

THE STRUGGLE FOR SOVEREIGNTY

PALESTINE AND ISRAEL
1993-2005



EDITED BY

Joel Beinin AND Rebecca L. Stein

The Struggle for Sovereignty

PALESTINE AND ISRAEL 1947-1948

Edited by JACOB ARON and RUTH S. SIEGEL

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The Struggle for Sovereignty

PALESTINE AND ISRAEL, 1993–2005

Edited by Joel Beinin and Rebecca L. Stein

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This book is dedicated to all those who have struggled for justice in Palestine and Israel over the course of the last decade.

The Struggle for Sovereignty

HISTORIES AND FUTURES OF A FAILED PEACE

Joel Beinin and Rebecca L. Stein

The political landscape in Palestine and Israel underwent significant changes at the turn of the twenty-first century. On September 29, 2000, the second Palestinian uprising—the al-Aqsa Intifada—began. In February 2001, veteran hawk Ariel Sharon was elected prime minister of Israel, his return to power enabled by the breakdown of personal security and political stability in both Israel and the Occupied Territories. Since September 2000, over 3,200 Palestinian residents of the West Bank and the Gaza Strip and over 950 Israelis have been killed by the political violence of Palestinian militants and the Israeli state's violent efforts to suppress the uprising.¹ In these years, Israeli society has experienced a dramatic shift to the right, and Jewish-Israeli popular sentiment has provided the government with the political authority to suppress the intifada—and ignore the political demands of the Palestinian people—at virtually any cost. How and why did this uprising erupt? What was its relationship to the so-called “peace process” that began with the Oslo accords of 1993 and collapsed with the Camp David summit of July 2000?² What kinds of cultural and social trends have accompanied the political shifts of this period? And what are the prospects for a comprehensive peace between Israel and the Palestinians in the new political landscape shaped by years of violence and official US endorsement of a Palestinian state in the context of heightened intervention throughout the Middle East?

This book attempts to answer these and other questions through an examination of recent historical, political, social, and cultural processes in Palestine and Israel. Our investigation is framed by two of the most important political events of the last decade: the 1993 Oslo accords, or Declaration of Principles

(DOP), and the al-Aqsa Intifada. Our central argument is that the Oslo process failed to create the necessary conditions for a just and lasting peace in the region, thus paving the road for political turmoil and continuing conflict in the decade that followed. While political observers, activists, and scholars now commonly concede the failures of Oslo, many view the Camp David summit of July 2000 as the pivotal moment of its dissolution and imagine the years of the Rabin/Peres Labor government (1992–96) as an era of hope brought about by the 1993 DOP.³ The contributors to this volume dispute this claim, arguing that the poverty and incarceration within the West Bank and Gaza Strip that have become more widely evident over the last several years can be traced to the formulations of the 1993 Oslo accords and the vision of economic liberalization and integration into a global marketplace that motivated Oslo's Israeli architects, particularly those close to Shimon Peres. Although not discussed with much depth in this volume, we also situate the Oslo process and its failures within a much longer history: that of the Israeli occupation and the struggle for Palestinian self-determination since 1967, and the long and ongoing history of Zionist colonization and Palestinian dispossession.

The editors and authors of this collection are scholars and journalists whose approach to the Arab-Israeli conflict has been formed by years of residence in the region, knowledge of Arabic and/or Hebrew, and empathic understanding of both the principal communities and their constituent elements. Most of the chapters were originally published as articles in *Middle East Report* and have been revised and updated for this book. Like much of the current scholarship and commentary on Palestine and Israel, the volume focuses on political and economic questions. We are also concerned with the relationships among political-economic, historical, and cultural processes. By departing from standard methodological protocol in the field of Middle East studies and considering the ways in which culture articulates with political economy, we hope to complicate the story of politics and power that we tell about Palestine and Israel over the course of the last decade. The study of "culture," whether in the form of commodity or of so-called "high" culture, gives us access to some of the more affective forms of the conflict, and suggests ways that everyday political battles are waged through artistic and consumptive processes.⁴ This volume also contests the prevailing understanding of the Palestinian-Israeli conflict as a conflict between two monolithic peoples and positions by paying attention to internal political fissures and social differences—to voices of dissent, to questions of gender, and to minoritarian

politics—on both sides of the Green Line, the internationally recognized border between Israel and the Occupied Territories. In addition, our choice of accompanying photographs provides alternatives to the images that have long dominated representations of this conflict, which tend to favor scenes of spectacular violence and confrontation. Instead, this volume features snapshots of everyday life under occupation and of protest against it.

With an eye to the centrality of historical processes in the understanding of political formations in the present, we provide the following highly abbreviated history of Palestine, Israel, and the conflict—with an emphasis on developments in Palestine and Israel over the last two decades. We hope that this introduction may serve as a historical primer to which readers of this volume can return in their efforts to situate the preceding essays in their respective contexts.

ROOTS OF CONFLICT (1880–1948)

At the start of the twentieth century, the Ottoman Empire ruled much of the Arab world, including the territory that is now Israel, the West Bank, and the Gaza Strip. During World War I this area was conquered and occupied by the British, who made contradictory promises to Arab and Zionist leaders about the disposition of Palestine and how it was to be governed. At the time, 90 percent of the population was Arab; the Jewish community included long-time residents and new Zionist immigrants fleeing persecution in Russia and, later, other parts of Europe. Following World War I, the League of Nations granted Great Britain a Mandate over Palestine and endorsed the objective of establishing a national home for the Jewish people there.³ A three-year Arab uprising in the late 1930s against British rule and increased Jewish immigration due to Hitler's rise to power in Germany prompted a British proposal to partition Palestine into Jewish and Arab states. A revised version of that plan was approved in 1947 by UN General Assembly Resolution 181. The Arabs rejected the UN partition plan on the grounds that it allotted 55 percent of the land of Palestine to the Jewish minority, which then comprised about one-third of the population, and on the grounds that Jewish immigration to Palestine, facilitated by British rule from 1917 to 1939, was illegitimate. The Zionists accepted the partition plan and proclaimed the State of Israel on May 14, 1948, though they anticipated expanding the borders of their state in the war that was already underway.

During the 1948 war, about half the area designated by the UN for a Pales-

tinian state was conquered by Israel. Some 750,000 Palestinians fled or were expelled from those territories. The Gaza Strip came under the control of Egypt, while Transjordan occupied and later illegally annexed the West Bank. In the June 1967 war, Israel gained control of the rest of the former Mandate of Palestine (the Gaza Strip and the West Bank, including East Jerusalem, which Israel annexed in 1980), the Sinai Peninsula (since returned to Egypt), and the Syrian Golan Heights. UN Security Council Resolution 242 of November 22, 1967 affirmed “the inadmissibility of the acquisition of territory by war” and called upon Israel to withdraw “from territories occupied in the recent conflict”—an intentionally vague resolution that has not been implemented.⁶

Following the 1973 Arab-Israeli war, Egypt and Israel began negotiations that eventually resulted in a peace treaty. Neutralization of the southern front allowed Israel to invade Lebanon with impunity in 1978 and 1982. The outbreak of the first Palestinian intifada in December 1987 led to the PLO’s recognition of Israel and renunciation of terrorism at the Palestine National Council meeting of November 1988.

“PEACE PROCESSES” (1991–2000)

After the 1991 Gulf War, the United States sought to stabilize its position in the Middle East by promoting a resolution of the Arab-Israeli conflict. Despite their turn against the PLO, Kuwait and Saudi Arabia were anxious to resolve the Arab-Israeli conflict because of its potential for regional instability. The administration of President George H.W. Bush felt obliged to its Arab allies and pressed a reluctant Israeli Prime Minister Yitzhak Shamir to open negotiations with the Palestinians and the Arab states at a multilateral conference convened in Madrid in October 1991. Shamir’s conditions, which the United States accepted, were that the PLO be excluded from the talks, that Palestinian desires for independence and statehood be excluded from the formal agenda, and that the Palestinians be represented by a delegation from the Occupied Territories (excluding Jerusalem) subject to Israeli approval.⁷ Although the PLO was formally excluded from these talks, its leaders regularly consulted with the official Palestinian delegation, both at Madrid and in eleven subsequent meetings between the Israeli and Palestinian negotiators in Washington, DC. These talks achieved little. After he left office, Prime Minister Shamir revealed that his strategy had been to drag out the Washington negotiations for ten years, by which time the annexation of the West Bank would be a *fait accompli*.

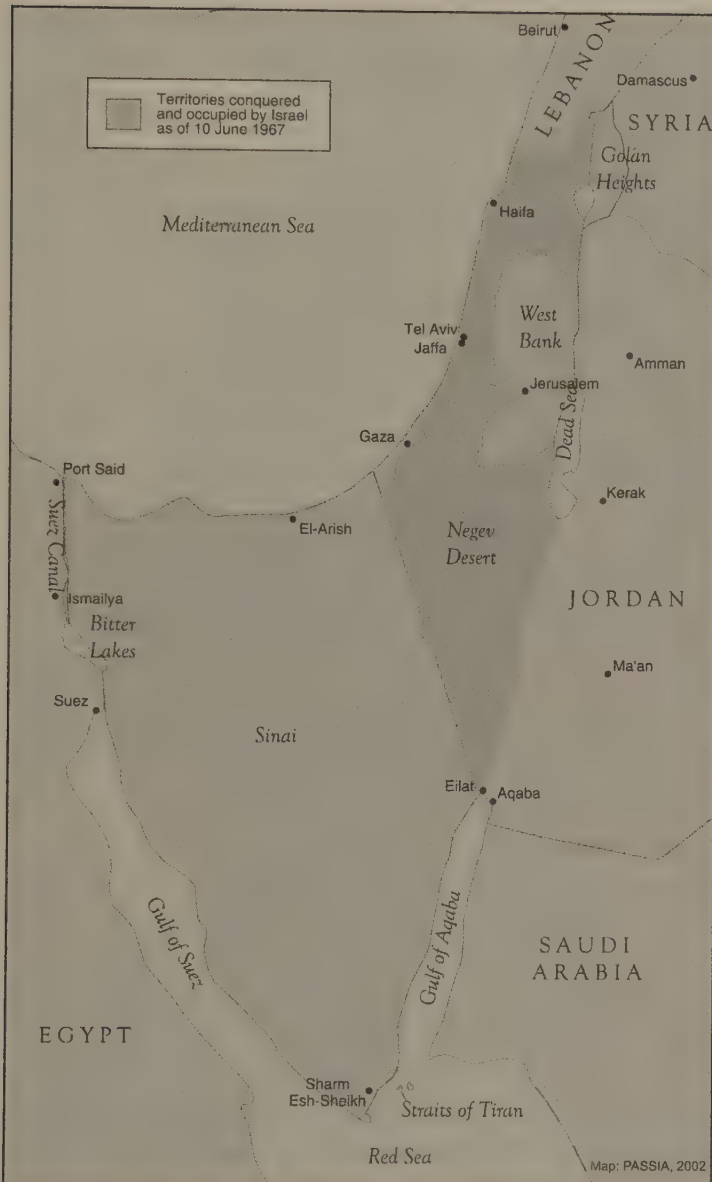


Figure 1. The Middle East after the 1967 war.

In the course of the 1967 Arab-Israeli war, Israel occupied the West Bank (Jordanian territory), the Gaza Strip (administered by Egypt), the Golan Heights (Syrian territory), and the Sinai Peninsula (Egyptian territory). Sinai was returned to Egypt pursuant to the 1979 Egyptian-Israeli peace treaty. Source: Palestinian Academic Society for the Study of International Affairs (PASSIA). © Jan de Jong

A new Israeli Labor Party government led by Yitzhak Rabin assumed office in June 1992 and promised rapid conclusion of an Israel-Palestinian agreement. Instead, the Washington negotiations were stalemated after December 1992, when Israel expelled over four hundred Palestinian residents of the Occupied Territories, accused (but not tried or convicted) of being radical Islamist activists. Human rights conditions in the West Bank and the Gaza Strip deteriorated dramatically after Rabin assumed office. Such conditions undermined the legitimacy of the Palestinian delegation to the Washington talks and prompted the resignation of several delegates.

The weakness of the PLO after the 1991 Gulf War, the demise of the Soviet Union, which had given diplomatic support to the PLO, the stalemate in the Washington talks, and fear of radical Islam brought the Rabin government to reverse the long-standing Israeli refusal to negotiate with the PLO. In January 1993 Israel initiated secret negotiations in Oslo, Norway, with the very PLO representatives who had been excluded from the Madrid and Washington talks. These negotiations produced the Israeli-PLO Declaration of Principles (DOP), which was signed in Washington in September 1993. The DOP established a five-year interim process with no clearly specified outcome. The most difficult issues were intentionally left unresolved: the status of Jerusalem, the future of the Palestinian refugees, the disposition of Israeli settlements and settlers, the borders and the nature of the Palestinian entity to be established. According to the terms of the DOP, these issues were to be decided in “final status” talks scheduled to begin no later than May 1996.

Under the DOP, Israel transferred day-to-day authority over parts of the Gaza Strip and West Bank to a Palestinian Authority headed by Yasser Arafat, who returned from Tunis in 1994 after decades in political exile. Palestinians insisted that this new governing body be called the Palestinian National Authority (PNA), thereby emphasizing its status as an embryonic sovereign state—or so they hoped. Yet, despite the rhetoric of “withdrawal” and transfer of authority, Israel still retained ultimate power over the Occupied Territories during this five-year transition period. Subsequent agreements in 1995 (the Taba Interim Accords or Oslo II), 1998 (Wye River), and 1999 (Wye River II) dealt only with interim issues and did not alter this structure of power. In July 2000 President Clinton invited Israeli Prime Minister Ehud Barak and President Arafat to Camp David to conclude negotiations on the long-overdue final status agreement. Clinton and Barak were anxious to hold this summit before they left office, but Arafat was reluctant because there had not been adequate

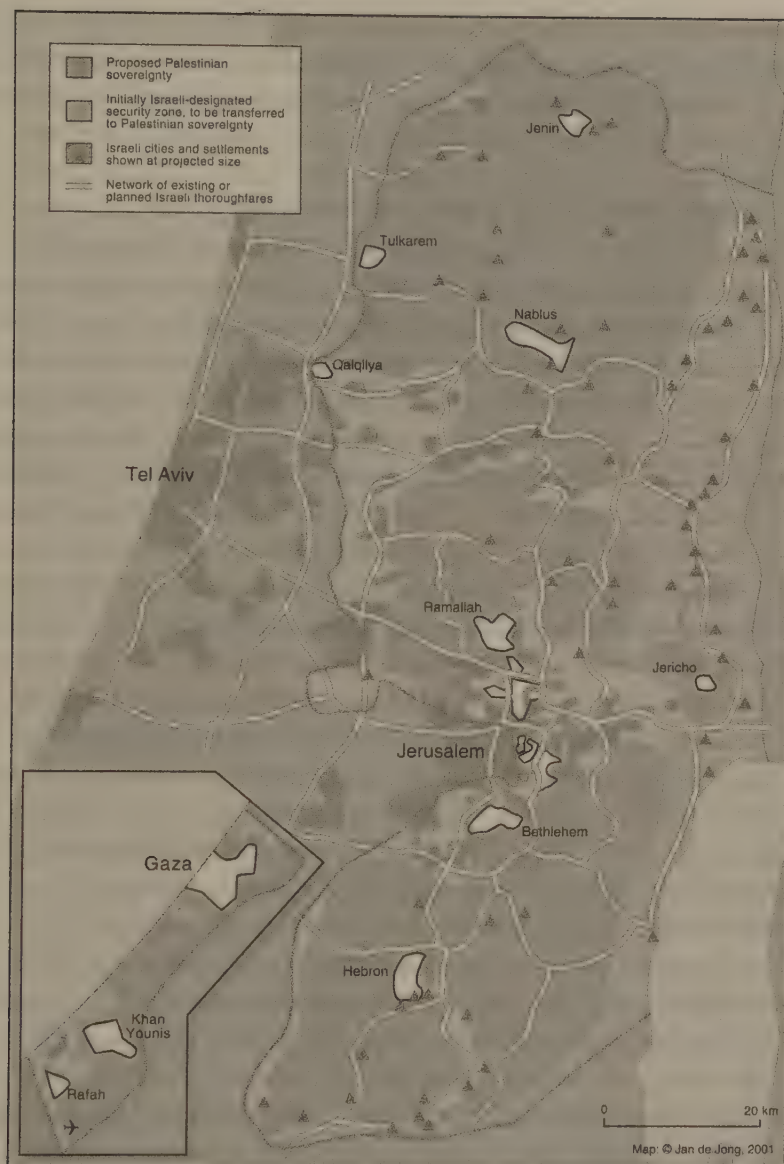


Figure 2. Israel's territorial offer to the Palestinians, July 2000 Camp David summit.

There were no maps presented at Camp David. This map represents an approximation of Israel's territorial offer based on oral statements made during negotiations. The proposed Palestinian state was to occupy some 80 percent of the West Bank and have no independent access to neighboring Arab countries. Source: Palestinian Academic Society for the Study of International Affairs (PASSIA). © Jan de Jong

preparations and a wide gap remained between parties on key issues. Arafat attended after President Clinton promised him that he would not be blamed in the event of a failure. When the summit did fail after two weeks of intensive negotiations, Clinton and Barak placed the blame on Arafat.

THE SECOND INTIFADA AND ISRAELI POLITICS (2000–2004)

Ariel Sharon, a veteran hawk and architect of Israel's 1982 invasion of Lebanon, was a vociferous critic of Ehud Barak's negotiating positions at the July 2000 Camp David summit.⁸ At the time, he was engaged in a struggle with former Prime Minister Benjamin Netanyahu over the leadership of the Likud Party. In a bid to outdo Netanyahu's credentials as a militant nationalist, Sharon planned a provocative visit to the Haram al-Sharif/Temple Mount on September 28, 2000, accompanied by hundreds of armed guards. "I came to this place to show that it is ours," he told reporters during his visit.⁹ Seven Palestinians from a crowd that threw stones to protest Sharon's visit were shot dead by Israeli security forces. Palestinian protests following Sharon's visit to the Haram al-Sharif/Temple Mount led to a full-scale uprising. The al-Aqsa Intifada, as the uprising was named, expressed cumulative popular anger at the continuing Israeli occupation, protracted closures that prevented Palestinians from traveling freely, and the expansion of Jewish settlements despite the ongoing "peace process." It was also a response to the undemocratic and corrupt practices of the PNA, and to Yasser Arafat's apparent willingness to make concessions to Israel on matters such as the establishment of a viable sovereign state with its capital in East Jerusalem and some recognition of the right of return for Palestinian refugees displaced in 1948 and 1967.

