation project by the Jewish National Fund.² All three have been extensively discussed and criticized in both professional and public literature (see, e.g., Tal 2002).

By contrast, the stories I tell here about wildlife management and its politicization in Palestine/Israel have rarely been considered. The first story I tell is about the reintroduction of the Persian fallow deer (*Dama dama mesopotamica*). Before I move to discuss the animal herself, a few words about the term “reintroduction.” According to the International Union for Conservation of Nature (IUCN) Guidelines, “reintroduction” generally refers to “the intentional movement and release of an organism inside its indigenous range from which it has disappeared” (quoted in Braverman 2015, 130). Although it remains controversial, this type of animal movement has been gaining importance in many conservation contexts for its potential to counter heightened rates of extinction (Braverman 2015; Parreñas 2018).

In Israel, all reintroduction projects can be traced back to Avraham Yoffe. Yoffe served as a military general in the 1948 War and was then INPA’s first and longtime director. As Israeli ecologist David Saltz told me: “[Yoffe] opened the Bible, and if [the animal] showed up there, he would get [it]. He was a hunter [...] [So] he was looking for the big, majestic animals that used to roam in this area.” The origins of Israel’s reintroductions in a figure who converged military-type operations with scientific nature management while deriving legitimacy from the Bible set the stage for Israel’s conservation orientation for years to come.³ Indeed, Israeli nature conservation officials often reference the Bible alongside ecological reasons when explaining the importance of reintroduction projects here. This goes to illustrate that “Zionism, like all settler colonialisms, has a Promised Land and sees itself reenacting a Biblical story” (Veracini 2015, 270). The reenactment of the biblical story encompasses not only imaginaries of *human* natives and their natural landscapes

(Braverman 2020; Braverman forthcoming) but also, and even more so, imaginaries of the flora and fauna that inhabit this landscape.

Nili Avni-Magen, Chief Veterinarian at the Biblical Zoo in Jerusalem, explained in an interview that the Persian fallow deer is widely considered the crown of Israel's reintroduction projects and one of the rarest deer species in the world. Mentioned in the Bible (Deuteronomy 14:4–5), this species (or subspecies—the science is still undecided) became extirpated in Palestine in the early twentieth century and was considered extinct around the globe by the 1940s. In 1956, however, two dozen individual deer from this species were discovered in Iran. Published under the enticing title “How Bambi Met James Bond to Save Israel's ‘Extinct’ Deer” (Levinson 2010), *The Wall Street Journal* recounts the urgent mission of capturing four Persian fallow deer and delivering them to Israel before the Iranian government's collapse.

On December 8, 1978, the fallow deer were loaded onto the last El Al flight out of Tehran. The rescue mission was presented by the Israeli media as a military feat. While one could view it as an act of illegal smuggling of cultural heritage from its country of origin, such a perspective merited no mention in the Israeli media, which emphasized Israel's bravery in saving the deer from Iran's Islamic regime (on Israel's ecological exceptionalism, see Braverman forthcoming).

As it turned out, the four smuggled deer were all female. To start a captive breeding program, two male deer were transferred from the Opel Zoo in Germany to Israel's northern captive breeding facility in the Hai Bar Carmel. These six animals became the “founders” of Israel's current deer population, which now numbers more than three hundred animals in the wild, and two populations in captivity (Yossi Hann, Director, INPA's Hai Bar Carmel, interview). The first fallow deer reintroduction from the Hai Bar took place in northern Israel's Carmel nature reserve in 1996, almost twenty years after the start of the captive breeding program. The Jerusalem Zoo joined the captive breeding efforts in 1997 and began reintroductions in 2005. Since then, 162 deer have been released in the Sorek Nature Reserve in the Jerusalem hills (Avni-Magen, interview). The Jerusalem Zoo is currently the proud holder of the largest zoo-kept herd of Persian fallow deer in the world.

The reintroductions that took place in the Jerusalem area were especially challenging. One unexpected obstacle was the Tel Aviv-Jerusalem train. Then there were the feral dogs, who “finish the deer just like that,” in the words of the zoo's former director, Shai Doron. “Dogs are not part of the wildlife here,” he complained in our interview. “It is something that *we*, human beings, brought into the wild.” Doron was therefore quite upset by INPA's initial refusal to grant the zoo permission to kill the dogs, and froze all reintroduction operations in response. Shortly after, the decision was reversed and the reintroductions resumed.

INPA has justified the act of killing (or, as conservationists refer to it, “culling”) dogs by pointing to their status as “feral”—namely, as neither wild nor domestic. The biopolitical matrix in Western conservation, which assigns value to animals based on their categorical placement within the human-nature spectrum, dictates the prioritization of wild life over what is perceived as less wild. This is especially true for forms of life who are construed as liminal because they do not fall under existing legal categories and thus do not receive legal protections—such as the feral dog in this story, and the semi-domestic camel in the next story I tell here (Braverman 2015, 2017; Parreñas 2018, 15). Beyond their perceived wildness, the fallow deer have also been valued by Israeli conservationists as native and even biblical animals who have been resurrected from extirpation to roam again on their ancestral lands.

