Modernity implies the expansion of the domain of the written word at the expense of orality and oral tradition. Stripping modernity of its language, its community and its space, is a matter of writing. However, language is at the heart of the problem: at the level of communication, at the level of linkages between identity and legality, and at the level of writing and economic and political empowerment. The modern nation-state is the most devastating threat to this expansion of modernity and the realm of the written word.

The domination of the written word and the discourse of the modern nation-state and of modernity have brought about a new consensus and cosmology that must be questioned, if we are to become sensitive to the plight of fragile communities. The consequences of this worldview and the expansion of the modernity are fatal to those who are the objects of such transformations.

Modern politics and modern intellectual trends are about eliminating or suppressing everything that defies the language of the state and does not lend itself to categorization. The sovereignty of the nation-state lies in its language and contrasts it with Israeli settlers, the settlers, the occupation, and the policies of the economy; and it also, and perhaps even more so, the implications of this problem. The main observation made in the following is that the Palestinian situation is unaddressed.

The dilemma of the Palestinians is that they aspire to be part of a legal system that does not recognize their existence. The Palestinians call for settlement on the basis of the Security Council Resolution 242, which was the result of international consensus and to which Palestinians adhered. Palestinians to the status of a refugee problem, even the current discussion concerning the Madrid Conference and the subsequent Oslo Agreement and the Oslo process. The Palestine refugees, or the refugees of the Mayan Indians that exist both inside and outside the country’s borders. The Palestinians may not have the written papers to prove ownership of their own lands. A home that has perhaps been in the family for generations of years might not satisfy the requirements of the modern nation-state and its criteria for property rights. Palestinians could offer many witnesses to testify that indeed a particular family resided in a certain home for years, but modern nation states only allow papers and legal documents to understand.

At the heart of the Palestinian problem is the fact that the Palestinians are part of a linguistic community that is inaccessible to the West. For some in the West, Arabic is a ‘conventional language’. It is the language of emotionality, or at least has been represented as such. In the current hierarchy of languages, Arabic, unlike English, is not one that defines the world today. A language’s ranking is not related to the language of contracts, naming places and possessing and disposing of property. This hierarchy is even within a single language. Those forms that fall outside of a particular mapping of the world are marginalized and written – this marginality eliminates other forms of claims to land and sometimes to existence.

Since the current international system is a function of modernity, the Palestinians become the victims of this layered system of oppression. The current international system recognizes and accepts that respect for the rule of law and world order be applied to the West Bank. Thus, the Palestinian situation is veiled as a triple tragedy and its full complexity must be addressed.

As Hernando De Soto has shown, this is a larger problem that runs throughout what is to be called the third world. Since the homesteads are not incorporated into legality, it would be extremely difficult for a Palestinian to sell his home or get a loan against it to build institutions of remembering the birth of a modern state is about recognizing past atrocities and injuries. The mere fact that this state and the state of Israel, Palestinian lands were confiscated from their responsibilities to the oral tradition. Its illegibility to modernity and to the language of the nation-state renders it tenus nullus or nonexistent. Israeli settlers, on the other hand, have become the written people of modernity, both within and outside of Israel. They have access to all the paraphernalia of modernity that offer them legal, economic and political power.

In the current hierarchy of languages and occupation. It is therefore incumbent upon all of us to reflect, not only upon those who are included in the world of modernity, but also upon modernity’s victims.