Barak had lost his parliamentary majority on the eve of the Camp David summit. He eventually had to resign and call for new prime ministerial elections. Sharon won with 60 percent of the vote. After taking office in February 2001, Sharon increased repression against Palestinians, several times sending Israeli troops and tanks into Palestinian-controlled cities, villages, and refugee camps. Following the September 11 terrorist attacks against the United States, Sharon increasingly identified Yasser Arafat and the PNA with Usama bin Laden and al-Qa'ida. Israeli military action in the occupied territories thus became a part of George W. Bush's "war on terror."

Israel's military response to the uprising escalated in intensity and scale after the January 2002 parliamentary elections, which resulted in the re-election of Ariel Sharon as Israel's prime minister. Operations increasingly

targeted the infrastructure of the PNA and its police and security forces. The Israeli army invaded PNA-controlled areas, bulldozed Palestinian houses and crops, systematically assassinated key Fatah and HAMAS militants, and rocketed Palestinian police stations using Apache helicopters supplied by the United States. The Israeli military assault on areas ostensibly under PNA control entered a new phase in March–April 2002. In response to a series of suicide bombs, Israel invaded Palestinian towns and refugee camps, massively deploying tanks and shelling PNA and civilian buildings in its largest military operation since the invasion of Lebanon in 1982. The cities of Ramallah, Bethlehem, Jenin, Tulkarm, Qalqilya, and Nablus were fully reoccupied. Soldiers imposed tight 24-hour curfews and cut electricity and water supply to the population. Palestinian militias organized by Fatah and other political forces and policemen armed in accordance with Israeli-Palestinian agreements resisted the offensives with force, particularly in Nablus and Jenin. In mid-April 2002 the Red Cross warned of a severe humanitarian crisis in West Bank towns and refugee camps due to the lack of food, water, and electricity, and army restrictions on the movement of residents and rescue workers. Cautious statements by the UN and the World Bank in April 2002 estimated an unemployment rate of some 50 percent across the Palestinian territories. Israeli blockades around Palestinian towns, even those not reoccupied during the invasions, caused severe shortages of flour, sugar, and gasoline.

POWER AND STRUGGLE IN PALESTINE (2000–2004)

In response to Israel's military assault on the intifada, even Palestinians critical of PNA rule rallied behind the leadership of Yasser Arafat.¹⁰ Many Palestinians feared that Israel sought to replace Arafat or to destroy the PNA entirely. Although Arafat had lost much popular support by the late 1990s, his popularity surged during this period—thanks, in part, to an Israeli-imposed “isolation” of Arafat in his Ramallah headquarters from December 2001 until his death three years later and the repeated US demand that Arafat halt all forms of “violence,” not just suicide bombings. Israeli assaults during the period of the reoccupation effectively radicalized much of the Palestinian population, pushing many Palestinian security personnel in the political direction of the militants. Hence, it was both impossible and politically unwise for Arafat to maintain “absolute calm” in the territories, as Israel demanded. This would have positioned the PNA as a proxy police force for the Israeli occupation, undermining Arafat's status as leader of the Palestinian cause. HAMAS and

Islamic Jihad claimed responsibility for most of the suicide bombings and other attacks inside Israel during this period. These organizations did not, and do not, recognize the State of Israel, and they rejected the Oslo agreements. Despite Israeli claims to the contrary, there has been no credible evidence that Arafat or the PNA have had prior knowledge of HAMAS and Islamic Jihad operations over the course of the last few years. Indeed, as Palestinian critics have noted, Israeli attacks on PNA police and security forces during this period seriously undermined the PNA's ability to prevent them. Although Arafat and the PNA repeatedly condemned suicide bombings inside Israel, the al-Aqsa Martyrs' Brigade, which is connected to Arafat's Fatah organization, the main wing of the PLO, has engaged in several suicide bombings and attacks on civilians inside Israel.

In the later stages of the intifada, the PNA occasionally answered US-Israeli calls to "crack down" on HAMAS and Islamic Jihad through mass arrests; in some cases, the Islamists and their supporters met PNA police with violent resistance. HAMAS (though not Islamic Jihad) several times suspended attacks on Israeli civilians in deference to the PNA's diplomatic efforts, but these cease-fires collapsed in response to Israeli assassinations of HAMAS leaders—a policy most of the Israeli public supported despite its illegality.

The new Palestinian National Authority head Mahmoud Abbas (Abu Mazen) proclaimed the end of armed struggle against Israel on February 8, 2005, shortly after his election as Yasser Arafat's successor on January 9. Nonetheless, both sides continued to employ violence well beyond that date. Israel killed some 170 Palestinians in what was described in the US media as a period of "relative calm" between the suicide bombings of November 1, 2004, and February 26, 2005.¹¹

While Abbas adopted a more conciliatory tone toward Israel and the United States, he upheld the Palestinian national consensus: demanding full Israeli withdrawal from the West Bank, the Gaza Strip, and East Jerusalem, and Israeli recognition of the Palestinian refugees' "right to return." After several weeks of implicit Israeli support for Abbas's electoral campaign, including the arrest of the far more democratic candidate, Mustafa Barghouti, Israeli Foreign Minister Silvan Shalom declared Abbas's political positions "very extreme" and his insistence on the right of return "unacceptable."¹² Israeli pundits dismissed him as "Arafat in a suit."¹³ Israel suspended political contacts with Abbas before he assumed office on the pretext of a Palestinian attack at the Karni crossing into the Gaza Strip. While contacts were even-

tually resumed, these events suggested an Israeli unwillingness to treat the new Palestinian leadership fundamentally differently than its predecessor, that substantive negotiations were unlikely to proceed with alacrity, and that a mutually satisfactory resolution of the “final status” issues was not on the agenda of the Sharon administration.

THE ROLE OF THE UNITED STATES (2002–2004)

Israel's diplomatic intransigence and its armed belligerence in this period, as before, were enabled by the United States. The administration of George W. Bush saw Ariel Sharon as its partner in the global “war on terror.” In June 2002, President Bush delivered a speech with the first-ever formal US endorsement of a Palestinian state, just after Israeli tanks rolled into Ramallah for yet another time. A year later, Bush officially unfurled a “Roadmap” sponsored by a Quartet comprised of the US, the UN, the European Union, and Russia, with the stated objective of establishing a Palestinian state by the end of 2005. At the same time, Caterpillar bulldozers supplied to Israel through the Foreign Military Sales program were devastating Palestinian farmland to erect a separation barrier comprised of concrete walls and fencing inside the West Bank.

While Sharon feigned acceptance of the Quartet's Roadmap, he assiduously avoided negotiations on its substance, which would have required the immediate dismantling of some one hundred settlement “outposts” established since the beginning of his tenure as prime minister. To avoid implementing the Roadmap and diminish international criticism of Israel's construction of the Separation Barrier in the West Bank, Sharon unveiled his unilateral plan to disengage from the Gaza Strip. Nonetheless, on February 23, 2004, an International Court of Justice hearing began on the legality of the barrier. On July 9, the Court ruled that the barrier was illegal and that Israel should compensate Palestinians for property confiscated during the course of its construction, in addition to other related losses. On June 30, the Israeli Supreme Court ruled that 30 kilometers of the barrier's path had to be redrawn, based on “the proper balance between security and humanitarian considerations.” Activists claimed this as a very partial victory, as the Court effectively upheld the barrier's rationale.

Although Sharon's unilateral plan undermined both the form and the substance of the Roadmap, he brazenly demanded a US reward for its announcement, asking the Bush administration to concede Israel's right to annex large

settlement blocks in the West Bank during the course of any final agreement with the Palestinians and to back Israel's refusal of the Palestinian right of return. Sharon also asked approval to extend the separation barrier around the settlement of Ariel (named after Sharon)—some 20 kilometers into the northern West Bank.

The Bush administration openly accepted the first two demands when Bush and Sharon met in Washington on April 14, 2004—thereby reversing the US's official, even if inoperative, policy on the Palestinian-Israeli conflict, in place since 1967.¹⁴ In the course of this meeting, Israel's bottom lines were accepted as the parameters of any possible peace agreement, Palestinian rights, claims, and international legality notwithstanding. The United States effectively endorsed the principal of a unilateral Israeli resolution to the conflict. The Bush administration's response to the separation barrier was more ambiguous. Rhetorically, President Bush rejected Israeli demands for an extension of its trajectory, calling the barrier's route "a problem." Yet when Israel began work on extending the barrier into the heart of the West Bank, in June 2004, Bush did not respond forcefully and construction continued.¹⁵ Even after Dov Weisglass, Sharon's former chief of staff and chief negotiator with the United States on "peace process" issues, declared the Roadmap "dead," the State Department continued to declare "no cause to doubt" Sharon's commitment to the political blueprint.¹⁶

UNILATERAL DISENGAGEMENT: PRELUDE TO PEACE?

In late 2003 Sharon surprised all parties by endorsing an end to the occupation, the establishment of a Palestinian state, and a unilateral Israeli withdrawal from most of the Gaza Strip. Yet his rhetoric was belied by the substance of his political vision. Sharon continued to support Israeli annexation of approximately half of the West Bank—a position he had advocated since the late 1970s. And his vision of a Palestinian state excluded the possibility of Palestinian sovereignty in Jerusalem or discussion of Palestinian return to, or reparations for, homes and lands lost in 1948. In October 2004, in an internal party poll, Likud members rejected Sharon's proposal for a unilateral military redeployment from the Gaza Strip and the evacuation of all of its settlements as well as four small settlements in the northern West Bank. The formation of a Likud-Labor-Ultra-Orthodox government in early 2005 enabled Sharon to proceed with his plan, and implantation began in August.

Israel's disengagement did not "liberate" the Gaza Strip. Rather, it was turned into what many have likened to an open-air prison. Israeli forces retained control of the seacoast, and the territory remained surrounded on its three landward sides by an electronic fence. Control of the border-crossing between the Gaza Strip and Egypt remains unresolved as of this writing. Only a month after its redeployment, Israel launched military actions against the Gaza Strip claiming that the Palestinian administration was not upholding its security obligations; and it threatened even harsher measures in the future.

In the months preceding the redeployment, Gaza settlers and their supporters organized dozens of demonstrations and prayer vigils, adorning themselves and their vehicles with orange ribbons, a symbol of the 2004 Ukrainian "Orange Revolution" for democracy. At the same time, the majority of Israelis who support redeployment rarely spoke out forcefully against the agitation of the settlers or in favor of ending the occupation.¹⁷ Thus, the Israeli print media repeatedly wrote that disengagement from Gaza was a national trauma, enabling Sharon to argue that further withdrawals from the West Bank would risk igniting a Jewish civil war.

Israel's refusal to coordinate its disengagement with Palestinian National Authority officials further undermined the stature of Mahmoud Abbas and other secular Palestinian nationalists, already weakened in the Gaza Strip, thereby enhancing the authority of the Islamist groups HAMAS and Islamic Jihad. This lack of coordination or negotiation with the PNA lent credence to the claim that Israel's withdrawal was a victory for the Palestinian armed struggle.¹⁸ Islamists took credit for this accomplishment, arguing quite credibly that Israel was withdrawing under fire, not as a consequence of negotiations, just as was the case when Hizballah forced Israel out of Lebanon in June 2000.

Undermining any future political resolution of the conflict was the express purpose of Israeli policy. Dov Weisglass stated the matter clearly: the Gaza disengagement plan "supplies the amount of formaldehyde . . . necessary so that there will not be a political process with the Palestinians."¹⁹

Despite this avowed rationale and its grim political perspective, the Gaza disengagement constituted the first Israeli withdrawal from Palestinian territory occupied in 1967 (or 1948). A historic precedent has been established. Both the limitations and likely effects of the Gaza disengagement are comparable to the irrevocable Israeli recognition of Palestinian peoplehood in the 1993 Oslo accords.

THE POLITICS OF PUBLIC OPINION

Although support for unilateral withdrawal from the Gaza Strip declined among Israeli voters as the date for disengagement approached, a majority still favored the measure. Opinion polls conducted in mid-2005 suggested that over 60 percent of Israelis were prepared to evacuate most of the 150 Jewish settlements and 410,000 settlers in the West Bank in the context of a peace agreement. However, few were willing to negotiate over settlements in "Greater Jerusalem," long embraced by most Israeli parties as an indivisible part of the Land of Israel.²⁰ A majority of the Israeli public also supported the army's increasingly devastating assaults on Palestinians, with the hope that brute force would crush the Palestinian will to resist. Given Israeli popular intransigence on the question of "Greater Jerusalem" and the fate of Palestinian refugees, a peace settlement with even the most moderate Palestinian leadership remained a near impossibility.

The attitudes of Israeli Jews toward Israel's Palestinian Arab citizens, who comprised approximately 19 percent of the population in 2005, were equally uncompromising. A public opinion poll conducted by the Israel Democracy Institute in April 2003 found that more than half the Jewish population of Israel, 53 percent, opposed equal rights for Palestinian Arab citizens.²¹ A poll conducted in May 2004 indicated that nearly half of the Jewish population, some 48.6 percent, felt that the Sharon government was overly sympathetic to Arab citizens.²² A majority of Jewish respondents, 55.3 percent, believed that Arab citizens endangered national security; 45.3 percent supported revoking their right to vote and hold political office; and approximately 25 percent indicated that they would consider voting for an overtly racist ("extreme nationalist," in the language of the poll) party, like Meir Kahane's outlawed Kach, if one were to run in the next elections. These figures indicate a significant rise in Jewish political extremism during the last few years and entrenchment of the notion that only Jews have a right to the juridical and symbolic fruits of Israeli citizenship.

Polls conducted among the Palestinian public in 2004 suggested far more willingness for political concessions than among their Israeli neighbors. A majority stated that they were prepared to accept a state of Israel alongside a sovereign Palestinian state in almost all of the West Bank and the Gaza Strip, with East Jerusalem as its capital, provided that a political settlement of this kind included some recognition of the rights of refugees to return. A controversial poll conducted among refugees in Lebanon, Jordan, and the northern

West Bank in May 2003 indicated that while over 95 percent upheld their right to return in principle, the majority would not choose to return.²³ This information has not been seriously considered in Israel, confirming the belief of most Palestinians that neither the Labor nor Likud Parties will support such a resolution to the conflict.

POLITICAL FUTURES

In light of the continuing expansion of the settlements, the immiseration of Palestinian society, and the construction of a separation barrier that could ultimately annex some 50 percent of the West Bank to Israel, and in light of the existing balance of regional and international forces, it is reasonable to ask whether a two-state solution to the Israeli-Palestinian conflict remains a viable one. The two-state solution was embraced by an international consensus in the 1980s, the only significant opponents being Israel and the United States. This solution remained the political rallying cry among the great majority of progressives in Israel and abroad throughout the course of the Oslo process. At the same time, most two-state proponents seemed oblivious: both to the ways in which Israeli “facts on the ground” in the West Bank and Gaza Strip were progressively undermining the possibility of a viable Palestinian state; and to the role of the Oslo process, which most two-staters supported, in actively obstructing this political future, both through its cantonization of the West Bank and through its disenfranchisement of Palestinian refugees and denial of their right of return. The Israeli Labor Party endorsed the two-state solution, belatedly, in 1996—three years after the signing of the Oslo DOP. By 2002, a Palestinian state was embraced by both the Sharon and Bush administrations. But neither the state imagined by the Labor Party in the 1990s, nor that endorsed by the Sharon and Bush administrations, bore much resemblance to the political and territorial entity envisioned by the PLO or the international consensus that has prevailed since the 1980s. For Bush and Sharon (as for the Labor administrations in the 1990s, albeit within different parameters), this so-called “state” was to be little more than a handful of cantons, surrounded by Israel and enjoying only limited sovereignty—a political solution imposed upon the Palestinians, not one achieved through negotiated settlement. Today, a two-state solution is being marketed to Israelis and American Jews by the Israeli center and right through an appeal to the growing Palestinian “demographic danger”—the concern that in the absence of such a settlement Israel will lose its Jewish majority between the Jordan River

and the Mediterranean, and that henceforth the future of Israel as a Jewish state would be radically compromised.

The editors of this volume acknowledge the political limits of the two-state solution and the ways that the language of two states has been co-opted by the Israeli and US right. It is nearly impossible to speak of separate political entities when more than 410,000 Israeli settlers currently inhabit the West Bank, including East Jerusalem, most of whom will remain in these territories according to even the most expansive evacuation scenarios discussed by successive Israeli governments. Moreover, the two-state solution tends to perpetuate the undemocratic fiction of Israel as a Jewish state, ignoring both the presence of more than 1,000,000 Palestinians inside the state and of some 200,000 non-Jewish workers from Eastern Europe, Africa, and South and Southeast Asia who reside in Israel's working-class, urban peripheries on what is becoming a permanent basis. Nevertheless, we believe that the emergence of an independent, viable, contiguous, and sovereign Palestinian state alongside Israel remains the precondition for progress toward peace and coexistence in the region. If land confiscation and settlement construction continue at their current pace, and if the Israeli left remains unwilling to mount a forceful opposition to state policy, this perspective will require revision.

No matter how many states may eventually be established in Palestine and Israel, we believe that the futures of both peoples are inextricably intertwined. There can be no just solution based on "separation" or on one-sided Israeli military domination of the Palestinians in the name of a self-defeating concept of security. At the same time, there can be no security for either people without justice. The UN resolutions calling for an Israeli withdrawal from the territories occupied in 1967 have a relevance that transcends their usual association with a particular kind of two-state solution. Only after Israel withdraws will it be possible to seriously reopen the debate over the political future in Palestine and Israel on something approaching an equal footing.