Figure 1: Dr. Avni-Magen (on left) and a team of Jerusalem Zoo and INPA officials (the latter not in this photo) release fallow deer into the Sorek Nature Reserve, near Jerusalem, February 8, 2018. Photo by author. [Color figure can be viewed at [wileyonlinelibrary.com](https://onlinelibrary.wiley.com)]

Yet despite its romantic presentation, the fallow deer's reintroduction has not been an entirely benign project. Nili Avni-Magen, Chief Veterinarian at the Jerusalem Zoo, admitted that she has "a hard time letting go of my fallow deer as part of their reintroduction into the wild," when she knows that "some 40 percent of these animals will die in the [release] process and that they would much rather stay here at the zoo" (interview; Figure 1). For a vet who cares for each individual animal, reintroductions are a difficult undertaking, both emotionally and ethically. As a conservationist, however, Avni-Magen understands the need to sacrifice individual animals for the survival of their species—indeed, this level of sacrifice is not uncommon in reintroduction programs around the globe (Braverman 2015). Perhaps sensing their caregiver's inner conflict, the deer have not been too keen about the reintroduction scheme, either. They have often refused to leave the safe facility for the much riskier life outside, indicating that behind the appealing narrative of liberation lurks a deeper violence toward these animals (Parreñas 2018, 7).

In another segment of our ongoing conversations, Avni-Magen clarified that her main enthusiasm about the fallow deer's reintroduction program is not derived from returning biblical species to the Holy Land but from her passion to fight local extinctions through carefully breeding and deliberately enhancing the presence of endangered animals in the natural landscape. Shai Doron, the zoo's former director, preferred to merge the religious and ecological motivations when he told me that: "We don't need to send our zoologists, our keepers, and our researchers and visitors way back to the rainforest in Brazil. We tell them instead: Go ten miles from here to try to preserve the habitat used by the fallow deer." Doron used an analogy to Noah's Ark to further explain the fusion of biblical and global in this context. In his words: "Noah's Ark is the best icon for wildlife conservation. Noah was

the first veterinarian ever, the first animal keeper ever [...] He was the first conservationist ever.”

The cosmopolitan trope of nature conservation as a Noah’s Ark for saving imperiled species and their respective historical landscape assumes an even more literal meaning in the context of the Jerusalem Zoo, where biblical creatures (including cute Bambis) are kept in captivity to be reintroduced into the Holy Land by the new Noah: here, Nili, the zoo’s veterinarian. Nonetheless, the conservation officials who have been involved in the fallow deer reintroductions have stressed that their mission is exclusively ecological, and certainly not political (see, e.g., Berger-Tal and Saltz 2014; Polak et al. 2014; INPA’s former biologist for the northern region, interview). It is precisely the scientification of the project—its making into a cosmopolitan story that focuses on the global fight to save the planet’s biodiversity—that serves to justify and normalize what is arguably a highly political decision to breed and release a certain type of deer into this landscape, made by a quirky military general and sparked by the Zionist imaginary of making the landscape biblical—namely, Jewish—again.

To understand why the biblical reintroduction project has had such an appeal for army generals and nature officials alike (and for army generals turned nature officials; see Braverman forthcoming), it is important to discuss the relationship between landscape and power. Edward Said insisted that the construction of a convincing narrative that accompanies the imaginary landscape is a necessary precursor to the actual remaking of the landscape and one of the successes of the Zionist enterprise. In his words: “What we never understood was the power of a narrative history to mobilize people around a common goal. In the case of Israel, the narrative’s main point was that Zionism’s goal was to restore, reestablish, repatriate, and reconnect a people with its original homeland” (Said 2000, 184). Said also highlighted that “the Jewish discourse eliminates from the landscape the former Palestinian presence” (191; see also Braverman 2009; Schama 1995; Zerubavel 1995, 63).

Reintroducing biblical wildlife not only reconnects the Jewish people with their “homeland” but also alters the contemporary landscape in the process, as these animals powerfully impact the region’s natural ecosystem. Israeli ecologists Berger-Tal and Saltz noted in this context that “reintroductions of animals following their extirpation or extinction from the wild are a central aspect of ecosystem restoration” (Berger-Tal and Saltz 2014, 515). For this to happen, conservation managers must constantly monitor and manage the deer’s movement in the landscape (515). While benign, these tasks result in much more than scientific knowledge: they also contribute to a sense of spatial and temporal control of the territory.

The deer are thus Israel’s proxies, their bodies and movement across the landscape sending a powerful nonverbal message that this landscape is changing and that traditional Palestinian practices of hunting and herding must now alter to accommodate the wild old-newcomers. Israel’s reintroduced deer are therefore agents of “normalization”—technologies for rendering banal, innocuous, and even natural Israel’s conservation agenda that is closely aligned with its colonial control over the land (Allegra, Handel, and Maggor 2017, 3). At the end of the day, then, tracking and monitoring animals in the wild advances not only scientific knowledge about these animals, but also an affiliation with and a sense of belonging to the land, which in turn lays stronger claims to it—a central goal of settler colonial regimes the world over (Wolfe 2006).

The perception of Palestine as *terra nullius* (Kedar, Amara, and Yiftachel 2018), a desolate area that contained neither conservation-relevant animals nor civilized humans, provides the underlying justification for the reintroduction of wild creatures deemed native by

those who see themselves as the original human natives of this place and thus as authentically caring for the region's natural wildlife. The desire to make the landscape "natural" also serves as the underlying justification for eliminating the subsistence practices of hunting, herding, and gathering by the local Palestinian population (Braverman forthcoming).

In addition to the violence inflicted upon humans, one must also attend to the ways in which more-than-humans are impacted by both the slow and the fast forms of violence that are inherent to the colonial scheme. Indeed, the need to make the natural landscape also serves as a justification for sacrificing those animal lives who undermine this scheme, such as the feral dogs and even the individual deer—many of whom have died during the reintroduction process for the sake of their conspecifics.

In my next animal-human story, the feral dog is replaced by the Bedouin camel, and the reintroduced wild ass is prioritized in her place, yet again highlighting the power of biopolitical conservation strategies to regulate, legitimize, and naturalize the colonial apparatus.

Wild Asses Versus Camels: Who Gets to Drink Water in the Desert?

If the crown of biblical reintroductions in the northern and central regions of Palestine/Israel is the fallow deer, then the crown of such reintroductions in the southern desert region of the Naqab, or Negev, is the Asiatic wild ass (*Equus hemionus*). Like the fallow deer, the wild ass—mentioned in the Book of Job (39:5)—was first bred in Israel's captive facilities and later reintroduced into the wild. But while both animals were flown in from Iran, the deer was bred from wild-caught founders, and the Israeli reintroduced ass was shipped from the Shah's zoo in Tehran. Finally, unlike the fallow deer, whose release was planned and proceeded gradually over many years, the release of the wild ass was hasty, and occurred initially because they bred so rapidly that the captive facilities quickly became overcrowded (Saltz, interview).

The wild asses had roamed freely in the region until the 1930s, when they became extirpated. Their reintroduction—namely, their transition from the Hai Bar Carmel captive facility back into the "wild"—started in 1982 and ended in 1987. During this short period, 14 females and 14 males were released and became the founders of a population that now numbers approximately 350 individuals. According to former project manager for the wild ass, ecologist David Saltz, the asses have come to perform an important ecological role in that they disperse seeds across large areas (Saltz, interview; see also Polak et al. 2014).

A happy story for some, but much less so for others. In 2017, INPA pressed criminal charges against local Bedouin Salman Sadan for his camels' conduct in the Negev Mountain Nature Reserve. Specifically, INPA's experts contended that the camels, by drinking water from the spring, disrupted the wild asses, and especially the pregnant females, who depend on this source of water and do not approach it when the camels are present. Sadan's lawyer, Michael Sfard, explained in an interview:

The Peace Agreement with the Egyptians meant that there was a need for land in the Negev, and they started to hurt the Bedouins in so many ways, and one of them was to declare nature reserves [so] that they couldn't develop there. So when Salman would enter with a female camel and her baby, he would get a fine of 5,000 NIS. He got those fines more than two hundred times. And now they've added a criminal charge.

Referred to in Arabic as caravans of the desert, camels have come to symbolize the nomadic Bedouin lifestyle: "Icons of the Middle East and crucial to the caravans that crisscrossed the region, camels have provided transport for at least two thousand years, as well as milk, meat, and camel leather for their human companions" (Johnson 2019, 5; see also

Novick forthcoming). According to Sfard, “The herding of camels is a way of life, like the herding of reindeer in Finland that was recognized as the right of Indigenous tribes” (interview).

Yet the old way of moving through the landscape has come to interfere with the new way, and camels grazing near roads have become a major concern for the Israeli legislature, which recently passed a new law that aims to improve road safety. Under this law, camel owners are required to microchip their camels for tracking and will bear criminal responsibility for accidents and damages caused by these animals. Finally, the new law requires owners to officially register the sale or transfer of ownership of their camels into a database managed by the Israeli Ministry of Agriculture (Jewish News Syndicate 2018; see also Gutkowski 2021). The years between 2014 and 2019 saw more than sixty enforcement operations, and yet only one-third of the 3,000 to 4,500 camels living within the Green Line were registered by the end of this period (Zikri 2019). Additionally, seventy-six fines were imposed on camel owners in 2018 and 2019, for a total sum of 544,300 NIS (or 160,000 dollars)⁴—a hefty amount for the majority of Bedouin camel owners. Evidently, camels are not only subjects of calculation and surveillance; they also generate income for the colonial state.

Similar to the wild deer-feral dog matrix, in the wild ass/semi-domestic camel story, too, the newly introduced wild ass is presented as wilder and more native, and thus also as more worthy of environmental protection, than the semi-domesticated camel (a designation I will explain shortly). The wild ass-camel story thus exposes the settler colonial logic underlying the ecological reintroduction project. Sadan’s lawyer provided further insight into the human-animal alliances in this story: “We’re not against the existence of nature protection regulations,” Sfard told me. However, he continued, “the policy of INPA is meant to promote a pushing out of the Bedouins from the reserve, and not the protection of nature [...] What bothers INPA is not that the camel entered the reserve, but that after the camel usually comes a Bedouin” (interview).