Ideologically motivated attacks on Middle East scholarship have flourished in the United States and Israel since September 11, 2001. Their primary objectives have been to discredit and silence critics of Israeli and US state policies and to constrain the scope of possible political futures. In opposition to such attacks, which seek to mask their political agendas in the call for apolitical

scholarship, we believe that the highest standards of scholarship and journalism require a critical analysis of US and Israeli policies in the Middle East. This volume joins scholars and activists working to create a political blueprint for a just and lasting peace, those seeking to imagine a future beyond occupation and hegemony in the region.

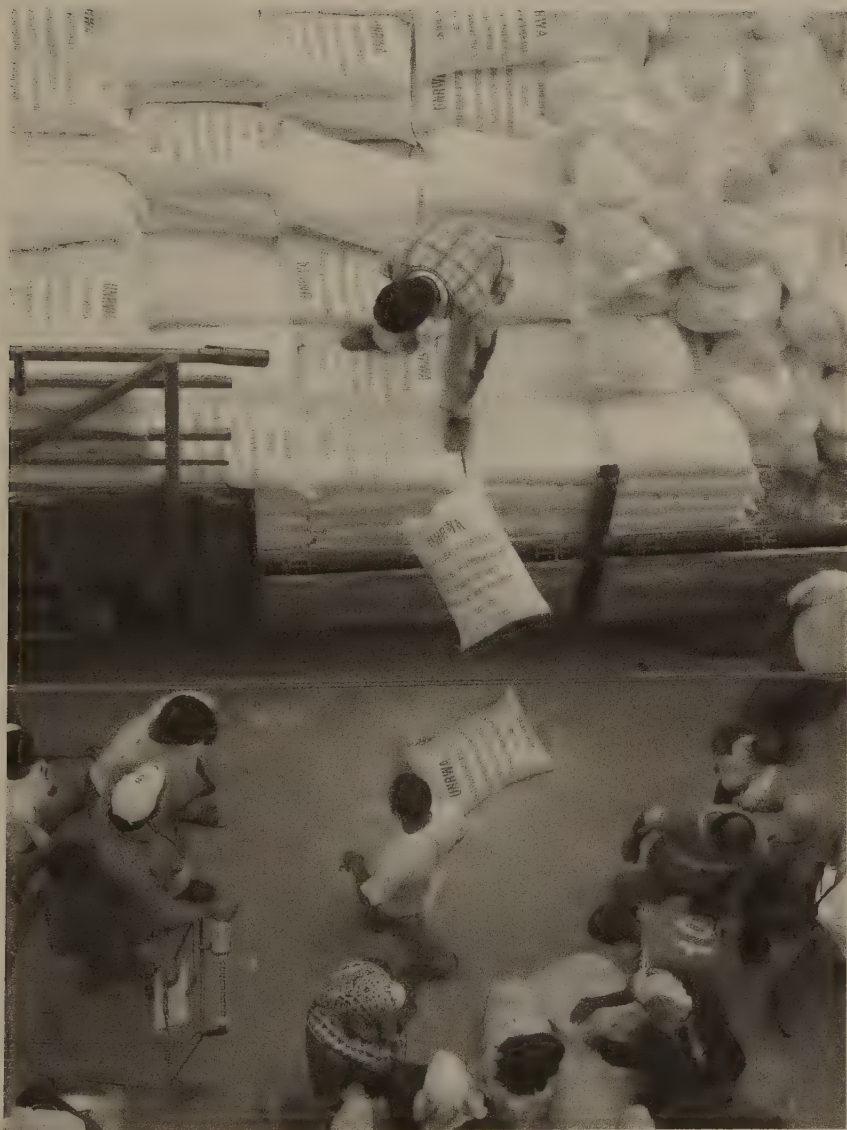
Part 1

Figure 3. Flour distribution in Deheishe refugee camp, 2002.

United Nations Relief and Works Agency (UNRWA) worker tosses bags of flour to Palestinian refugees, August 17, 2002, in Deheishe refugee camp in the West Bank.

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THE POLITICAL ECONOMY OF PEACE



THE OSLO PROCESS AND THE LIMITS OF A PAX AMERICANA

Joel Beinin

As diplomatic agreements normally do, the Declaration of Principles (DOP) signed by Israel and the Palestine Liberation Organization on September 13, 1993, reflected the prevailing international and regional balance of power. The determinant factors in this case were Israel's overwhelming military superiority over its Arab neighbors and its alliance with the United States. The DOP defined a negotiating process and a five-year interim period with no clear goal and deferred the most basic Palestinian needs—territory, sovereignty, and a resolution of the refugee question—to final status talks which were supposed to commence no later than May 1996 but did not actually begin in earnest until late 1999. Nonetheless, Yasser Arafat and his advisors claimed that despite the many ambiguities and unresolved issues in the texts of the agreements, the Oslo process would result in the establishment of a Palestinian state in nearly all of the West Bank and the Gaza Strip. What brought the two parties to conclude such an unbalanced agreement?

THE GLOBAL AND REGIONAL BALANCE OF FORCES

The fundamental relationship governing the Arab-Israeli conflict has been the US-Israeli alliance. With the promulgation of the Nixon Doctrine in 1969, Israel, Iran, and Saudi Arabia became US surrogates in combating what Washington regarded as pro-Soviet forces in the Middle East, including the PLO. Consequently, the US-Israeli alliance has often impeded peaceful resolution of the conflict in accord with the international consensus, which interprets UN Security Council Resolution 242 to require a more-or-less full Israeli

withdrawal from the occupied Arab territories in exchange for a contractual peace and recognition of Israel by its Arab neighbors.¹ Moreover, since the late 1970s, international opinion has supported creation of a Palestinian state in the West Bank and the Gaza Strip.

The PLO began to signal willingness to consider this “two-state solution” to the conflict in 1974.² But Israel was not interested, and the United States underwrote Israel’s intransigence.³ The PLO formally embraced the two-state solution in November 1988 when the Palestine National Council adopted a declaration of independence and a political statement recognizing Israel and forswearing attacks on civilians.⁴ This strategy was the outcome of a lively public debate among Palestinians during the first year of the first intifada, the uprising against Israeli occupation of the West Bank and the Gaza Strip that broke out in December 1987. Israel’s 1988–90 national unity government, headed by the Likud’s Yitzhak Shamir, scorned the PLO’s declarations. It understood that acknowledging them would require accommodating Palestinian national aspirations. Minister of Defense Yitzhak Rabin ordered repression of the intifada with “force, power, and blows,” declaring that no negotiations were possible until the intifada was crushed.⁵

The negotiations that led to the DOP were enabled by the US victory over Iraq in the 1991 Gulf War. The PLO did not endorse Iraq’s seizure of Kuwait, but it did support Saddam Hussein’s proposal to link Iraqi withdrawal from Kuwait with Israeli withdrawal from the West Bank and the Gaza Strip. As a consequence, the PLO suffered diplomatic isolation and lost aid funds and worker remittances from the Gulf. The United States encouraged peace talks because the US-Israeli alliance was a liability in the crisis created by Iraq’s occupation of Kuwait—Israel had to absorb Iraq’s Scud missile attacks without retaliating—to avoid the perception of the US-led assault on Iraq as a defense of Israel. Additionally, the adherence of Saudi Arabia, Kuwait, Egypt, Syria, Morocco, Tunisia, and the smaller Gulf oil states to the anti-Iraq alliance demonstrated for the first time that some Arab leaders were willing to kill their Arab “brothers” to defend interests they held in common with the United States. President George Bush the elder concluded that cooperative Arab states should be integrated into the new world order.

The United States exerted modest but sustained pressure on Israeli Prime Minister Yitzhak Shamir to attend a conference on a comprehensive Arab-Israeli peace in Madrid on October 30, 1991. Shamir insisted that the PLO be excluded and that the terms of reference of the conference could not mention

a Palestinian right to self-determination or full Israeli withdrawal from the West Bank and the Gaza Strip. The Bush administration happily acquiesced in Israel's insistence that the UN, Europe, and Russia should have no substantive role at Madrid or in the subsequent multilateral and bilateral talks between Israel and the various Arab parties. Therefore, the "peace process" became a US monopoly in which Israel had privileged access to the patron. Israel avoided engaging in substantive discussions at Madrid and in eleven rounds of bilateral talks with the Palestinian delegation in Washington. After he left office in June 1996, Shamir admitted that he "would have conducted negotiations on autonomy for ten years and in the meantime we would have reached half a million [Jewish] people" living in the West Bank.⁶

PRIVATIZATION AND PEACE: ISRAELI NEOLIBERALISM

As a result of the 1967 war, the 1969–70 war of attrition with Egypt, the 1973 war, and the 1978 and 1982 invasions of Lebanon, Israeli military expenditures ranged from 21.7 to 32.8 percent of GDP from 1968 to 1985, compared to 3–6 percent in the developed capitalist world.⁷ Investment in the military-industrial complex was exempt from normal criteria of profitability because the Israeli army and government-assisted military exports constituted a privileged and highly subsidized market.⁸ From 1973 onward, the average annual growth rate declined sharply and inflation rose rapidly, reaching an annual rate of 445 percent by 1984. Before the government intervened, the 1985 annual rate was heading toward 1,000 percent.⁹ A Labor/Likud national unity government led by Shimon Peres was formed after the 1984 Knesset elections to address the economic crisis. The United States helped develop an economic stabilization program for Israel and offered emergency aid of \$1.5 billion conditional on implementing an approved economic plan.¹⁰ In July 1985 Israel adopted an orthodox stabilization program similar to those imposed by the International Monetary Fund on Bolivia, Chile, and Mexico: a 10 percent reduction in government expenditures, devaluation of the shekel, and cuts in subsidies on food and transportation.

The Citizens Rights Movement (RATZ), the Shinui component of the dovish MERETZ (now Yahad) Party, and ambitious younger members of the Labor Party including Yossi Beilin, Avrum Burg, Yael Dayan, Hagai Merom, and Haim Ramon emerged as the most articulate proponents of a new economic orientation. They advocated jettisoning the ideological and institutional encumbrances of labor Zionism in favor of an export-led,

profit-driven economy, privatization of public-sector enterprises, free markets, and an orientation toward integration with Europe. This program appealed to many upper-middle-class and elite secular Ashkenazim (Jews of European origin). The intifada subsequently convinced this sector of the Jewish population that pursuing a market culture of profit, pleasure, and individualism required resolution of the conflict with the Palestinians and the Arab world.¹¹

THE INTIFADA AND THE POLARIZATION OF ISRAELI SOCIETY

The intifada alienated many Jewish citizens from their government. Thousands demonstrated regularly against its policies.¹² Hundreds served time in military prisons for refusing to perform military reserve duty in the occupied territories; perhaps thousands more avoided serving in the territories without being jailed. In preparation for the 1988 election campaign, the RATS and MAPAM components of the future MERETZ revised their party programs to include the possibility of Israeli negotiations with the PLO. Soon after the PNC recognized Israel on November 15, 1988, and committed the PLO to a diplomatic resolution of the conflict, Peace Now, which repeatedly emphasized its Zionist affiliation, endorsed negotiations with the PLO. It called an outdoor rally in Tel Aviv in early December, where some 100,000 demonstrators demanded that Israel negotiate with the PLO. The newly installed second national unity government ignored this popular sentiment.

However, neither the opposition political parties nor the extraparlimentary protest movement were able to moderate the government's intransigence. Most of these forces were deeply disappointed by the PLO's position on the 1991 Gulf War. Hence, the Israeli peace camp fell into a protracted funk in the early 1990s. Many peace activists resorted to "internal emigration"—intentionally ignoring the political circumstances and focusing on personal relations and individual desires.

Opponents of continued occupation included liberal and labor Zionists, non-Zionists, and anti-Zionists, united by their willingness to frame political debate in terms of the secular, universal values of human rights, democracy, and international law. On the other side of the political and cultural divide was the so-called "national camp"—the Likud, the orthodox religious parties, and the smaller ultranationalist parties. For this bloc, especially its religious elements, *halakhah* (Jewish religious law) and particularist interpretations of Jewish history mitigated or cancelled the applicability of universal values. The

leadership of the weakened Labor Party positioned itself between the national chauvinists and consistent opponents of the occupation with the slogan of "separation" between Israel and the Palestinians of the occupied territories. Advocates of separation argued that the occupation could not be maintained indefinitely without incurring prohibitive costs to Israeli society, but evaded the issues of the Palestinian people's right to national self-determination and the status of the PLO.

Proponents of "separation" justified reestablishing the Green Line in the name of "demographic balance" and preserving the humane character of Zionism. But "separation" without Palestinian statehood resembles South African-style apartheid and is discursively continuous with the historic Zionist notion of "transferring" Palestinian Arabs out of the country—a proposal advanced with renewed vigor in the 1980s by unapologetically racist parties such as Rabbi Meir Kahane's Kach and Rehavam Ze'evi's Moledet. Ideas previously considered unthinkable entered public discourse. Baruch Goldstein, an orthodox American-immigrant settler in Kiryat Arba and a Kahane follower, argued:

A few years ago, the ideas of Rabbi Kahane were looked down upon and his followers were ostracized, but now things are different and people see the Arab problem more vividly. People say you can't live with the Arabs and you can't keep so many soldiers [in the West Bank and Gaza] permanently, so the solution is to remove the Jews and you don't have to worry about coexistence. I say the land belongs to us, and the Arabs don't belong to us, so the land we should keep and the Arabs we should let go. I think it's feasible today. Militarily it's no problem. . . . As Westerners, it seems very cruel, very unrealistic, very barbaric to do this, but you have to realize that the Arab mind is not the Western mind. They are a cruel people. They are a people who want to spill blood. I don't feel toward a people like this that we have any obligations.¹³

Four years later, on February 25, 1994, Goldstein entered the Ibrahimi mosque/Cave of the Patriarchs in Hebron wearing his military uniform identifying him as a doctor and a reserve army officer and shot twenty-nine Palestinians in cold blood while they were at prayer.

By the 1990s, many among the secular Ashkenazi middle and upper classes, kibbutzniks, and the intelligentsia no longer identified with the garrison-state politics, economics, and culture that had informed Israeli society since its

inception. They regarded the occupation as a moral disgrace, a barrier to their personal fulfillment, and an impediment to economic development. They longed for Israel to become a "normal" state whose citizens were free to pursue their private desires and interests. A vocal minority of intellectuals began to argue for explicitly post-Zionist positions. In the June 1992 Knesset elections they voted for MERETZ or the Labor Party, which formed the new ruling coalition.

TOWARD OSLO

Despite expectations that the Labor-MERETZ government would expedite progress toward Israeli-Palestinian peace, the Labor Party leadership, especially Prime Minister Rabin, opposed full withdrawal from the West Bank and the Gaza Strip and the establishment of a Palestinian state. Rabin's first and unsuccessful impulse was to try to reach an agreement with Syria that would further isolate and weaken the Palestinians. Human rights conditions in the West Bank and the Gaza Strip deteriorated dramatically as Rabin applied his habitual iron fist. Meanwhile, the Palestinian delegation to the Washington talks increasingly asserted its identification with the PLO, despite friction with the Tunis leadership. It became clear that any Palestinian agreement with Israel would ultimately have to be approved by the PLO. The Washington talks stalled after December 1992 when Rabin ordered the extrajudicial expulsion of some 415 West Bankers and Gazans alleged to be activists in the HAMAS or Jihad organizations. They resisted their expulsion by camping out on a Lebanese hill facing the border with Israel for a year before they were returned to their homes, enormously enhancing the prestige of Palestinian political Islam. Eventually, Rabin came to believe that the political Islamist movement posed more of a threat to Israel than the PLO did.

Foreign Minister Shimon Peres authorized his lieutenant Yossi Beilin to attempt to open direct negotiations with the PLO under Norwegian auspices behind the backs of the Palestinian delegation in Washington and the United States. This initiative was informed by Peres's vision of "the new Middle East" in "the world of tomorrow," where

the national or class collective will not constitute the basis of social organization. Rather, the individual will assume responsibility. National goals will no longer be based on control or territorial expansion. . . . Economics will carry more weight than politics in international relations.⁴

Thus, Peres sought to create an open-market economy with free movement of goods between Israel and the future Palestinian entity.¹⁵ This goal did not depend on the precise outcome of the negotiations with the Palestinians. As Dov Lautman, president of the Israeli Industrialists' Association, told Palestinian businessmen: "It's not important whether there will be a Palestinian state, autonomy, or a Palestinian-Jordanian state. The economic borders between Israel and the territories must remain open."¹⁶

THE SEPTEMBER 1993 OSLO ACCORDS

The DOP established a five-year interim agreement during which Israel was to withdraw from unspecified parts of the Gaza Strip and the West Bank in exchange for Palestinian recognition of Israel and PLO cooperation in suppressing terrorism. The Cairo Agreement of May 4, 1994 delimited the Israeli withdrawal from about 75 percent of the Gaza Strip and the Jericho area, established the Palestinian Authority as the governing body in the evacuated territories, and inaugurated the interim period.

The September 28, 1995 Taba accords divided the West Bank into three areas.¹⁷ Israel withdrew from Area A, consisting of about 3 percent of the territory (the cities of Nablus, Jenin, Tulkarm, Qalqilya, Ramallah, Bethlehem, and 80 percent of Hebron), giving the Palestinians control of civil affairs and internal security. In Area B, consisting of about 23 percent of the territory, including about 440 villages and some of the surrounding lands, the Palestinian Authority was responsible for municipal functions while joint Israeli-Palestinian patrols maintained internal security. In Area C, consisting of about 74 percent of the territory, including all of the 145 settlements and the new Jewish neighborhoods in and around East Jerusalem, Israel retained full control. There were to be three further Israeli withdrawals from the West Bank. Israel controlled entry and exit from the Palestinian territories, use of land and water, external security, and foreign affairs. Israel also had the right to veto any legislation enacted by the Palestinian Legislative Council elected in January 1996.

The most important issues—(1) the borders and the nature of the Palestinian entity, (2) the fate of Israeli settlers and settlements, (3) the status of Jerusalem, (4) the Palestinian refugee question, and (5) water rights—were postponed to final status talks. These talks were opened in May 1996 in anticipation of a Labor victory in the Israeli elections, but after the Likud won they were suspended until 1999.

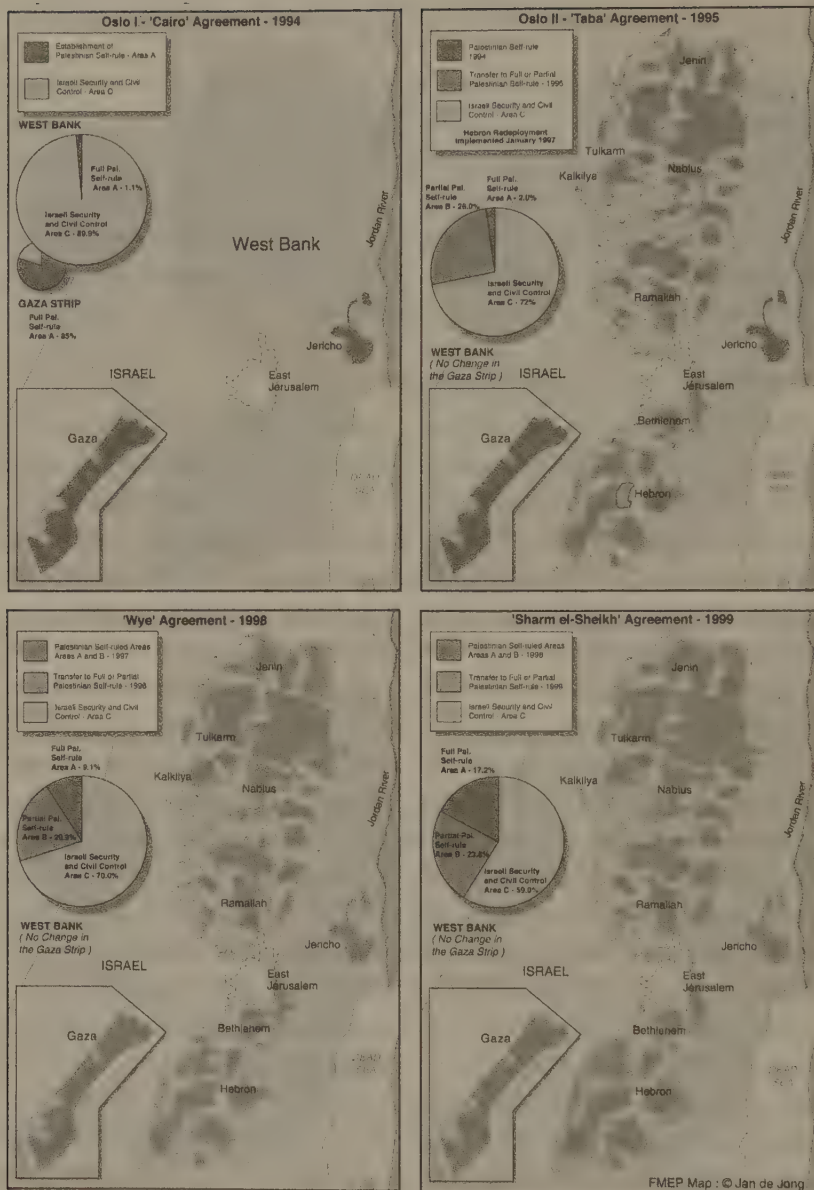


Figure 4. Transfers of territory to the Palestinian National Authority, 1994–1999. After Israel's redeployment from the Gaza Strip and Jericho in 1994 (the Gaza and Jericho First Plan), additional parts of the West Bank were gradually transferred to the jurisdiction of the Palestinian National Authority (PNA). For political reasons, the third scheduled transfer of territory never occurred. On the eve of the 2000 Camp David summit, the PNA directly administered 17.2 percent of the West Bank (Area A) and provided municipal services and joint internal security with Israel to 23.2 percent of the West Bank (Area B). Israel retained control over 59.6 percent of the West Bank, including all the settlements, and approximately 25 percent of the Gaza Strip. Source: Foundation for Middle East Peace (FMPEP). © Jan de Jong

THE OSLO PROCESS ON THE GROUND

Economic and social conditions in the West Bank and Gaza Strip deteriorated following the Oslo agreement. Only about half of the \$2.4 billion in foreign assistance promised to the Palestinian Authority during the five-year interim period—less than Israel receives from the United States in a single year—was delivered.¹⁸ Palestinian economic growth was further impeded by Israel's refusal to allow the opening of air and sea ports in Gaza (the airport was belatedly opened in 1999) or of a road connecting the Gaza Strip and the West Bank, although these measures were specified in the DOP.

From March 1993 on, Israel continuously imposed four different levels of closure on the West Bank and Gaza Strip, severely disrupting Palestinian economic life. In late 1992, about 115,000 Palestinians worked legally in Israel. Closures reduced the daily average to 33,200 in 1996 and 38,000 in 1997. Unemployment rose to 30 percent in the fall of 1997 due to the closure imposed following a double suicide bombing in Jerusalem on July 31. Closures caused a direct loss of about \$1.35 million in income for each potential working day.¹⁹ The director general of economic statistics at the Palestinian Central Bureau of Statistics estimated total daily losses at \$5–9 million.²⁰ Consequently, between 1993 and 1995 Palestinian per capita GDP declined 14.2 percent, from \$1,537 to \$1,319 per annum.²¹ Encouraged by the DOP, 1,614 new Palestinian businesses were registered in 1994. The closure from February 25 to May 29, 1996, in response to a spate of HAMAS suicide bus bombs, prompted the failure of as many as 30 percent of these enterprises.²² There were only 1,019 new business registrations in 1996, and 1,195 in 1997.²³

The settler population grew 39 percent to 145,000 during the term of the Labor-MERETZ government; only 16 percent of this growth was due to natural increase.²⁴ A vast network of bypass roads was constructed to facilitate access to the settlements in preparation for the annexation of several large settlement blocs. In East Jerusalem the Jewish population grew by 22,000, to over 170,000. Rabin and Peres reaffirmed Israel's annexation of East Jerusalem, in violation of international law and the government's Oslo process commitments.

Rabin initially saw the DOP as a security arrangement. Shortly before its approval he explained:

I prefer the Palestinians to cope with the problem of enforcing order in Gaza. The Palestinians will be better at it than we because they will allow no appeals to the Supreme Court and will prevent the Association for Civil Rights [in Israel] from criticizing conditions there by denying it access to the area. They

will rule there by their own methods, freeing—and this is most important—IDF soldiers from having to do what they will do.²⁵

Rabin seemed to welcome an autocratic Palestinian regime that would disregard human rights and the rule of law as the most effective way to ensure Israel's security demands. He was not disappointed. The Palestinian National Authority employed about 40,000 people in at least nine different security apparatuses whose spheres of competence and powers were uncertain. Journalists, editors, political activists, and human rights workers were intimidated, arrested, and tortured. At least ten prisoners were killed while in custody.²⁶ Additionally, the Israeli human rights group B'Tselem reported, "Israel systematically violates human rights in the Occupied Territories in violation of the Oslo Agreements and in breach of its obligations under international human rights agreements."²⁷

"TERRORISM," "SECURITY," AND THE DEMISE OF THE OSLO PROCESS

It is conventional to argue that the peace process failed because of Palestinian terrorism and, after the advent of the Netanyahu government, Israeli intransigence. Even before September 11, 2001, a pernicious discourse on terrorism dominated discussion of politically motivated violence in Israel and the United States, making it nearly impossible to understand why some people who have no hope for improving their situations commit morally reprehensible and politically counterproductive acts in the name of political and religious ideals that give meaning to their otherwise miserable existence. Counting bodies easily degenerates into demagoguery. The value of the life of every victim is equally boundless, as both the Jewish and the Muslim traditions recognize. But understanding the role of violence in the demise of the Oslo process in anything other than propaganda terms requires specifying victims and contextualizing incidents.

The DOP was to have come into force on December 13, 1993. But Israeli security concerns delayed the withdrawal from Gaza and Jericho and the installation of the Palestinian Authority until July 1, 1994. During these nearly ten months after the DOP was signed, little changed on the ground for the Palestinians, strengthening the case of opponents of the DOP. The Israeli military continued to pursue Palestinians and to shoot demonstrators and stone throwers.

The murderous attacks of Palestinian opponents of the DOP undermined Rabin's authority with his constituency. However, the bottom lines in Tables

1 and 2 indicate that, as always, during this critical period Palestinian victims far outnumbered Israeli Jewish victims. Israel's policy of seeking revenge and retribution did not halt the attacks, and failure to restrain provocative settlers incited some attacks.

Rabin and Peres wanted Arafat to pursue a policy of exterminating HAMAS, whose 'Izz al-Din al-Qassam Brigades were the most effective in killing soldiers and settlers in an effort to foil the Oslo process. Arafat's strategy was to isolate extremists committed to armed action and convince the other elements to participate in the political process. Arafat would probably not have objected strenuously if the IDF had focused its activities on HAMAS and Jihad, but less than two weeks after the signing of the DOP the IDF arrested five Fatah Black Panthers who had operated in the Jenin area.²⁸ On October 5 IDF undercover agents shot dead a Fatah activist in Gaza who witnesses claimed had dropped his gun.²⁹ On November 28, the IDF killed Fatah

Table 1. Palestinian casualties in the West Bank and Gaza Strip
September 10, 1993 to February 24, 1994

Affiliation	Killed by			Wounded by		
	IDF	Settlers	Unknown	IDF	Settlers	Unknown
HAMAS/Jihad	13					
PFLP/DFLP	3			4		
Fatah	4					
Saudi	1					
Unknown	30	3	1	158-168	2	

SOURCE: Compiled from chronology in *Middle East Journal* 48, nos. 1-3 (Winter, Spring, Summer 1994).

NOTE: Figures do not include internecine Palestinian violence, bomb makers, suicide attackers, or possible victims of IDF undercover units (*mista'ravim*).

Table 2. Israeli Jewish casualties in the West Bank and Gaza Strip
September 10, 1993 to February 24, 1994

Identity	Killed by			Wounded by		
	HAMAS	Jihad	Other	HAMAS	Jihad	Other
IDF	10	1		3	1	1
Settler	5	2		5		
Unknown	3		4			

SOURCE: Compiled from chronology in *Middle East Journal* 48, nos. 1-3 (Winter, Spring, Summer 1994).

Hawk Ahmad Khalil Abu Rish, a week after he had accepted an amnesty, and also arrested thirty Fatah members in Khan Yunis Camp. These actions undermined Arafat's ability to sell the Oslo agreement to his most loyal supporters.

The Labor government's response to Baruch Goldstein's February 25, 1994, killing spree manifested the failure of its strategy of conciliating anti-Oslo settlers. Israeli forces killed six more Palestinians and wounded fifty at a demonstration in front of the hospital in Hebron the next day; eighteen more Palestinians were killed and thirty-seven more wounded in clashes between the army and demonstrators through March 4. Two Israelis were killed and two wounded in the same period.³⁰

In response to the Hebron massacre, Israel outlawed the Kach and Kahane Hai organizations and arrested seven activists, but took no action against the settlers in Hebron and Kiryat Arba, who had repeatedly attacked the Arab residents of Hebron with near impunity. The Hebron massacre and its aftermath marked a sharp deterioration in the prospects for the DOP. Israel's minimal actions sent the message that while Arafat was expected to destroy his internal opposition Rabin would deal delicately with extremist settlers.

The discourse of terrorism precludes analysis linking Palestinian violence to Israeli actions, so Israel was incapable of learning from the Hebron experience. In late August 1995 HAMAS began observing a tacit cease-fire with Israel in anticipation of the Taba accords. Arafat tried to co-opt more moderate elements of HAMAS, negotiating with them in Cairo to secure their participation in the elections for the Palestinian Legislative Council scheduled for January 20, 1996. But on January 6, 1996, in Khan Yunis, Israeli agents liquidated HAMAS military leader Yahya 'Ayyash, the reputed planner of the first suicide bomb attacks, which had been launched in retribution for the Hebron massacre. In response to the assassination, HAMAS carried out a new wave of bus bombings in February–March 1996. The late Professor Ehud Sprinzak, an authority on political extremism in Israel, concluded, "Without 'Ayyash's execution, it is quite likely that Israel would not have experienced the three suicide bombings in 1996 that killed 55 people and wounded 265."³¹

These bombings changed the terms of the May 1996 Israeli elections from a referendum on the Oslo process to a debate over whether Labor or Likud could better guarantee the security of Jews. In fact, neither could do so effectively because the violence of the mid-1990s was largely due to failure to resolve the political issues left open by the Israeli-PLO agreements; the expansion of settlements, and the deteriorating economic conditions of Palestinians. Peres

failed to challenge the "security" terms of the debate, which virtually ensured that the Likud would win the May 1996 election.

Netanyahu's Likud-led government included some of the most chauvinist elements in Israeli political life and undertook a succession of provocative actions. In September 1996 the mayor of Jerusalem opened a new entrance to an archaeological tunnel in East Jerusalem that runs close to Muslim holy places. Netanyahu delayed implementing the agreement to evacuate most of Hebron until January 1997, arguing that its security features were inadequate. In March 1997 the cabinet approved construction of a large new settlement at Har Homa/Jabal Abu Ghneim, between East Jerusalem and Bethlehem. In September 1997 American Jewish millionaire Irving Moskowitz inaugurated a new Jewish neighborhood in the Ras al-'Amud quarter of East Jerusalem. The same month, Mosad agents botched an attempt to assassinate HAMAS leader Khalid Mash'al in Amman. The orthodox-chauvinist Ateret Cohanim organization, which seeks to destroy the Dome of the Rock and the al-Aqsa mosque to make way for a third Jewish temple, continued to seize land in and around the Old City of Jerusalem. As a consequence of these actions, there were no regular negotiations between Israel and the Palestinian Authority after March 1997.

In October 1998 President Clinton called Arafat and Netanyahu to the Wye Plantation in Maryland to save the Oslo process. There, it was agreed that Israel would release 750 more prisoners (all prisoners were supposed to have been released according to the DOP) and implement in stages the second of the three "further withdrawals" from the West Bank and Gaza Strip agreed to at Taba in 1995. The Palestinians were at last permitted to open an airport at Gaza. The annexationist parties left Netanyahu's coalition after modest Israeli withdrawals in November, and the government fell.

The Labor Party, now led by Ehud Barak, returned to power in May 1999. By then, the deadline for a final status agreement had been missed. Barak distrusted the step-by-step approach of the Oslo process and proposed that implementation of the Wye agreement and final status talks should begin simultaneously, which would have weakened the Palestinian territorial position entering the negotiations. Failing to win Palestinian agreement, Barak signed the Sharm al-Shaykh agreement in September 1999 to implement the Wye accords and complete the second "further withdrawal." Before discussing the third withdrawal, Barak detoured to try to reach an agreement with Syria, resuming serious negotiations with the Palestinians only after the failure of that effort.

Barak still sought to deal with all outstanding issues at once, and at his insistence President Clinton convened a summit meeting at Camp David in July 2000. The Palestinians expected the meeting to fail, and Arafat only attended after Clinton promised him that he would not be blamed for a failure. Nonetheless, both Clinton and Barak did blame the Palestinians. US negotiator Dennis Ross explained to his furious Palestinian interlocutor, Saeb Erakat, "Barak needs this so he can face his internal difficulties in Israel."³² Months later, American negotiator Robert Malley acknowledged, "We welcomed Barak's proposals with unjustified enthusiasm. The United States was thinking in terms of the distance Israel had come, instead of the distance that remained to be covered in order to arrive at an acceptable compromise."³³

TOWARD A NEOLIBERAL, REPRESSIVE PEACE

The Madrid Conference and the Declaration of Principles promised to complement Israel's newly established economic stability with regional political stability. They encouraged a wave of foreign and local investment in the Israeli economy that boosted the average annual rate of economic growth from 1990 to 1995 to a very solid 5.8 percent.³⁴ By the mid-1990s, nearly one hundred Israeli firms were listed on US stock exchanges. From January 1995 to September 1996 foreign investors bought \$2.9 billion worth of Israeli stocks, and total foreign investment increased by \$4.7 billion to \$19.6 billion.³⁵ IBM, Intel, Microsoft, and other US corporations announced major new investments in Israel. From 1994 to 1996, 767 high technology startup companies were established.³⁶ When the peace process stalled under Netanyahu, foreign investment slowed. Annual growth of the GDP declined to 1–2 percent in 1998, and unemployment reached 9.3 percent in May 1998, underscoring the economic potential of peace.³⁷

Israel's pro-peace business elite did have a partner in the Palestinian business circles represented most prominently by Nabil Shaath, the principal Palestinian negotiator at Oslo and subsequently minister for planning and international cooperation for the Palestinian National Authority. King Hussein of Jordan eagerly supported the Oslo process because it provided an opportunity to reassert Hashemite influence in Jerusalem and created economic opportunities. The Oslo process also corresponded with US strategic interests. In the post-cold war, post-Gulf War era, the first Bush and Clinton administrations believed that the US-Israeli strategic alliance must accommodate a certain role for Arab partners. Arab-Israeli peace was consistent with maintaining a Middle Eastern Pax Americana.

Why, then, was the prospect of a neoliberal peace shattered by the failure of the July 2000 Camp David summit and the outbreak of the second intifada? Optimists argue that the difficulties are only temporary and that the logic of economic interests will eventually prevail. I would suggest that the problems in the Oslo process and the unlikelihood that it will result in a stable Israeli-Palestinian peace demonstrate that the market is not a solution for everything. The Palestinian people did not agree to abandon their political aspirations in return for the promise of economic benefits. The Oslo process consigned Palestinians to an inferior status for at least the five-year interim period and established no countervailing mechanism to prevent Israel from taking unilateral measures—such as the expansion of the West Bank settler population by 70 percent—to extend its domination indefinitely. The DOP neither specified the establishment of a Palestinian state nor required Israel to seek a relationship of coexistence with the Palestinians on the basis of equality of status.