While INPA’s mandate to care for wildlife and for the natural environment seems far removed from the violent schemes of the settler colonial project, human-animal relations are in fact an important component of both settler and native naturecultures. Targeting the unique human-animal kinships that have evolved over centuries, for example between camels and Bedouins, serves to simultaneously target the essence of Bedouin identity, amounting to cultural, rather than genocidal, elimination (Wolfe 2006). The reintroduction of wild asses has effectively become a technology through which the desert landscape is altered back to an imaginary Jewish past that does not include the local Bedouin communities and their more-than-human traditions. For the landscape to reappear in all its authentic biblical glory, those animals who have come to be associated with the Bedouin lifestyle are carefully and thoroughly eliminated from the region. Israel’s nature administration does not need to directly regulate humans; quite the contrary, the power of nature conservation work derives precisely from its focus on what is ostensibly far removed from the political realm. This, in turn, serves to naturalize, normalize, and thus obscure the specific animal-human imaginaries underlying the settler agendas.

Salman Sadan, the Bedouin who received the fines and the criminal charge, complained in our interview that INPA builds special water sources for the wild asses, but then shuts them down for the camels. He also mentioned that INPA has been trying to convince him and other Bedouins to raise their camels in dens, rather than in the open. “A camel in a den is not a camel,” he told me. Along these lines, Israeli Palestinian Knesset members protested that the new law criminalizes Bedouin shepherds instead of providing them with pastureland, as has been done with other grazing animals (Gutkowski 2021). The regulated

and unregulated interactions between wild asses, camels, Bedouins, cars, and novel identification and tracking devices illuminate the important role of law in prescribing which animals may live in this place (by drinking spring water and roaming freely, for example) and who deserve to live less—or deserve less to live—through the strict regulation of their movement.

The biopolitical order of INPA's nature conservation regime, with its valorization of the wild over the feral and the domestic, aligns perfectly with the Zionist national project of making the land Jewish again. Alongside the direct dispossession and elimination of the non-Jewish *human* body, the settler colonial project proceeds, albeit less directly, by operating upon *nonhuman* bodies. Specifically, it strengthens those nonhuman animals who support the Jewish project and its imaginaries of the “natural” landscape, while weakening animals aligned with the native communities who dwell in this place, thus undermining their identity and their central sources of livelihood. As animals who neither correspond with the law's definitions of farm animals nor with any other type of animal category, camels cannot legally dwell in dens yet they are also not permitted to graze outdoors. The camels, much like Sadan and many other Bedouins in Israel's Naqab-Negev, are thus outlaws—always already criminals (Braverman forthcoming).

European Goldfinches: Two Birds in the Bush

If the fallow deer story highlights the making of the biblical landscape through wildlife restoration, and the wild ass story highlights the project of eliminating nonwild animals who are aligned with the local native communities through nature protection schemes, the illegal trafficking of goldfinches into the occupied West Bank provides yet another window into the complex relationship between animals and humans, nature and culture, and native and settler in Palestine/Israel.

The European goldfinch (*Carduelis carduelis*) was a common bird in Palestine/Israel. Now it is virtually extirpated in most of the area (Rinat 2003). The goldfinch, and the hybrid goldfinch-canary songbird (*banduk*) in particular, is a highly coveted pet in many Palestinian homes. “It's an entire production of color and sound,” one INPA ranger explained to me. The birds are trained to sing differently in every region—“Jordanian, Hebronite, or Jerusalemite.” According to this ranger, “In East Jerusalem you can go around and see homes with finches in the porches, or in the stores, it's not rare. People say that they don't know it's illegal—[in] East Jerusalem there [are] areas where the law isn't so strong.”

The Wild Animal Protection Act of 1955 strictly prohibits the hunting, holding, or selling of the goldfinch within the Green Line and, through the military orders that apply there, also in the occupied West Bank. INPA's bird expert Ohad Hatzofe highlighted that:

Israel's animal protection law is one of the strongest in the world. The assumption is that every animal is protected—unless there is an exception. The U.S. Endangered Species Act is not powerful at all in comparison: the assumption there is that humans can harm an animal until it is threatened. The Israeli approach is much more enlightened: *everything is protected*, except agricultural pests and [animals for which there are] permits to hunt. (interview)

As a direct result of Israel's “enlightened” bird protection, and in the face of the high local demand, a black market of goldfinches has emerged that involves smuggling these birds from Ukraine and other European countries, where their captive breeding is permitted, via Jordan into Israel through the Allenby Border Crossing, and then into the West Bank through East Jerusalem (INPA ranger, interview; Rinat 2003, 2017; see Figure 2).