The PLO, too, was not fully prepared for the two-state solution. As Jamil Hilal argues, the political strategy adopted at the 1988 PNC “was not anchored in the organizational reforms needed for the revitalization of . . . [the PLO’s] institutions.” The PLO leadership “failed to rise to the challenges raised by the [first] intifada . . . and lacked the will to respond adequately” because of its leadership style, Israeli repression, and unfavorable international and regional circumstances. Furthermore, “the intifada exposed the inflexibility of the PLO’s organizational structure and bureaucratic style of leadership.” The Tunis-based leadership regarded the shift in the center of gravity of Palestinian politics to the occupied territories as a consequence of the intifada as “a threat to their leadership and privileges.”³⁸

The DOP brought together two national leaderships—neither one of which was motivated by a desire to settle the Palestinian-Israeli conflict on a democratic basis—supported by a US government seeking a low-risk strategy for maintaining its hegemony in the Middle East. The expansion of Jewish settlement in East Jerusalem and the West Bank, continuing land confiscations, and the construction of bypass roads drew the boundaries for potential Palestinian “Bantustans,” even as negotiations haltingly continued. In July 2002, Israel began to build a separation barrier along a trajectory that could ultimately annex as much as half of the West Bank. In December 2003, Israeli Prime Minister Ariel Sharon announced a unilateral plan to withdraw from the Gaza Strip and four remote West Bank settlements. Sharon’s plan was designed to

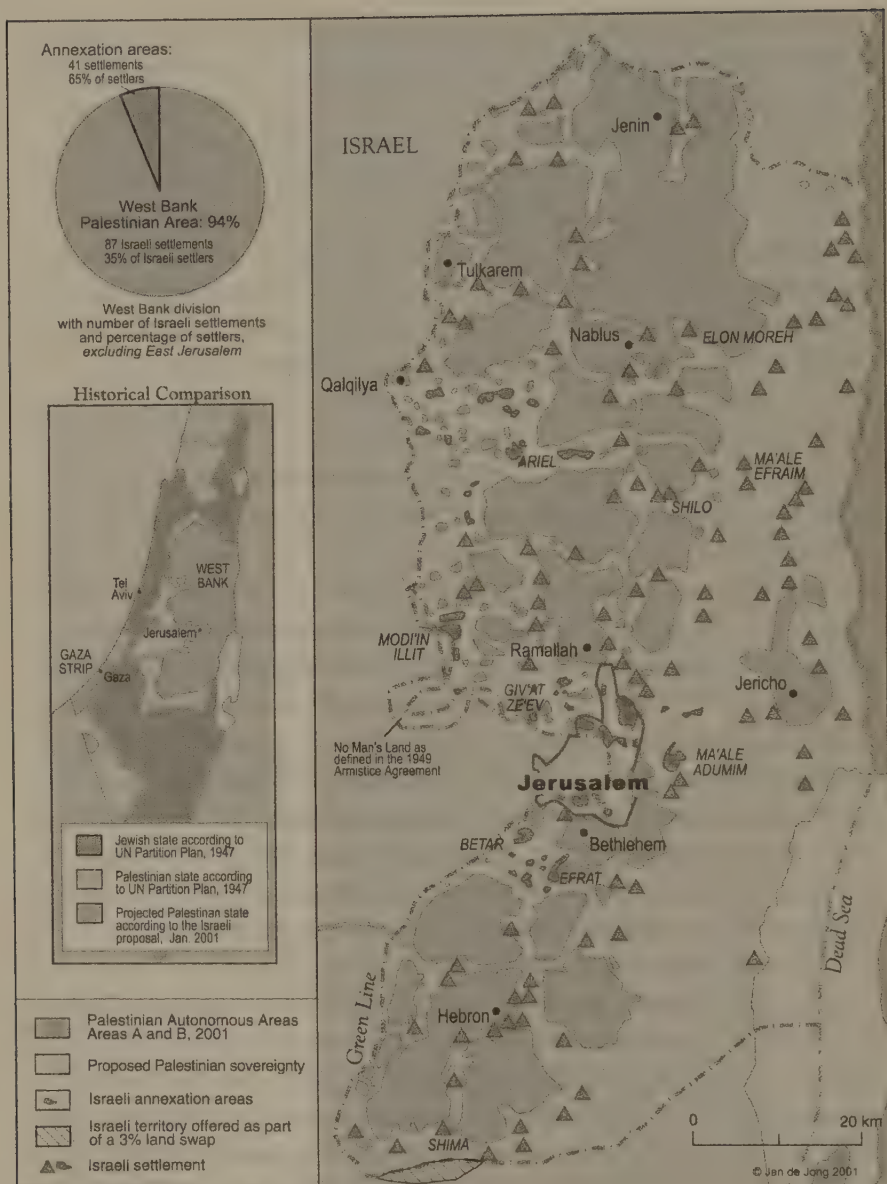


Figure 5. Israel's territorial offer to the Palestinians, January 2001 Taba talks.

Contrary to much common lore, the Palestinian-Israeli negotiations continued at Taba after the failed Camp David summit in 2000 until negotiations were called off by then Israeli Prime Minister Ehud Barak. As at the Camp David summit, no official maps were presented by Israel. This map is an approximation of Israel's territorial offer at Taba, which was more extensive than it had been during the preceding negotiations. Source: Palestinian Academic Society for the Study of International Affairs (PASSIA). © Jan de Jong

forestall the territorial settlement outlined by President Clinton in December 2000 and further developed at the Taba talks in January 2001—the last time Israel and the Palestinians negotiated on the basis of the Oslo accords.

On April 14, 2004, at a meeting with Sharon in Washington, President Bush, the younger, endorsed Sharon's plan as a component of the "Roadmap" for a peace settlement announced a year earlier and sponsored by the United States, the European Union, the United Nations, and Russia, and formally reversed US policy by affirming that Israel may annex settlement blocks in the West Bank. In addition, the president accepted Israel's denial of a Palestinian right of return to Israeli territory. Hence, even if the Oslo process or some other negotiating format is resuscitated, the territorial basis for establishing a Palestinian state capable of exercising significant sovereign powers may no longer exist.

3

FROM ZIONISM TO CAPITALISM

The Political Economy of the Neoliberal Warfare State
in Israel

Yoav Peled

The 1993–2000 Oslo process should not be thought of as a failed peace process, but rather as a failed attempt at partial decolonization of the West Bank and Gaza. Decolonization, a process whereby a new political entity is carved out of the territory of a presently existing one, has historically been a difficult, brutal, and bloody process.¹ The failure of the Oslo process does not mean it was doomed from the beginning, or that it was a fraud perpetrated by one side on the other. I argue that it should be seen as a process motivated, but also opposed, by powerful forces on both sides. I will analyze the main forces that promoted and opposed the Oslo process on the Israeli side in order to suggest an explanation for its failure and for the current state of Israeli society and the Israeli-Palestinian conflict.²

The attempted partial decolonization of the territories occupied in 1967 was but one element in a larger process of liberalization of Israeli society. Liberalization entailed changing the locus of domination from the state to the market, and in that sense domestic liberalization made decolonization of the occupied territories a structural imperative. The failure of decolonization has not halted liberalization, but has given it a partial, and therefore particularly vicious, character.

CITIZENSHIP STRUCTURE

As a democratic frontier society, the Israeli polity has operated under two partially contradictory imperatives: the exclusionary imperative of settlement and nation building and the universalist imperative of democratic state-formation. As a result, a fragmented, hierarchical citizenship structure has

emerged, through which various groups within the Israeli control system were differentially incorporated into the society. This citizenship structure enabled the society to sustain the tension between exclusion and universalism so long as the mobilizational capacity of the state was high and resistance on the part of the lowest-placed ascriptive group—non-citizen Palestinians—was low.

The political culture and institutions of the *yishuv* (pre-1948 Jewish community in Palestine) evolved in the context of the Jewish-Palestinian conflict. The *yishuv* was an ethno-republican community organized to achieve a common moral purpose—the fulfillment of Zionism. Its definition of civic virtue, based on involvement in that project, differentiated the citizenship status not only of Jews and Palestinians, but also of different groupings within the Jewish community.³

The *yishuv* was also a democratic republican community; individual rights and the procedural rules of democracy were widely respected. When the state of Israel was founded in 1948, a new ethos, *mamlakhtiyut*, was invoked to legitimate the transition to statehood.⁴ This ethos emphasized the shift from sectoral interests to the general interest, from semi-voluntarism to binding obligation, from foreign rule to political sovereignty. *Mamlakhtiyut* was not meant to displace the legitimating ethos of pioneering or to abandon the settlement project, but rather to endow the settlement project with the organizational and political resources of a sovereign state.

The democratic tradition of the *yishuv*, the vital integrative function of the rule of law, and the keen interest shown by the international community in the new country's affairs, combined to ensure the grant of citizenship to all residents of Israel, Jews and Palestinians alike. But the meaning, or more accurately, the various meanings, of this citizenship are not immediately revealed by its formal characteristics alone. Israeli citizenship discourse has consisted of three different layers superimposed on one another: the liberal discourse of civil, political, and social rights; the republican discourse of community goals and civic virtue; and the ethno-nationalist discourse of inclusion and exclusion. Even the most universalistic liberal discourse describes only a partial aspect of the meaning of civil, political, and social rights. These rights establish not only entitlements but mechanisms of surveillance and control, and arenas of political contestation as well. Thus the precise meaning of citizenship and non-citizenship in each social context—that is, the extent to which either of them empowers or disempowers individuals and collectivities in society—is subject to political negotiation and struggle.

In Israel, the differential allocation of entitlements, obligations, and domination proceeds in a number of stages. First, the liberal idea of citizenship functions to separate the citizen Jews and Palestinians from the non-citizen Palestinians living under Israeli rule. Then, the ethno-nationalist discourse of inclusion and exclusion is invoked to discriminate between Jewish and Palestinian citizens within the sovereign state of Israel. Lastly, the republican discourse is used to legitimate the different positions occupied by the major Jewish groupings: Ashkenazim (European) versus Mizrahim (Eastern), males versus females, secular versus religiously orthodox.

LIBERALIZATION OF ISRAELI SOCIETY

This fragmented citizenship structure derived from, facilitated, and depended upon a highly intrusive but formally democratic state engaged in intensive mobilization and control of societal resources, both directly and through the Histadrut (the trade-union federation). Aside from being an umbrella labor organization, the Histadrut, together with the Jewish National Fund (JNF), had been a pillar of pre-state Labor Zionist colonization policy, designed to establish an exclusively Jewish economic sector in Palestine. The JNF and the Histadrut aimed to remove land and labor from the market, closing them off to Palestinian Arabs.⁵ The resultant Jewish economic sector gradually developed into an economic empire encompassing, at its height, agricultural, industrial, construction, marketing, transportation, and financial concerns, as well as a whole network of social service organizations. Until the mid-1990s this conglomerate had operated under the aegis of the Histadrut, and under Labor Party rule (1933–77) it enjoyed the support of Zionist institutions and the state. At the same time, this economic infrastructure played a crucial role in maintaining the political and cultural hegemony of the Labor Zionist movement, thus ensuring the privileged position of a large segment of the Ashkenazi community.

However, Israel's economic development, funded to a large extent by externally generated resources, had weakened the state's and the Histadrut's economic control in favor of private business interests.⁶ This sectoral shift has affected the fortunes of the younger members of the Ashkenazi elite. If the second generation of leaders of the Labor Zionist movement (such as Rabin and Peres) made their careers in the various public bureaucracies, the third generation was drawn to the private sector. They have been the principal champions of political and economic liberalization, and of the integration

of Israel's economy with the world market. When Labor returned to power in 1992, this group, headed by Haim Ramon, Yossi Beilin, and Avrum Burg in Labor, and aided by the MERETZ and SHAS (Mizrahi orthodox) Parties, began dismantling the Histadrut and undermining the welfare state.

Under the Labor government of 1992–96, drastic liberal reforms were instituted in key areas of the economy and society. Among the most significant were:

- *Privatization of the economy.* The Histadrut was stripped of its ownership of productive resources and lost control over its Sick Fund. The state divested itself of its economic assets, even in security-related industries such as arms manufacturing and military research and development.
- *Healthcare reform.* On January 1, 1995, the state took over financial control of the ailing healthcare system, financing it through a health tax rather than through voluntary membership fees in the various sick funds. In a different social context, such as in the United States, this may sound like a major expansion of the welfare state. In reality, in spite of the universalization of healthcare coverage, this act signified a retreat of the welfare state and a major step toward the privatization of the healthcare system. Prior to this reform, the different sick funds provided healthcare services on a deficit financing basis, with the state covering their deficits each year. Now they are required by law to operate within an authorized budget limit, resulting in an inevitable deterioration of services for those without recourse to private health care. In addition, the new law severed the ties between the Histadrut and its Sick Fund, its most important means of attracting members.
- *Education.* The education system has shed all pretense of providing quality education on an egalitarian and (intra-Jewish) non-discriminatory basis. Under the ideological banners of “excellence,” “parents’ choice,” and “school autonomy,” the system has become openly multi-tiered, with decent education for children whose parents can afford to pay and sub-standard education for all others.
- *Constitutional changes.* These can be grouped under two headings: electoral reform and human rights legislation. The electoral system had long been under strong pressure to “Americanize”—that is, to institute progressive-type reforms. As a result, two important changes were instituted: intra-party primary elections and personal election of the prime minister by the entire electorate (making the prime minister a US-style semi-

president). The effect of these changes was to weaken the political parties and the office of the prime minister, and to increase the influence of large donors who finance electoral campaigns. As a result, these reforms have largely been undone. The 2003 general elections were conducted on the old, pre-1996 model, and the dominant Likud Party has done away with primary elections.

In the human rights field, two important Basic Laws (which enjoy constitutional status) were enacted: "Human Dignity and Freedom," and "Freedom of Occupation." By some interpretations, these two laws together constitute no less than a "constitutional revolution," in that they allow, for the first time, for judicial review of primary legislation. However, the rights guaranteed by these laws have to be interpreted, according to Israel's Supreme Court, in light of the country's values as a Jewish and a democratic state. This has limited their applicability in the areas of religious freedom and the rights of Israel's Palestinian citizens, not to mention those of non-citizen Palestinians. These two laws guarantee civil and political rights, including the right to property, but not social rights. Thus they cannot be used to defend Israel's relatively progressive labor relations and social welfare legislation from attack in the course of economic liberalization.

The economic, social, and political values reflected in these changes were rooted in the liberal discourse of citizenship, rather than in the ethno-republican discourse of pioneering civic virtue. The social group responsible for these changes—upper-middle class, third-generation veteran Ashkenazim—also provided, through Peace Now, the main impetus for the decolonization process.

Peace Now was established in 1978. Its founding charter was the "Officers' Letter," a petition addressed to Prime Minister Menachem Begin calling on him not to miss the opportunity for peace provided by Egyptian President Anwar al-Sadat's 1977 visit to Jerusalem. The letter was signed by 348 veterans of elite military units—all Israeli citizens, all Jews, all male, the vast majority of them secular Ashkenazim holding officer ranks in the military reserves. Most of the signers were students or members of kibbutzim at the time; most of them have since graduated into the business, academic, or political sections of the elite. It is perhaps significant, at least on the symbolic level, that Omri Padan, a founder and early leader of Peace Now, today owns the McDonald's franchise in Israel.⁷

FROM LIBERALIZATION TO DECOLONIZATION

The chronological proximity in the appearance of Peace Now and the Israeli-Egyptian peace treaty signed in 1979 provides a fair indication of the social basis of the Oslo process. With the structural changes in the economy and in their own personal fortunes, the institutional edifice created around the Histadrut and the state had come to be seen by third-generation Ashkenazim as a hindrance, rather than a boon, to their own economic well-being. As an educated business elite, they felt confident enough to compete in the open market, both domestically and internationally. Their concern was no longer to be protected within this market but rather to expand it as much as possible.

But the international opportunities open to Israeli businesses were limited because of the Arab-Israeli conflict. The Arab boycott and general considerations of economic and political expediency made cooperation with Israeli firms risky for many foreign companies. For twenty years the Occupied Territories provided a partial substitute for the international market and a clandestine trade outlet to the Arab world. But the economic benefits of the occupation—a cheap and reliable labor supply and a captive market—were sharply reduced by the first intifada. By the late 1980s the economic costs of the occupation overshadowed its benefits.

For these reasons, settling the conflict—decolonizing portions of the occupied territories through accommodation with the PLO—became an economic necessity for the Israeli business community. After the Oslo agreement, many foreign markets that had been closed to Israeli firms, in the Middle East and beyond, opened up, leading to unprecedented economic prosperity. By the same token, direct foreign investment in the Israeli economy skyrocketed after Oslo. Thus, two leading Israeli economists, generally bemoaning the slow pace of privatization, had concluded that “there cannot be a better companion to *aliya* [Jewish immigration to Israel] in boosting long-lasting growth and economic prosperity than genuine peace in the Middle East.”⁸

The Israeli business community's support of the peace process was motivated by two principal considerations: their interest in reducing the size of the state, including the state-like Histadrut, and their desire to integrate into the international economy. As amply demonstrated by historical experience, economic liberalization, so long as it occurs under conditions of relative prosperity, is best served by parallel political liberalization. In the Israeli context, this required not only peace with the Palestinians, but universalization of the citizenship structure as well to reduce ethnic discontinuities which interfere

with the smooth operation of the market. Israel's citizenship structure could not be universalized, however, without first removing its most glaring inconsistency—the existence of about three million non-citizen Palestinians deprived of any rights in the Israeli control system.

OPPOSITION TO LIBERALIZATION AND DECOLONIZATION

Both liberalization in general and decolonization in particular generated powerful opposing forces in Israeli society. Jewish settlers in the Occupied Territories and their supporters openly opposed decolonization. This opposition resulted in two dramatic events in 1995: the Goldstein massacre in Hebron, which triggered HAMAS's terror campaign against the Oslo process, and the assassination of Prime Minister Rabin. This branch of the opposition is well known and does not require any detailed analysis.

No less important, but much less understood, was the opposition to liberalization as a whole among large segments of the Jewish public, for both economic and cultural reasons. Economically, the effects of liberalization could be seen most clearly in the rapidly increasing income inequality that has characterized the Israeli economy since the mid-1980s. While the loss of economic income to the lower socioeconomic strata was somewhat mitigated by transfer payments, social services in general came under a great deal of political pressure from the acolytes of liberalization. As a result, education and health care have deteriorated significantly for those who could not afford to privately supplement the declining services provided by the state. Transfer payments were dealt a fatal blow by the Likud's return to power under Sharon in 2001.

Aside from the quantitative shrinking of social benefits, the impact of unemployment, underemployment, and declining economic income cannot be fully assuaged by such benefits. Dependence on benefits affects not only disposable income but also self-esteem and social integration. These goods cannot be maintained by reliance on state subsidies, particularly when these subsidies are conceived of as charity, rather than as social citizenship rights, and provided in an intrusive and humiliating manner by an intimidating bureaucracy.

The opposition to economic liberalization was articulated not in economic terms, however, but in cultural and political ones, due to three factors: (1) the lack of an appropriate language in which to express socioeconomic grievances; (2) the history of the relations between Ashkenazim, who comprise the bulk of the middle and upper classes, and Mizrahim and Palestinians, who constitute most of the working class; and (3) the fact that liberal-

ization indeed had cultural consequences, which were viewed as a threat to traditional Jewish values.

Economic policy has not been an issue of contention between the major political parties in Israel at least since the mid-1980s. The first serious and successful liberalization program was launched in 1985, by a national unity government in which power was shared equally between Labor and Likud. (The fault line regarding economic policy was *within* the Labor Party, between its parliamentary and its Histadrut wings.) With no major political, social, or intellectual force in society offering an alternative economic analysis, the opposition to neoliberal economics could be expressed only in moral terms. In the Israeli context, this meant, almost inevitably, that the opposition would be expressed in terms of the ethno-national discourse of citizenship.

While Mizrahim have clearly been marginalized in Jewish Israeli society, economically, socially, politically, and culturally, in Israeli society as a whole they have not formed a peripheral, but rather a semi-peripheral group. They are located between the Ashkenazi Jews on top, and the Palestinians, both citizens and non-citizens, at the bottom. Being in this intermediary position, the Mizrahim have naturally sought to ally themselves with the Jewish state and the Ashkenazim who control it, rather than with the Palestinians, with whom they share many economic and cultural characteristics. Generally speaking, Mizrahim have therefore conceptualized their marginalization in cultural rather than class or ethnic terms and have asserted their Jewishness, the one quality they share with the Ashkenazim, as the basis for their claims of social and economic equality.

On the cultural front, liberalization entailed, first and foremost, secularization. All of the elements of the status quo that had traditionally prevailed in the relations between the state and religious Jews in Israel—the monopoly of Rabbinic courts in matters of family law, observance of the Sabbath and of *kashrut* (Jewish dietary law) in the public sphere, and the exemption of yeshiva (religious seminary) students from military service—had been challenged by liberal, secular Jews. These challengers had found important allies in the Supreme Court and in the one million immigrants from the former USSR, many of whom were not Jewish by the orthodox religious definition. In addition, women's rights, tolerance for diverse sexual lifestyles, cultural Americanization, and the growing political assertiveness of Israel's Palestinian citizens have all contributed to the anxiety of the more traditional elements in the society, comprised largely of lower-class Mizrahim.

Thus, for Mizrahim of low socioeconomic status, liberalization meant not only economic decline in both relative and absolute terms, but also diminution of social services and of the privileges accruing to them from their identity as Jews, as well as a frontal attack on their cultural values. The (Jewish) state that had traditionally treated them as secondary to Ashkenazim had assumed ever growing importance as their only protection against the market and as an affirmation of their privileged status as Jews. They have therefore clung ever more strongly to the ethno-national discourse of citizenship, increasingly infusing it with religious content and using it as a platform from which to demand the protection and extension of social citizenship rights. Since they correctly identified the decolonization process as the capstone of liberalization, they viewed it with increasing hostility.

The first and only successful attempt to organize Mizrahim politically coincided with the onset of economic liberalization, but was couched in cultural and religious terms. SHAS, which first appeared on the national electoral scene in 1984, appealed to its constituency of lower-class Mizrahim with a message of Jewish solidarity and the restoration of traditional Jewish values. SHAS has accompanied this message with a rhetoric of social justice and with the creation of an impressive array of social service institutions of its own. It presented no alternative economic vision, though, and has consistently voted, after bargaining, for every neoliberal economic measure passed by the cabinet and Knesset.

For its first fifteen years, SHAS assumed a relatively moderate position with regard to the Israeli-Palestinian conflict, and sought to have constructive relations with Israel's Palestinian citizens. This attitude reflected the political preferences of much of the party elite, and its spiritual and political leaders, Ovadia Yosef and Arie Deri. It was, however, almost diametrically opposed to the views of the vast majority of the party voters, most of them working-class and lower-middle-class Mizrahim. Since 1999, with the Oslo process reaching its moment of truth at Camp David and then collapsing, and with the change of leadership from Arie Deri to Eli Yishai, the party's attitude toward the Palestinians, both citizens and non-citizens, has become aligned with that of its voters.⁹

The attitude of lower-class Mizrahim toward the Palestinians is shaped by two factors, in addition to the anxieties caused by liberalization: labor market competition and identity politics. For the span of a generation, from 1967 to 1993, Mizrahim had experienced close competition with Palestinians

in the secondary labor market. This resulted in feelings of fear and hostility toward the Palestinians and a desire to exclude them from society and/or seriously limit the citizenship rights of those who are Israeli citizens. In their competition with Palestinian workers, and in the context of the Israeli incorporation regime more generally, Jewish identity has been the important advantage Mizrahim have had over the Palestinians. They were therefore naturally interested in enhancing the political value of this identity over other forms of social solidarity, such as citizenship, class, or even Mizrahi background. Enhancing Jewish identity necessarily meant setting it up against a significant other—the Palestinians—particularly since the Mizrahim share with the Palestinians many characteristics of Arab culture.

An opinion poll conducted by Asher Arian at the beginning of 2002 tends to confirm this view of the preferences of SHAS voters. According to the survey, 89 percent of would-be SHAS voters (those indicating they would have voted SHAS had an election been held on the day of the survey), compared to 60 percent of all respondents (only Jewish Israelis were included), were opposed to peace with the Palestinians based on the 2000 Clinton plan (which was similar to the 2003 Geneva accord). More than 60 percent of SHAS voters favored the “transfer” of the non-citizen Palestinians, compared to slightly less than 46 percent among all respondents. Mizrahim in general supported that option at a somewhat higher rate than the general public, about 48 percent, while Ashkenazim supported it at a somewhat lower rate, about 42 percent.¹⁰

The story of the relations between SHAS and MERETZ in Ehud Barak’s coalition government (1999–2001) illustrates the way the class struggle played out politically in the Oslo period. In class, ethnic, and ideological terms, MERETZ is a mirror image of SHAS. Its constituency is made up of secular middle- and upper-middle-class Ashkenazim, and it has been the primary promoter of peace and liberalization. MERETZ’s position on economic liberalization is inconsistent, if not dishonest. Its rhetoric is social-democratic, and in public opinion polls most of its voters indicate a preference for “socialism” over “capitalism.”¹¹ However, when in power, Mertz’s leaders have worked assiduously to privatize every public service they could lay their hands on, primarily the telecommunications and educational systems. Both parties participated in Barak’s coalition, and Barak, true to his consistent divide-and-rule strategy, made MERETZ’s leader at the time, Yossi Sarid, the minister of education, and appointed Meshulam Naharai of SHAS as his deputy. As a result, during the most crucial years of the Oslo process, MERETZ spent all of

its energy and political capital in an endless struggle over jurisdictional and budgetary matters relating to SHAS's educational system and the Ministry of Education's (lack of) control over it. In other words, when the two political parties most clearly representative of the two contending classes in (Jewish) Israeli society were placed in the same arena, what they fought over were neither economic issues nor peace, but the cultural-political issue of control over education. Due to this struggle, MERETZ left the Barak government in June 2000. Subsequently, SHAS bolted out of the coalition on the eve of Barak's departure for Camp David, in July 2000, leaving him with a minority government just as the Oslo process reached its moment of truth.

THE SECOND INTIFADA AND BEYOND

The task of this chapter has not been to analyze the breakdown of the decolonization process at Camp David or the ensuing al-Aqsa Intifada. However, the circumstances surrounding the outbreak of the intifada brought out the role played by the Israeli army in undermining the Oslo process. I will briefly discuss that role of the Israeli army before turning to the disintegration of the Israeli peace camp and the adoption, by the Sharon government, of a dual-war policy—a war of politicide against the Palestinians¹² and an economic war against all but the very wealthiest Israelis.

Ben Kaspit reported in *Ma'ariv* on the second anniversary of the al-Aqsa Intifada that in the first few days of the uprising the Israeli army shot one million bullets in the occupied territories (700,000 in the West Bank and 300,000 in Gaza) against largely unarmed demonstrators. As a result, the kill ratio at the beginning of October 2000 was seventy-five dead Palestinians to four dead Israelis.¹³ (The desire to even out this ratio was a major reason behind the Palestinians' decision to renew suicide bombings in 2001.) This violent reaction, according to Kaspit, was not authorized by the cabinet. It reflected, rather, the policy of the Israeli army high command itself. To illustrate this point, Kaspit related how Deputy Defense Minister Ephraim Sneh (himself a former general) reported to Barak, in desperation, that "from the Chief of the General Staff down to the last sergeant, nobody is implementing your policy." Kaspit concluded that

in the Israel of 2001 it has become clear, for those who did not already know it, that the military makes and implements policy. The military is the one that determines the rhythm and gets the events rolling. The political echelon is totally incapable of checking the military or enforcing discipline on it. In

those hard days, in September 2000, it finally turned out that Israel is not a state that has an army, but an army that has a state attached to it. The real executive branch is not the cabinet, but the formidable security system that the state has surrounded itself with in the course of the years.¹⁴

In more carefully measured terms, Yoram Peri, a prominent student of civil-military relations in Israel, concurred with this conclusion: "The military is an equal partner in the policy process and is sometimes even more powerful than that." As to the question of whether the Israeli army was defying Barak's policy, Peri is more skeptical than Kaspit: "It is not clear whether Barak's behavior was a result of his agreement with the military's hard-line policies or whether he was too weak to impose his will. Whatever the answer, it is clear that Barak adopted the military's policy during much of that period."¹⁵ It should be noted that only a few months earlier, in May 2000, Barak was able to impose his will on the Israeli army and force it to withdraw from southern Lebanon.

During the first ten days of October 2000, another arm of the state, the national police force, acted in essentially the same manner toward Israel's Palestinian citizens. The result was that thirteen Palestinian demonstrators were killed by police (or, in one or two cases, possibly by Jewish civilians) inside the borders of the State of Israel. One Jewish motorist was also killed, by citizen Palestinian demonstrators, during the same period. The Or Commission, appointed to investigate these events, concluded that the Israeli police force had acted as an independent agent, shooting unarmed demonstrators with rubber-coated bullets and live ammunition, in contravention of the law and of its own internal guidelines. This illegal behavior was not authorized by the government, which was either unable or unwilling to stop it.¹⁶

The reasons the security forces lashed out at the Palestinians with such murderous ferocity have been pointed out by many commentators. Throughout the period of liberalization, both the Israeli army and the police have been frustrated in their efforts to quell the growing restiveness of both the citizen and non-citizen Palestinians. Israel's failure to suppress the first intifada (1987-93) was the main reason for its agreement to the Oslo Declaration of Principles. This failure did not stem from a balance of military power between Israel and the Palestinians, but from political limitations imposed on the use of military force due to the liberalization of Israeli society. The Israeli army, then under Barak as chief of the general staff, opposed the DOP (as it did the initial moves toward peace with Egypt in the late 1970s), and

Barak did not hide his disdain for the Oslo accords even as prime minister. On two occasions during the Oslo period, in 1996 and 2000, the Israeli army was again frustrated in its attempt to utilize its power effectively against Palestinian "disorders." Finally, as mentioned, in May 2000 Barak practically forced the Israeli army to withdraw from southern Lebanon, against its publicly expressed misgivings.¹⁷

This friction between the state's security organs and its elected officials can be attributed to professional concerns about the former's organizational mission. Underlying these tensions, however, was the army's growing frustration with the prospect of decolonizing the occupied territories. Since 1967, the army has been, formally and effectively, the sovereign power in these territories. Managing the lives of the Palestinian residents of the occupied territories required, in addition to intelligence and operational forces, a large civil affairs bureaucracy, sustained by huge budgets, where many military careers have been made. Relinquishing control over these territories, in a sense "privatizing" them, would mean a great diminution of the military, even in strict numerical terms. Moreover, every advance toward peace, beginning with the peace with Egypt, has meant reduction of military spending relative to GNP, loss of military contracts, and contraction of the standing army. During the Oslo period, there was talk of abolishing the draft and turning to a professional force, and the idea of privatizing major military functions was raised. Moreover, the prestige of the military, and motivation to serve in it, experienced a marked decline during that period.¹⁸ Lastly, the Israeli army has always had a symbiotic relationship with the Jewish settlers in the Occupied Territories. The settlers have had a say in the appointment and dismissal of senior military officers in charge of the territories, and many of them have become senior officers themselves. The question of whether the Israeli army would actually remove the settlers from their settlements if ordered to do so by the government is constantly raised in political debates.

The political reasons for the Israeli peace camp's disintegration following the outbreak of the second intifada are quite clear. Barak's version of what happened at Camp David was backed by the US government, and Israeli public opinion accepted as fact the allegation that the Palestinians, particularly Yasser Arafat, had rejected Israel's "generous offer," and with it the idea of a political solution to the conflict. The outbreak of the intifada in October 2000, and the resumption of suicide bombing in early 2001, cemented the notion that Israel had no partner for peace on the Palestinian side. On September 11, 2001,

the Israeli right-wing's claim that Israel was a frontier outpost in the global war between good and evil was resoundingly confirmed. The total backing of Sharon by the US government since that date has removed any realpolitik motivation to reach an accommodation with the Palestinians.

What still needs to be explained, however, is the silence of the Israeli business community on the issue of peace, given the fantastic "peace dividend" it garnered during the Oslo process and the economic crisis that has beset Israel since the outbreak of renewed hostilities with the Palestinians. What explains this silence, I would argue, is the other war the Sharon government has been conducting—the economic war against most Israelis—which has greatly benefited the business community.

Until the Likud's return to power in 2001, the project of dismantling the Israeli welfare state was stymied by path dependency, lack of resolve on the part of political elites, and concern over the possibility of massive popular discontent. According to political economist Michael Shalev, "The welfare state remained broadly unharmed by the liberalizing reforms that have been the leitmotif of Israel's political economy since the successful deflation of the mid-1980s." As a result, while the Gini coefficient for overall inequality rose from 0.498 in 1993 to 0.528 in 2002 (with a particularly sharp increase of 0.019 between 2001 and 2002), inequality of *disposable* income (which includes taxes and transfer payments in addition to economic income) was much more moderate, rising from 0.339 in 1993 to 0.350 in 2001 and 0.357 in 2002. The percentage of families whose economic income was lower than the poverty line (50 percent of the median income) remained stable throughout this period, at around 34 percent, up from 28 percent in 1980.¹⁹

The burst of the hi-tech bubble, the global economic slowdown, and, most importantly, the breakdown of the Oslo process, plunged the Israeli economy into deep recession. Israel's GDP decreased by 0.9 percent in 2001 and 0.8 percent in 2002, but a recovery was registered in 2003, with an increase of 1.3 percent in the GDP. Per capita GDP decreased in all three years, however, by 3.2 percent in 2001, 2.8 percent in 2002, and a moderate 0.5 percent in 2003.²⁰ The recession, coupled with a sharp increase in military spending due to the intifada, occasioned six rounds of budget cuts, budget realignments, and structural economic changes between September 2001 and September 2003. In overall monetary terms, the state budget was cut by nearly 20 percent. In broader political-economic terms, the cumulative effects of these budget cuts and structural changes harmed the interests of workers and, increasingly, of

the middle class as well. The levels of employment, wages, unionization, and social services declined, while the security of retirement plans was eroded.

The new economic policy was greatly beneficial, however, to the upper layers of the business community. It has granted them lower labor costs, greater labor market "flexibility," and lower taxes. As a result, the profits of the top twenty-five companies being traded on the Tel Aviv Stock Exchange tripled between 2002 and 2003, and those of the major banks have increased by 350 percent. In 2003 the salaries of these banks' top executives were fifty times higher than those of their tellers, and a hundred times higher than the minimum wage.²¹ With such an economic bonanza provided by the state, it is unsurprising that Israel's top capitalists have preferred not to rock the boat and have remained silent about the issue of peace.

CONCLUSION

Sharon has used the disintegration of the Israeli peace camp and the unqualified support of the Bush administration in order to launch his war of politicide against the Palestinians. That war has had two peaks so far: the reoccupation of the West Bank in April 2002, and the beginning of the construction of the Separation Barrier in June 2002. In both cases, Sharon's policy was aided and abetted by Palestinian suicide bombers. The reoccupation of the West Bank followed the bloodiest month of the intifada for Israel—127 Israelis were killed, most of them in suicide bombings, in March 2002. These bombings are the excuse, almost universally accepted by Israeli public opinion, for building the barrier. Still, even Sharon found it necessary to dangle some hope of a political solution to the conflict in front of the Israeli public. The latest in these apparitions was the supposed "disengagement" from Gaza, which, after receiving a resounding endorsement from President Bush, was defeated in an internal Likud referendum. Some optimistic Israeli commentators concluded, as a result, that the system set up by Sharon in 2001 had passed its high point and is beginning to unravel. On the eve of the redeployment from Gaza in August 2005, this assessment seems like wishful thinking.