Figure 2: Songbirds, including *banduk* hybrids, displayed and sold openly in the alleyways of Jerusalem's Old City, August 15, 2019. Photo by author. [Color figure can be viewed at wileyonlinelibrary.com]

I visited the Allenby Crossing in summer 2019. This was the first time I had ever set foot there, as Israelis are not allowed to enter this crossing. The INPA ranger quoted above described the facility:

Allenby is many times more complicated than Ben Gurion Airport. It's for Palestinians; Israelis can't pass here. I don't know if there's anything similar in the world [...] So here, when you catch a smuggler, how do you deal with it and what is your authority? In the last two or three years, we have had a massive issue with smuggling, mainly of songbirds. These are massive amounts. Five-year-old kids are fitted with coats that are completely stitched in and packed, and pregnant women [do this too]. Terrible! Terrible! (interview)

The border control officers at the Allenby Crossing were clearly not used to having guests—and so we all gathered in a tiny room where they asked me questions while we drank from plastic cups filled with strong Turkish coffee. After that part was over, the inspector from Israel's Ministry of Agriculture patiently detailed for me the procedure deployed if someone is caught smuggling plants or animals across the border. Farm and pet animals are under the authority of the Ministry of Agriculture, he explained, while wild animals are under that of INPA. I was later instructed that this distinction is founded on the following legal classification: whereas an animal's legal categorization as an *erech teva mugan* (a "protected natural value" under Israel's Nature and Parks Protection Act of 1998) will place her under INPA's authority, the same animal's classification as a pet or pest or as *tzeida* ("hunnable" under the Wild Animal Protection Act of 1955) will place her under the authority of the Ministry of Agriculture, which prescribes a different set of protections. As

Figure 3: Confiscated goldfinches at the Allenby Crossing, December 29, 2017. Photo by Ministry of Agriculture. Used with permission. [Color figure can be viewed at wileyonlinelibrary.com]

animals actively transition between myriad geographies and legal classifications, the level of protection that applies to them, and thus their prospects for survival, alter.

After the Ministry of Agriculture's inspector showed me the government forms that must be filled out with every confiscation, he brought down from the shelf a container with nonlocal bees whom he had just confiscated the other day. Because no one seems to be interested in either taking or killing these bees, he might just release them outside, he told me, highlighting how, behind the detailed forms and rules, there is always wiggle room for unprescribed acts of care and kinship (Haraway 2016). Indeed, whereas he could just as easily kill the bees, this inspector instead indicated his willingness to perform a riskier act, maybe even defy the rules, to "let them live."

At the Allenby Crossing, many goldfinches die—whether from heat, suffocation, or radiation by the body scanners used on human passengers. The inspector flipped through his laminated photo gallery, showing me graphic images of birds in poor conditions, mainly songbirds and pigeons smuggled in various luggage and clothing arrangements: inside pants and cigarette cases and, as the INPA ranger described above, also in vests fitted on young children and pregnant women to avoid detection through screening (Figure 3). "The more sophisticated our search methods become, the further sophisticated their

Figure 4: Gated entrance to the decommissioned Adam Bridge quarantine facility, with signs stating “beware of mines,” August 5, 2019. Photo by author. [Color figure can be viewed at [wileyonlinelibrary.com](https://onlinelibrary.wiley.com)]

methods get,” the inspector reflected, expressing little care about the humans in this story and their reasons for embarking on such risky practices.

Those goldfinches who survive the journey and enter Israel are confiscated and promptly transported further north to the quarantine facility at the decommissioned Adam Bridge (Figure 4). There, these goldfinches live in a state of exception: they neither can be returned to Jordan, nor can they be released into the wild, because of the risk of “contaminating” the local subspecies. As in the context of the fallow deer and the feral dogs, on the one hand, and the wild asses and the camels, on the other hand, conservation managers prioritize what they consider as wild over what they define as feral, semi-domestic, and hybrid bodies. For this “zoometric” scheme to be effective, however, the animals must first be identified and differentiated into clear categories (Braverman 2017). INPA’s ranger explained along these lines that:

We’re very extreme in Israel around nature preservation: you cannot have a local species as a pet, whether it’s a land turtle or a bird. Because if it’s a local species, how would we know who’s a hunter and who’s not? [We have] very extreme enforcement. As for the songbirds, because they’re local, it’s illegal [to own them as pets]. The Arabs are freaks of this thing. [They’re] freaks of anything illegal, it doesn’t matter [what it is]. There are superstitions that parts of these animals make you stronger, or something like that. So there’s a massive demand. And these poor wild animals! They’re bred in almost every country around the world, with free trade, so it’s very easy to get them, and for cheap. But in Israel their price goes up in massive percentages. (interview)

Another INPA ranger who joined us in the small room at the Allenby Crossing commented, similarly, that “the Arabs really like birds.” He explained that:

If there’s one wild animal they love, it’s birds. Birds are a status symbol—just like a pretty wife who undergoes plastic surgery. If you go to all sorts of pet stores, you won’t find dogs and cats. But birds are loved by everyone [there], from the person who lives in the village without running electricity to the elite in downtown Ramallah. (interview)

The Palestinians’ affinity for birds is portrayed by the INPA rangers I interviewed as criminal (“they’re freaks of anything illegal”), backward (“there are superstitions that parts of these animals make you stronger, or something like that”), and greedy (they do not “really” love the birds but see them as status symbols, just like they see their wives). In the name of bird protection, then, Israel’s nature authority generates disrespect and mistrust toward what are configured as the inhumane practices of Palestinians. This would not be the first time that native practices toward nonhuman animals are criminalized by colonial regimes vis-à-vis these regimes’ own, legal, mass killing of wildlife (Jacoby 2014; Parreñas 2018; Thompson 1975).

Stuck with a growing number of trafficked songbirds to expensively feed and care for without being able to release them into the wild, INPA finally decided to kill the birds. One of the INPA rangers who was involved in the decision-making process explained:

They were in quarantine for a while and a bird expert came and said that it’s not our species, it’s Ukrainian. And we had an argument if these were more northern, so they’re bigger, [and] they aren’t like the Israeli birds who need to be small in this weather. But no one did a [genetic] test to make check if they’re not local. [Still,] they made a decision to not release them. And if they’re not going to release them, then there’s no point in [the] quarantine. So, sadly, they are being annihilated. (interview)

Beyond illustrating the well-documented clash between individual animal rights and species conservation approaches, which is certainly not unique to this story, I would argue that the hierarchies established here between the wild and the captive-bred birds reflect and reinforce the particular power dynamics in this region. Although they are both *physically* dead, the hunted goldfinches and the goldfinches confiscated at the border experience a very different *legal* death. The wild bird is highly valued and protected by Israel’s conservation laws, and thus her killing through hunting is not only illegal but also construed as a crime. Meanwhile, the captive-bred bird is considered a contamination risk for the local wild birds, and thus her death is not only legalized but also mandated.

Initially, the birds were executed by poisonous gas. As it turned out, however, the act of gassing living organisms to death overwhelmed the Israeli public with posttraumatic anxieties, resulting in pressure to replace the gassing with another form of killing. Arguably, the public intuitively understood the slippages between human and animal lifeworlds and the pathways in which violence inevitably travels between them (Ahluwalia 2001; Braverman 2017).

Two birds in the bush: one grievable, the other killable (Braverman 2015). The biopolitical hierarchy established through INPA’s categorization of bird bodies—and then the application of legal protections to some of these bodies but not to others—is arguably part and parcel of Israel’s broader settler colonial project, which simultaneously uses scientific and ecological logics to undermine and discredit native practices.

Enraged by INPA's decision and inspired by the goldfinches' charisma, one of the caretakers in the Ministry of Agriculture, who I will refer to herein as "Daniel," criticized the official death sentence:

I think it's ridiculous—pure evil! Look at the Italians breeding them, and they don't have any negative impact on nature. Initially, INPA killed the birds using gas. But now they take them to the Bridge when they're super tired and put them out in the sun. And then they leave. So now they're killing them by exhaustion instead of with gas. (interview)

Daniel, an Arab Jew, was raised in poverty in one of Israel's development towns. He told me that his father used to breed goldfinches, and he grew up to their singing. Now, he himself cares for a few birds. As in the confiscated bee story, the birds' charisma and their caretaker's compassion have paved the way for a human-animal affinity that challenges the colonial order of things, hinting that, even at the heart of the colony, a decolonized space may be possible in which human and animal kinships flourish.

Meanwhile, for many Palestinians, birds represent an aspiration for freedom, and even more so since the Separation Wall has come to dominate the physical landscape of the region so that birds seem to have more freedom of movement than the humans living on either side of the Wall. It is no wonder, then, that the graffiti exhibited on the Separation Wall features myriad birds, including a Banksy rendition of a blue songbird with her wings, feet, and eyes bound.

Human-Animal Borderlands

The region's bird experts like to say that the half billion migratory birds who travel through this region have no border. They are also known to flip this story to suggest that the humans who love birds and follow their flight ways can bridge those borders and make peace (Udasin 2011). In fact, this is how various INPA officials I spoke with, some of whom adamantly oppose the occupation, have justified their work in the occupied West Bank. Loyal only to the wild birds and gazelles, they do not follow the dictates of mundane political entities and boundaries. Their only flag, they repeatedly told me, is nature. In line with this logic, in the Supreme Court case of *Beit Sourik*, INPA, a government entity, opposed the government's decision to build the Separation Wall for its disruption of natural ecosystems and wildlife movement. Nature should not have to contend with political boundaries, the INPA officials explained to me.⁵

Although they may choose not to, the gazelles, birds, and other wild animals are legally permitted to move across political borders. For example, Jewish settler Omer Atidiah took me to observe gazelles up close on a Jeep tour around the boundaries of his illegal outpost *Einot Kedem*, in the occupied Jordan Valley. He claimed that because of the pervasive hunting by the Palestinians, the gazelles who live on this outpost know precisely where its boundaries lie and choose to stay within it (Figure 5).