In the two decades since the economic turnaround of 1985, Israeli society has gone through two profound transformations: (1) from a corporatist, relatively egalitarian society in conflict with the Palestinians to a liberal, highly inegalitarian society seeking accommodation with them; and (2) to an even more harshly inegalitarian society engaged in an open war of politicide with the Palestinians. This transformation, naturally, raises the question of whether

the middle stage—a liberal, civil, peace-seeking society—was a genuine development in its own right, or whether it was only a necessary stop in the process of economically liberalizing a colonial frontier society permanently in conflict with its subjugated indigenous subjects. The answer to this question, I believe, must await future historians, with a much more distant perspective on these transformations than we can have now.

BUYING POVERTY

International Aid and the Peace Process

Emma C. Murphy

The Oslo Declaration of Principles (DOP) of 1993 brought the possibility that the Palestinian economy might enjoy a recovery after the devastation wrecked by twenty-six years of Israeli occupation. Palestinian expectations of a rapid improvement in the quality of economic life helped to stave off the appeal of groups opposing the peace process, and these expectations were encouraged by an international community promising massive early injections of cash for precisely that reason. But international donors made a fundamental error when they separated the process of jump-starting an economy through financial assistance from the wider political processes of peace making. As early as 1995 it became clear that the Palestinian economy, after an all-too-brief period of boom, had slumped back into stagnation. By 2003, international NGOs were describing an acute humanitarian crisis marked by chronic and widespread poverty, food insecurity, and the rapidly deteriorating mental and physical health of the population. In the absence of political progress, as the peace process gave way to a cycle of reciprocal violence, the Palestinian economy has been all but destroyed. The roots of the underlying weaknesses of the Palestinian economy are easily traced: a post-Oslo economic relationship dictated by Israeli interests, weak Palestinian institutional capacity, and the absence of security for either side combined to cause relentless impoverishment of the Palestinian population.

ECONOMIC ASPECTS OF OSLO

Since 1967, Israeli policy has been to “capture” the economies of the West Bank and Gaza Strip, using political and military control to transform the

existing—mostly agrarian—economies into captive markets for Israeli produce and sources of cheap, unprotected labor. The expropriation of Palestinian land and water resources, the restriction of banking and credit facilities, quasi-legal impediments to the establishment of productive ventures, and tight export and import controls, all served to make the Occupied Territories economically dependent on, and subservient to, Israel's own economy. By the early 1990s, however, their underdeveloped status, combined with rapid population growth and security costs related to the first intifada, meant that they were becoming something of an economic liability. Israel's post-1991 Gulf War policy acknowledged this by introducing new measures to create job opportunities in the Occupied Territories through tax incentives and the strengthening of local banking operations. The objective was to maintain the essentially subcontracting role of Palestinian industry, restoring consumption patterns while reducing dependence on employment within Israel itself and preventing directly competitive production.

The economic arrangements that followed the September 1993 DOP extended this policy. Some governmental economic functions were transferred to the new Palestinian National Authority (PNA), while others were delegated to an Israeli-Palestinian Economic Co-operation Committee. The PNA assumed direct responsibility for education, culture, health, social welfare, and tourism, to be paid for by direct taxation powers. Israel retained control or veto power in the more strategic areas of water, energy, financial development, transport and communications, trade, industry, labor, media, and international aid. Israel effectively divested itself of the expensive functions of government while retaining the benefits of occupation by controlling the direction of development. Surrendering the power of direct taxation was a small price to pay since tax evasion had been widespread anyway and the economic base was too poor to support large-scale revenue generation.

The DOP further sought to link projected Palestinian economic development to a regional economic development program that would integrate Israel into a network of regional trade and cooperation and trump the Arab boycott. In return for passing the responsibility for the economic well-being of the territories to the PNA, the international donor community, and the private sector, Israel would gain access to markets and investments long denied.

Tangible international support for the DOP came in the form of commitment for \$2.4 billion in loans and grant aid from over forty countries at a World Bank-sponsored meeting in Paris in December 1993. The pledges

primarily funded an Emergency Assistance Program formulated by the bank and Palestinian representatives on the assumption that the PNA would fund ordinary operations from tax revenues. The plan was to balance long-term development needs with an immediate need for job creation. The Palestinian Economic Council for Development and Reconstruction (PECDAR) was established to channel funds and to cooperate with the bank in both allocation and accountability.

THE PARIS PROTOCOL AND CAIRO AGREEMENT

In negotiating the details of the economic relationship between Israel and the Palestinians in Paris in late 1993, Israel was in a position virtually to dictate the terms of the agreement. As Shimon Peres put it, "In some ways we are negotiating with ourselves."¹ On Israel's insistence, a customs union was formed which joined the two economies. The Palestinians were forced to harmonize their tax and customs regimes with the high levels in force in Israel, negating the benefits of cheaper Palestinian labor costs and a less regulated business environment and making Palestinian products too expensive for both domestic consumption and export. While Israel was prepared to allow Palestinian products (with some notable exceptions) unhindered access to its own markets, it was not willing to allow the Palestinian areas to become a conduit for the import into Israel of cheap goods from elsewhere. Ironically, Palestinians had little to export to Israel other than agricultural products, a number of which were still subjected to quantitative restrictions by Israel in deference to its own agricultural lobby. Israel also reserved the right to subsidize its producers and demanded a Palestinian level of value-added tax proximate to its own. The PNA, for its part, was able to establish its own import policy and tariff structure for certain commodities from Egypt and Jordan, and could determine customs duties and taxes for goods imported for its own economic development program, and on vehicle imports and petroleum products (on the condition that gasoline prices remain not more than 15 percent lower than Israeli prices).

While the customs union offered the Palestinians the opportunity to diversify trade, to import some goods at the cheapest price, and to raise revenues on imports (via the Israeli customs office), it also left the PNA no independence in economic decision making. Imports from countries other than Israel were restricted by "market needs" as determined by the Joint Economic Committee and could originate only from Egypt and Jordan. Most crucially, the

deal did nothing to address the illegal expropriation of Palestinian land and water resources by Israel.

Israel denied the Palestinians an independent central bank of their own which could issue currency or direct monetary policy. Such an obvious display of sovereignty was not acceptable to Israel, which insisted instead on a Palestinian Monetary Authority with limited powers. The Jordanian dinar became the official currency of the PNA, with the Israeli shekel remaining legal tender.

The Cairo Agreement of May 4, 1994 affirmed the Paris Protocol but added two conditions in Israel's favor. First, Article VII stipulated that all laws and military orders imposed by Israel should remain in force unless amended or abrogated in accordance with the agreement. The PNA thus accepted the vast majority of military orders used to constrain the economic activity of the Occupied Territories in areas still under Israeli control. Israel, should it choose to veto abrogation of some of these, could sustain existing structural obstacles to Palestinian economic development in spite of the Paris Protocol.

Similarly, Article XXII dealt with claims against Israel for actions and omissions prior to the transfer of responsibilities and powers to the PNA. Unbelievably, the PNA accepted that it would bear financial responsibility for claims made against Israel, and would actually defend past Israeli actions in the event of a claim reaching the courts. Israel was not obliged to pay any compensation, to individuals or to the population as a whole, for taxes illegally levied and used to destroy property or expropriate resources.

FAILURE TO PROGRESS

Progress in the peace process was slow from the start. The Taba accords were signed in September 1995, but implementation lagged badly, especially in the progress of Israeli withdrawal from areas designated to come under Palestinian control.

Despite an economic arrangement that fundamentally favored Israel, the Palestinian economy nonetheless enjoyed a brief period of improving prosperity in the aftermath of the Oslo DOP, based on the return of diaspora Palestinians and large inflows of public and private capital.² These developments were interrupted by two years of repeated Israeli "closure" of the Occupied Territories during 1995–96, which dramatically reduced labor remittances from Palestinians working in Israel, hindered the flow of labor within the Occupied Territories, and prevented the free flow of goods through the

territories or into Israel and from there to the world beyond. Closures were identified as “perhaps the single most important impediment to the development of a sustainable economy.”³ They cost the Palestinian economy an estimated \$4–5 million a day, and in the 1993–96 period, led to a 23 percent drop in real aggregate income in the West Bank and the Gaza Strip.⁴ Unemployment, which averaged around 20 percent between 1993 and 2000, shot up to levels as high as 75 percent during periods of closure, transport costs rose by as much as 200 percent, and export orders were lost through delays and ruined produce.

A second brief period of progress was enjoyed between 1998 and 2000, a side-effect of Israel’s own economic upturn, which saw an increase in demand for Palestinian produce, growing private investment, and a fall in transaction costs. The spiraling cycle of violence, and the failure to reignite the peace process with a last-ditch attempt at Camp David in 2000, however, served to revive the policy of intensive closures in response to the second intifada. According to the World Bank, between September 2000 and December 2001, the entire West Bank was under total closure 73 percent of the time, and the Gaza Strip for 4 percent. Partial closure was in operation for the remaining 27 percent of the time in the West Bank and 95 percent in Gaza. Israel’s reoccupation of Palestinian cities, towns, and villages, and the wholesale destruction of some urban areas in the spring of 2002, created a climate devoid of economic confidence or optimism.

Even in relatively “open” times, hopes that a post-Oslo world would see Palestinian labor returning to the Israeli economy in pre-intifada numbers were not realized. The number of workers with permits fell from 85,000 in 1987 to 30,000 in 1991 and just 22,000 in 1996.⁵ While the Paris Protocol committed Israel to refrain from imposing any obstacles to Palestinian employment in Israel, or establishing a ceiling on their numbers, then Prime Minister Yitzhak Rabin made it clear that his real intention was “to reduce dramatically the number of Palestinians working in Israel.”⁶ Foreign workers from Eastern Europe, Turkey, and the Far East (numbering perhaps 200,000 by 2000) were brought in to take their place.

Land and water expropriation continued apace. By 1995 Israel had expropriated a total of 60 percent of the West Bank and 40 percent of the Gaza Strip.⁷ The Oslo DOP did nothing to stop this process or subsequent illegal settlement of that land. Between 1993 and 2001 more than 70,000 acres of land were confiscated in the West Bank and over 20,000 new settler housing units

constructed. More than 8,000 acres of Palestinian land were expropriated to construct settler highways that bypassed Palestinian residential areas. The illegal settler population of East Jerusalem rose to 170,000.⁸ One of the most hideous and economically disastrous aspects of this land seizure is the construction of the wall encircling Palestinian population areas. As of mid-2004 at least 15 percent of the West Bank was projected to be effectively annexed to Israel by the trajectory of the wall, trapping some 270,000 Palestinians in a no-man's-land between Israel and the wall; if construction continues on the path recommended by the Israeli military, as much as 45–50 percent of the West Bank will be functionally annexed.⁹ A further 200,000 residents of East Jerusalem will be cut off from the Palestinian economic hinterland. Apart from the land seized for the construction of the wall, many Palestinians found themselves cut off from their agricultural lands, unable to travel to work or for medical and educational purposes, confined to towns entirely surrounded by the wall with only Israeli-manned checkpoint crossings, and subject once again to arbitrary closures. By 2004 the wall was already imposing new and “very grave economic and social consequences” on hundreds of thousands of Palestinians.¹⁰

With labor remittances and earned income severely restricted by the nature of relations with Israel, the Palestinian economy became more dependent on international financial assistance than was initially envisaged, resulting in an exchange of political rent for compliance with the peace process. Much of the goodwill that fuelled such assistance dissipated, as the PNA proved resistant to demands for accountability and transparency. Yasser Arafat's own centralizing authoritarianism starved not only the NGO sector, but also to some extent the financial institutions of the PNA itself, of funds. PNA monopolies and reliance on political patronage excluded private investment from major contracts. Moreover, as PNA taxation was restricted by the weak productive base and Israel's failure to hand over customs levies, a large proportion of international funds (and of the budget itself) was directed toward sustaining Palestinian security forces. Between 1997 and 2000, allocations for health and education declined from 14 percent to 9 percent and 22 percent to 17 percent of the budget, respectively. Allocations for the security forces remained at 37 percent of the budget during that time, a figure including the wages of one-half of the 75,000 employees of the PNA. This is as much a result of Arafat's own maneuvering to shore up his political authority among Palestinians as it is an effort to inject cash into an ailing economy via wages or to maintain law and

order. Such trends did little to reassure international donors that their money was being usefully spent.

Since 2000, however, discussion of the PNA's faulty economic policy has become redundant. Israel's wholesale destruction of the PNA's physical infrastructure made it "difficult to see how the P[N]A as presently constructed and given the extent of the destruction can make fundamental changes to create a tangible and sustained difference for its ever-poorer population."¹¹ Not only were government buildings bulldozed and targeted with aerial bombardment, but roads, water facilities, sewage treatment plants, schools, hospitals, municipal buildings, and agricultural crops were targeted for demolition. The total cost of the destruction from September 2000 to the end of 2001 was estimated by the European Commission to be at least \$305 million. This amount represents a sizeable chunk of the total of \$4.87 billion disbursed by the international community to the PNA since Oslo.¹² Put bluntly, post-Oslo donor assistance was frequently spent poorly by the PNA itself or blown out of existence by Israel.

The consequences for the Palestinians have been dire. In 2002 UN Middle East Envoy Terje Roed-Larsen warned the Security Council that 40 percent of the Palestinian population had been plunged into food insecurity, while some 2.5 million—or 60 percent of the population (including 84.6 percent of the Gazan population)—were living below the poverty line.¹³ The World Food Program alone was providing food aid to over one million Palestinians. Some 22.5 percent of Palestinians were either chronically or acutely malnourished,¹⁴ nearly 20 percent of children suffered from anemia, 215,000 Palestinians lived in areas without access to piped drinking water, infectious diseases and mortality rates were rising rapidly, one-third of the population suffered from stress-related psychiatric disorders, and over 70 percent had no access to health provision.

In this crisis-ridden environment, international donors were compelled to turn their attention increasingly away from development assistance and toward emergency relief. But it has become increasingly obvious that a long-term dependency on such aid is inevitable unless reform of Palestinian administrative structures is matched by international insistence that Israel comply with *all* relevant international law. Israel must cease to use economic weapons to impose collective punishment on the Palestinians for terror attacks carried out by a few and to impose its political will upon a subordinated population. A two-track approach, which links international economic assistance with

progress in the peace process, and which crucially ensures the political, security, and humanitarian equality of the two parties, is vital if the Palestinians are to have any secure economic future. Without the political will on the part of the international sponsors of the peace process to ensure such an approach, the humanitarian crisis can only play into the hands of extremists and reinforce the opponents of a just and lasting peace.

5

THE 94 PERCENT SOLUTION

Israel's Matrix of Control

Jeff Halper

Only a decade after the fall of apartheid in South Africa, after we all thought we had seen the end of that hateful system, we are witnessing the emergence of another apartheid-style regime, that of Israel over Palestine. This is the outcome of the “peace process” begun in Oslo, continued through Israel’s quarter century policy of “creating facts on the ground,” and culminating, in April 2004, with a radical turnabout in American foreign policy, endorsed almost unanimously by Congress, recognizing permanent Israeli control over its major settlement blocs (i.e., permanent control of all of Palestine/Israel west of the Jordan River). Whether a Palestinian state actually emerges from the Oslo process or Israel’s occupation becomes permanent, the essential elements of apartheid—exclusivity, inequality, separation, control, dependency, violations of human rights, and suffering—are likely to define the relationship between Israel and the Occupied Territories / Palestine. For many, Israeli Prime Minister Ehud Barak’s offer at Camp David of 94 percent (or so) of the West Bank sounded more than “generous.” Yasser Arafat appeared “inflexible,” “unreasonable,” and even “irresponsible” for not accepting it. When the second intifada broke out in September 2000, Barak made a pronouncement that has colored (and confused) thinking about a Middle East peace: the Palestinians, led by Arafat, are not “partners for peace.” Is that the case? Was Arafat wrong in rejecting Barak’s seemingly “generous offer”? Let us consider here the relationship between territory, genuine self-determination, and a viable state.

Sovereign and contiguous territory is, of course a prerequisite for a viable Palestinian state, and those within the Palestinian National Authority (PNA)

who measure successful negotiations in terms of territory might be inclined to accept the Camp David proposal. But the question should be who would actually control the PNA lands after the 94 percent solution floated at Camp David. (Some reports even pegged the figure at 95 percent.) Since 1967 Israel has laid a matrix of control over the West Bank, East Jerusalem, and Gaza Strip. Because the matrix operates by control and not by conquest, it enables Israel to offer a generous 94 percent of the West Bank, creating the illusion of a just and viable settlement. Understanding how the matrix works is critical for comprehending the Oslo process as a whole. Focusing on the political process while ignoring the emerging realities on the ground is a sure recipe for a Palestinian Bantustan.

THE MATRIX OF CONTROL

What is the matrix of control? It is an interlocking series of mechanisms, only a few of which require physical occupation of territory, that allow Israel to control every aspect of Palestinian life in the Occupied Territories. The matrix works like the Japanese game of Go. Instead of defeating your opponent as in chess, in Go you win by immobilizing your opponent, by gaining control of key points of a matrix so that every time s/he moves s/he encounters an obstacle of some kind. This strategy was used effectively in Vietnam, where small forces of Viet Cong were able to pin down some half-million American soldiers possessing overwhelming firepower. The matrix imposed by Israel in the West Bank, Gaza Strip, and East Jerusalem, similar in appearance to a Go board, has virtually paralyzed the Palestinian population without "defeating" it or even conquering much territory.