The same freedom is not granted to nonwild animals, however. Indeed, other than confiscated birds, the Adam Bridge quarantine facility holds many domestic and farm animals who have "illegally" crossed the border from the West Bank into Israel. "It's a total and absolute prohibition," Daniel explained about nonwild animal movement. "Nothing passes [into Israel]—at all. Only with special permits," he said, taking me to see an enclosure with sixty sheep who were confiscated the previous day when they crossed the border into Israel (interview; Figure 6). The State of Israel spends considerable funds to sustain the quarantined farm animals, sometimes for many months, Daniel pointed out. In his words: "Look, they have super-duper conditions here. The joke goes that when they come to release them,

Figure 5: Gazelles on Jewish settler Omer Atidiah’s illegal outpost in the occupied Jordan Valley, August 5, 2019. Photo by author. [Color figure can be viewed at [wileyonlinelibrary.com](https://onlinelibrary.com)]

Figure 6: Confiscated sheep at the decommissioned Adam Bridge quarantine facility, August 5, 2019. Photo by author. [Color figure can be viewed at [wileyonlinelibrary.com](https://onlinelibrary.com)]

they don't want to go home" (interview). The "joke" here seems to be that even the animals know which side to prefer.

Often, no one claims the confiscated animals because the heavy costs of the government facility are imposed on the owner, who typically cannot afford them. Natalia Gutkowski (2021) argues, accordingly, that the quarantine is a technology of domination: "The quarantine became a channel to seize Palestinian-owned animals in multiple circumstances: their location by roadsides, their entry to military fire zones, or the suspicion that they might be smuggled to Israel." When I wondered why, instead of spending money and manpower to keep them alive, Israel does not euthanize the unclaimed animals, Daniel became visibly upset. "*Hell no!*" he responded. "Who appointed the State of Israel to be the God of these animals?!" Because his foremost loyalty is to the animals, he would not euthanize them unless it was absolutely necessary for their own welfare, he told me. And yet he also acknowledged that this has not always been INPA's or the Ministry of Agriculture's approach. For Daniel, acts of kinship toward animals are anchored in natural law, not in the positivistic laws enacted by the state and its nature officials.

A visit with zoologist Mazin Qumsiyeh at his newly established natural history museum in Bethlehem—which is situated in Area A of the West Bank and is thus under the "full" control of the Palestinian Authority—illuminated the disparate "ecologies of movement" in this fraught land, further demonstrating the intricate relationship between animals, borders, and resistance (Braverman forthcoming). During our interview, Qumsiyeh received an urgent phone call about two golden eagles (*Aquila chrysaetos*) who had been poisoned by lead bullets and captured near Nablus in the occupied West Bank. "We will have to end the interview," he apologized, explaining that he must head to the local pharmacy to buy syringes and then call his brother in the United States, who is a family physician, to figure out how to detoxify the eagles. He would have to make do with instructions from his brother because there were no relevant animal experts available to help—the one local vet in Bethlehem was on vacation, he explained. There were highly trained Israeli veterinarians at the Biblical Zoo, not even one kilometer away as the crow flies. But this distance was made vast by human politics—Qumsiyeh, a Palestinian, explained that he would not consider asking for help from Zionist colonizers. Eventually, I served as a liaison between them.

Although traveling only a short distance on the map, the eagles' journey lasted well into the night, as the rescue team had to bypass myriad Israeli checkpoints and Jewish settlements along the way. In the meantime, I had to find my way in the opposite direction—through the checkpoint back into Israeli jurisdiction, where I risked criminalization because my own movement as an Israeli into Area A is formally prohibited by Israeli law.

Here, the distance between formal and informal law was made apparent: while on the books it was illegal for me to enter Area A, my privileged status gave me some confidence that even if caught, I would not suffer more than a short detention. However, if Qumsiyeh were to attempt to cross the same border, the story could end with a much longer and perhaps more consequential detention. As for the eagles, they would likely receive an expedited border experience with a fast lane to the zoo. The disparate ecologies of movement here are highly dependent on biopolitical modalities (Braverman forthcoming).

After I had made the one-kilometer journey in between what felt like two very different worlds, I learned that one of the eagles had died during his journey in the opposite direction. The second eagle survived the journey, and the procedure (Figure 7), and was eventually released back into the wild. It struck me that had the eagles flown just one minute further and landed on Israeli soil, they would have received "super-duper" treatment in a top-notch hospital facility and a much publicized ceremony upon their release into the wild.

Figure 7: The surviving golden eagle, recovering at the Palestine Museum of Natural History, December 31, 2019. Photo by Mazin Qumsiyeh. Used with permission. [Color figure can be viewed at wileyonlinelibrary.com]

As it turns out, borders do matter a great deal not only to humans and their affiliated nonhuman animals but also to wild animals such as gazelles, deer, and even birds. This is yet another example for how, at the end of the day, wildlife and the natural environment are not separate from human regimes but are instead both instruments for furthering these regimes as well as victims of their colonial violence.

Conclusion: Toward Wild Legalities

At the end of the border, where should we go? In the last sky, where should the birds fly?

—Mahmoud Darwish (1984, 13)

My article began its inquiry with Israel's investment, since the first years of its stately existence, in the project of reintroducing into the contemporary natural landscape certain wild animals who were mentioned in the Bible and who had recently disappeared from the region. Delving into the details of the two flagship reintroductions performed by Israel's nature administration—the Persian fallow deer and the Asiatic wild asses—the article has explored how, by restoring the contemporary natural landscape, these reintroduced animals have facilitated a return to a Jewish meaningful past. Indeed, the wild animals here function

as technologies for introducing change into the landscape so that it may then “naturally” belong to the Jewish collective, while excluding the Palestinians in the process.

At the same time, the article has also pointed to the ways in which the management of these reintroduced animals has served to eliminate other animals, and animals of others—be they feral dogs or camels—from the natural landscape. Such a managerial scheme that relies on a masterful biopolitical matrix is founded upon the animals’ perceived level of wildness, nativity, and, correspondingly, their importance to the Zionist scheme. Settler colonial logics and regulatory regimes translate here into varying degrees of permissible movement and availability of resources, technologies, and knowledge for humans and non-humans alike, impacting all forms of life in Palestine/Israel.

My study of the goldfinches has further complicated the understanding of the more-than-human dynamics that occur in this place. Specifically, it has introduced the settler colonial disdain toward local Palestinian hunting practices and the prioritization of wild versus captive-bred songbirds. The Israeli nature officials interviewed here see their central responsibility as protecting the most vulnerable lives in this region: wild lives. In the name of such wildlife protections, however, these officials will often disregard and discredit both the nonhuman animals who are not configured as wild and are thus not seen as worthy of protection, as well as the more-than-human traditions and practices of the marginalized humans in this place. Israel’s meticulous application of nature protection laws thus alienates Palestinians from the so-called natural landscape.

Settler colonial regimes often operate through the imposition and policing of what are in turn presented as juxtaposed categories. The juxtaposition of nature and culture, wild and domestic, and native and settler—and the ways in which such juxtapositions intersect and interact with one another—were especially meaningful in the stories I have recounted in this article. Furthermore, the focus on the ecological rivalry between wild and nonwild animals amidst a semi-arid region with limited water supply serves to shift the attention away from the broader structural injustices that have funneled this seemingly natural rivalry into its current juxtaposition. In addition to the regular ecological prioritization, the historical and cultural meanings of animals loom large in the holy land, fueling an intensified hierarchy and a more polarized scheme, for example between “biblical” and “Bedouin” animals. In this way of thinking, the juxtaposition between wild asses and camels is much more than ecological—it is also ideological and highly political. This article has wandered between myriad instances of such biopolitical pairings and discussed their implications.

While this has not been my focus in this article, the rather obvious human parallel to the animal biopolitics I have explored here is the contestation between Zionists and Palestinians over who is more “native” to this place. On the one hand, certain Jewish settlers claim that their biblical heritage manifests in their superiority vis-à-vis the Palestinians with regard to land, water, and other natural resources in the Holy Land. On the other hand, certain Palestinians have come to identify themselves as native or Indigenous and have thus argued for treaty protections for their traditional herding and hunting rights, similar to those employed by Indigenous Peoples in Finland and New Zealand. The human-animal seepages and continuities here are remarkable: whether one is human or nonhuman, the categories of “native” and “Indigenous” have symbolic, physical, and legal consequences. Precisely for this reason, recent scholarship in Palestine Studies has criticized the Indigenous label, suggesting that it represents and reinforces the autochthonous settler colonial mode of thinking (Abu-Lughod 2020; Barakat 2018; Tatour 2019).

Throughout, I have explored how animal bodies both reinforce the settler colonial regime and its respective biopolitical order and are also subjected to this regime’s violence. Similar to the arguments I have made here, Billy-Ray Belcourt offers that “settler colonialism

is invested in animality and therefore re-makes animal bodies into colonial subjects to normalize settler modes of political life” (2015, 5). Zoe Todd (2017) emphasizes, additionally, that if we are to disrupt the settler colonial project, we must understand “how the more-than-human and environment are employed to reproduce [the] settler colonial order.”

Although Israel’s nature conservation regime—its “wild legalities,” in the descriptive sense of this term—perceives itself as justified for its good faith efforts to protect and save wildlife, this nature regime ends up reinforcing the violence that is at the root of this region’s ecological peril. What is desperately needed here, therefore, are such wild legalities that confront the colonial legacies which dictate who is allowed to survive where, instead nourishing multispecies kinships and hybrid alliances that make for more-than-human coexistence.

Notes

1. Society for the Protection of Nature in Israel, “Mammal Conservation,” <https://natureisrael.org/EPD/Mammals>.
2. All interviews were conducted by the author. Unless otherwise stated, all names are real and used with permission.
3. It also has colonial roots that extend back to the British Empire. See, e.g., Greer’s 2020 work on bird conservation in Malta.
4. Response 2874 from Ministry of Agriculture to Haqel’s Freedom of Information inquiry, March 5, 2020 (cited with permission).
5. HCJ 2056/04 *Beit Sourik Village Council v. The Government of Israel* 58(5) PD 807 [2004] (Isr.).

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