For the most part, the matrix relies upon subtle interventions performed under the guise of "proper administration," "upholding the law," "keeping the public order," and, of course, "security." These interventions, largely bureaucratic and legal, are nevertheless backed by overwhelming military force, which Israel reserves for itself the right to employ. The active, forcible measures of control which can be taken against Palestinian communities and individuals include the extensive use of collaborators and undercover *mista'aravim* army units, administrative detention, arrest, trial, and torture. Some two thousand arbitrary "orders" issued by the military commanders of the West Bank and Gaza Strip have been issued since 1967, supplemented by policies formulated by the Civil Administration, under the direction of the Ministry of Defense.

The subtler sets of controls derive from "facts on the ground" and bureaucratic legalities. Traditionally, Israel has created "facts on the ground"

through land expropriation and settlements. Today, about two hundred exclusively Jewish settlements housing over 410,000 Israelis are sprinkled across the Occupied Territories: about 210,000 settlers live in the West Bank, 200,000 in East Jerusalem. Most of the 7,500 settlers who previously occupied a fourth of the land of the Gaza Strip were removed in August 2005. But Israel remains in control of the territory through a host of security measures. The most significant development in recent years has been the consolidation of small settlements vulnerable to Palestinian demands of dismantling into settlement “blocs” of 50,000 people or more. The blocs control strategic corridors of the West Bank and interrupt the territorial contiguity of the Palestinians’ areas. Areas A, B, C, and D in the West Bank, areas H-1 and H-2 in Hebron, Yellow, Green, Blue, and White Areas in Gaza, and “open green spaces” of restricted housing covering more than half of Palestinian East Jerusalem—there is no freedom of movement between these four disconnected Bantustans.

A system of highways and bypass roads links the settlements, creating additional barriers between Palestinian areas and incorporating the West Bank into Israel proper. Ironically, the bypass road project enjoys the tacit and misguided support of the Palestinian Authority. “Security borders”—the thick web of closed military areas and internal checkpoints in the territories—enforce Israel’s declared policy of “separation” from the Palestinians and further hinder Palestinian movement. Since construction of the Separation Barrier began in the summer of 2002, a physical concrete wall 26 feet high encircles the cities, towns, and urban neighborhoods of the western West Bank, enclosing their populations into dozens of gated enclaves. In the rural areas, thousands of farmers are alienated from their land by a complex of electrified and fortified fences.

Army bases occupy large tracts of land and keep weaponry ready for reasserting control through brute force. Other “facts on the ground” include industrial parks and continuing Israeli control of aquifers and holy places like Rachel’s Tomb in Bethlehem, the Cave of the Patriarchs in Hebron, and, until it was evacuated, “Joseph’s Tomb” in Nablus.

Yet a third set of control mechanisms, the most subtle of all, are those of a bureaucratic or “legal” nature. They entangle Palestinians in restrictions, which trigger sanctions whenever Palestinians try to expand their life space. The West Bank and Gaza Strip are permanently “closed,” violating freedom of movement of people and goods and impoverishing the Palestinian population. A system of permits causes, among other things, prolonged separation of

family members and limits work, travel, and study abroad. Building permits, enforced by house demolitions, arrests, fines, and daily harassment, serve to confine Palestinians to small enclaves. Expansive "master plans" around settlements (in contrast to the tight planning rings around Palestinian communities) allow Israel to contend that settlement building has been "frozen" within the larger rings. Planting of crops is restricted, and Israel controls the licensing and inspection of Palestinian businesses.

To all of this must be added, of course, the psychological costs of life under occupation: loss of life, imprisonment, torture, harassment, humiliation, anger, and frustration, as well as traumas suffered by tens of thousands of Palestinians (especially children) who witnessed their homes being demolished, saw their loved ones beaten and humiliated, suffered from inadequate housing and lost opportunities to realize their potential in life.

The matrix of control, though it lends a benign and civil face to the occupation, is sustained only by raw military power. As former Israeli Chief of Staff Shaul Mofaz, now minister of defense, said to soldiers at the Erez checkpoint in the Gaza Strip, "If tanks are needed [to restore order to the Occupied Territories], tanks will be brought in, and if attack helicopters are necessary, attack helicopters will be brought in." Mofaz also noted that during the "events" marking the *nakba* (the Palestinian catastrophe commemorated annually on May 15) he was "not far" from giving the order to use attack helicopters against Palestinian policemen. "Our ability today to cope with confrontations with Palestinians is better than in the past and the events of Nakba Day proved that."¹

Not all the elements of the matrix of control will remain after a final status agreement. Restrictions of housing should ease, for example, and administrative controls over Palestinian businesses should lessen—even though, given Israel's guiding concepts of "separation" and "security borders," the closure will undoubtedly remain. But once Israel's settlements and security concerns are secured, it has little interest in administering the day-to-day affairs of the Palestinian population. Hegemony is far more effective than outright occupation. Only a few elements of the post-final status matrix will directly concern territory. Settlements will occupy about 15 percent of the West Bank, and will be removed completely from the Gaza Strip. Not including East Jerusalem, where some limited administrative concessions are likely, Israel can easily offer 85 percent of the West Bank—and even raise it to 94 percent if need be—and still maintain full control of the entire country. Dismantling

the matrix, then, is at least as important for the Palestinians as the amount of territory acquired in final status talks.

JERUSALEM: FROM CITY TO REGIONAL WEDGE

For most people the main negotiating issues concerning Jerusalem appear to be control of the holy places and Palestinian demands for establishing their capital in the eastern part of the city. These are important and difficult issues. However, they mask Jerusalem's rapid transformation from a city to a metropolitan region that captures the entire central portion of the West Bank and prevents any viable Palestinian state from emerging.

Most public attention is focused on "municipal" Jerusalem, where the Palestinians are seeking to establish their capital. This is a city of some 630,000 people (430,000 Jews and 200,000 Palestinians) living within municipal boundaries gerrymandered by Israel in 1967. But the city proper is only part of the complicated reality of urban Jerusalem.

Israel presents Jerusalem as a "unified" city whose indivisibility derives from its role as the Jews' sacred and historical capital. It is true that the Jews have a claim to the holy places in and around the Old City. But that historical core represents only 3 percent of the area of municipal Jerusalem. The other 97 percent was by no means exclusively Jewish. West Jerusalem, the 38 square kilometers ruled by Israel as its capital from 1948 to 1967, was built only in the second half of the nineteenth century. Although West Jerusalem is almost exclusively Jewish (the main exception being part of the village of Bayt Safafa), before 1948 about 40 percent of it was owned by Palestinians. As for East Jerusalem, although 70 square kilometers was annexed in 1967, only 6.5 square kilometers thereof actually constituted the Jordanian part of the city. The other 63.5 square kilometers—90 percent of the land annexed by Israel as East Jerusalem—in fact belonged to twenty-eight Palestinian West Bank villages which suddenly found themselves part of an "indivisible," "historic," and "sacred" Jewish city. Wallajah, Sawakhrah, and Kafr 'Amr, Palestinian villages which until today Israelis have never heard of, suddenly acquired the same historical significance for the Jewish people as the Western Wall, making Israeli claims to the entire area of "municipal" Jerusalem seem unassailable. An "inner ring" of settlements has been built on the land of this fictitious East Jerusalem since 1967. This series of large satellite cities—Ramot, Rekhes Shu'afat, Pisgat Ze'ev, Nevei Ya'akov, East Talpiot, Har Homa, and Gilo, not to mention the incipient Israeli "neighborhoods" in Ras al-'Amud, Silwan, and

Shaykh Jarrah—means that East Jerusalem now contains more Israelis (about 200,000) than Palestinians. Municipal Jerusalem is an artificial entity, the product of recent military conquest and settlement, rather than an organic city of historic value to the Jewish people.

“GREATER” AND “METROPOLITAN” JERUSALEMS

Municipal Jerusalem possesses a symbolic importance of the first order for both Palestinians and Israelis. If the Palestinians were to acquire a significant presence in the city—sovereignty over Abu Dis, al-Ayzariyah, and Sawakhrah, plus a mix of sovereignty and administrative jurisdiction over other Palestinian neighborhoods—it seems likely that the religious and national issues surrounding claims to the city could be resolved. As a regional wedge ensuring Israel's hegemony over the West Bank, however, the wider metropolitan region embodied in “greater” and “metropolitan” Jerusalem assumes far more significance than the municipality itself.

The municipal boundaries of Jerusalem were intended to secure Israeli domination over the “united” city in the first decades of the occupation. But as Israel's settlement presence grew and the need to extend its *de facto* control over larger areas of the West Bank became apparent after Oslo, control over the strategic Jerusalem region took on greater urgency. In 1995 the Israeli government adopted a master plan for a “Greater Jerusalem” whose “outer ring” of settlements—Har Adar, Givat Ze'ev, New Givon, Kiryat Sefer, Tel Zion, and the settlements to the east of Ramallah, Ma'alei Adumim, Israeli building in Ras al-'Amud, Efrat, the Etzion Bloc, and Beitar 'Ilit—will virtually encircle the city. The outer ring's population will grow to 250,000 in the next decade.

“Metropolitan” Jerusalem covers an even greater area. Its boundaries, incorporating a full 40 percent of the West Bank (440 square kilometers), stretch from Beit Shemesh in the west through Kiryat Sefer until and including Ramallah, then extend southeast through Ma'alei Adumim almost to the Jordan River, there turning southwest to encompass Bayt Sahur, Bethlehem, Efrat and the Etzion Bloc, then heading west again through Beitar 'Ilit and Tsur Hadassah to Beit Shemesh. In many ways metropolitan Jerusalem *is* the occupation. Within its limits are found 75 percent of the West Bank settlers and the major centers of Israeli construction.

Metropolitan Jerusalem also reveals the hegemonic nature of Israel's future relationship to a Palestinian state, as exemplified by the matrix of control. The metropolitan region is defined by infrastructural and economic realities

on the ground, rather than in formalized plans. Simply by planning and constructing highways, industrial parks, and satellite settlements around Jerusalem, an Israeli-controlled metropolis is created whose power lies in its urban activity, employment possibilities, and transportation routes. This dynamic metropolitan region will render irrelevant political boundaries such as those between Jerusalem and Ramallah or Jerusalem and Bethlehem. Take the new industrial park, Sha'ar Binyamin, now being built at the Eastern Gate to metropolitan Jerusalem, southeast of Ramallah, as an example. It is being built by the Jerusalem municipality far beyond its borders and will become an economic anchor for settlements—Kokhav Ya'akov, Tel Zion, Ma'alei Mikhmas, Almon, Psagot, Adam, all the way to Beit El and Ofra—that otherwise would be isolated from the Israeli and Jerusalem economies. More to the point, the park undermines Ramallah's potential economic dynamism by providing jobs and perhaps even sites for Palestinian industry that would otherwise be located in or around Ramallah. Once again, the issue is one of control, not simply territory. Metropolitan Jerusalem, in which Palestinian East Jerusalem is isolated from the wider Palestinian society and Israel retains control of the entire central section of the West Bank, renders the sovereignty of a future Palestinian state meaningless.

BYPASS ROADS AND THE TRANS-ISRAEL HIGHWAY

As mechanisms of control, roads are ideal. They are permanent structures. They flow through long stretches of territory, inducing a feeling of natural connectedness, yet they effectively claim and monopolize land by their very routes. Roads are banal. They can be made to look inoffensive and even benign and attractive—or, if need be, they can be made to look like imposing and intimidating barriers. They can be opened or closed, and used as a means to separate, unite, or channel populations, instruments of control, or development.

Two major Israeli construction projects, the Trans-Israel Highway (Highway 6) and the massive system of bypass and "security" roads being built throughout the West Bank, give clear physical expression to the matrix of control. The Trans-Israel Highway hugging the border of the West Bank is conceived as nothing less than "the new central spine of the country." Hundreds of thousands of Israelis will be resettled in the many towns and cities planned along the length of the highway, especially along the Green Line and in areas of the Galilee heavily populated by Arabs. By bringing Israeli cities,

towns, and settlements on both sides of the Green Line together into one grid, the Trans-Israel Highway moves the country's population center eastward, reconfiguring the entire country. The metropolitan areas of Tel Aviv, Modi'in, Jerusalem, and Ma'alei Adumim merge with the large blocs of settlements to the south of Jerusalem (Efrat, the Etzion Bloc, Beitar Ilit, and, on the Israeli side, Beit Shemesh), as well as with those to the northwest (Rosh ha-Ayin, Ariel, Kiryat Sefer, and Givat Ze'ev), transforming all of central Israel and the central West Bank into a huge and indivisible megalopolis that includes some 70 percent of the settler population. The 4,000 square kilometers running from Ashdod to Netanya, eastward to Nablus, down to Bethlehem and the Efrat, and across again to Ashdod will constitute the country's new "metropolitan core region."

The grid of bypass roads now being laid over the West Bank is closely integrated with the Trans-Israeli Highway plan. First come the north-south highways. Route 60, running from Beersheba to Nazareth, neatly divides the West Bank in two. Route 80, running parallel to Route 60 from 'Arad to Jerusalem, encircles Bethlehem and, as the "Eastern Ring Road," separates Abu Dis from Jerusalem proper. Route 90, passing through the Jordan Valley from Metualla to Eilat, constitutes the easternmost north-south axis. Now lay across this map the major east-west axes: the Trans-Samaria Highway (Road 5) stretching from the coast through Ariel to the Jordan Valley, Road 45 from Modi'in through northern Jerusalem to Ma'alei Adumim, Road 1 from Tel Aviv through central Jerusalem, Ma'alei Adumim, and on to the Jordan River, and Road 7 (the "Ashdod-Amman Highway"), passing through Beitar Ilit and the Etzion Bloc south of Jerusalem to Ma'alei Adumim and on to the Jordan River and Amman.

The emerging grid fully incorporates the West Bank into Israel proper. When we add the other twenty-nine or so bypass roads criss-crossing the West Bank between Israeli settlement blocs, plus the Jerusalem Ring Road that protects Israeli control of municipal Jerusalem, we perceive a matrix of control that forecloses any possibility of a viable Palestinian state. Bypass roads in fact bypass Palestinian communities, preventing territorial contiguity even as they link Israeli settlements to the national Israeli grid. The "security" highways are also massive in scale—some 50 meters wide with 100–150 meters of fenced-in "sanitary" margins on each side, for a total width of three to four football fields. Placed over the West Bank, an area the size of Delaware but with triple the population, these highways have a major impact on Palestinian

freedom of movement, the fragile and historic environment, and Palestinian agriculture. In light of the fundamental configuration of the country with an eye to securing the settlement blocs and foreclosing forever a viable Palestinian state, the separation barrier takes on the coloring of a political border rather than a defense mechanism. That is the only way to explain its tortuous route deep into Palestinian areas rather than along the 1967 line.

A STATE WITHIN THE MATRIX

Let there be no mistake: Israel wants and needs a Palestinian state so that it will not have to grant citizenship to three and a half million Palestinians or adopt a policy of outright apartheid. But it also wants control of the entire country, including the settlements, West Bank aquifers and other natural resources, Jerusalem, the regional economy, borders, and “security.” Accordingly, the emergent Palestinian state must be truncated, weak, and dependent. To be sure, only a Palestinian state with territorial contiguity and control of its borders will be viable. But territory is not enough. If Israel withdraws from 94 percent of the West Bank, its matrix of control will remain, and Palestinian sovereignty will be severely limited. Israel will resist moves to dismantle the matrix and will attempt to deflect world attention to the political process while hiding the realities of control on the ground.

Barak, like Rabin, explicitly framed his vision of peace as separation: “Us Here, Them There.” In June 2000 Barak ordered the “Peace Directorate” of the prime minister’s office to begin “the preparation of a ‘separation plan along the seam’—the boundary line—between Israel and the Palestinian Authority.” The underlying concept is “separation between the two entities together with possibilities of cooperation.”² This political aim, rather than security, lies behind the separation barrier, which has its roots in a Labor government, not the Likud.

The issue in the Israeli-Palestinian negotiations, then, is not simply territory—it revolves around questions of control, viability, and justice. A Palestinian state carved into small, disconnected enclaves, surrounded and indeed truncated by massive Israeli settlement blocs, subject to Israeli military and economic closures, unable to offer justice to its dispersed people and without its most sacred symbols of religion and identity, can hardly be called a viable state. “Peace” may be imposed, but unless it is just it will not be lasting. The term “apartheid” is intended to highlight those elements of an imposed peace that will lead in the end not to true self-determination for the Palestinian peo-

ple, but to their confinement in a number of isolated and impoverished cantons (Sharon's word) completely at Israel's mercy. We must be able to evaluate any "peace agreement" for what it is: a genuine peace between equals, or a cover for occupation under another name. Control, sovereignty, and viability are as fundamental to a just and sustainable peace as territory. The matrix of control, embedded in Barak's "generous offer," must be dismantled.

Part 2

Figure 6. Israel's Separation Barrier, 2004.
The wall as it passes through the Palestinian town of Abu Dis, adjacent to Jerusalem.
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INSIDE PALESTINE

Occupation, Social Movements, and Governance



PALESTINIAN AUTHORITY, ISRAELI RULE

Mouin Rabbani

From September 23–26, 1996, Palestinian security forces and civilian demonstrators clashed with Israeli soldiers armed with machine guns and helicopters, leaving approximately 80 Palestinians and 15 Israelis dead and 1,200 Palestinians and 50 Israelis wounded. The pitched battles, which began in East Jerusalem the previous day and quickly spread to Ramallah, Bethlehem, the Gaza Strip, and finally the rest of the West Bank, resulted in the worst bloodshed the Occupied Territories had witnessed since the June 1967 war.¹

These events constituted neither an organized uprising nor a spontaneous revolt. Rather, the Palestinian National Authority's (PNA) calls for Palestinian protests provided an opening for students at Birzeit University (with the backing of Fatah's Shabiba student movement) to take on the Israeli military, on their own initiative and despite initial attempts by PNA forces at the scene to prevent them from doing so. When Israeli soldiers at the al-Bira checkpoint responded by firing indiscriminately at the stone-throwing students, several PNA policemen were shamed into returning fire to defend the students, while others voluntarily joined the fray. The commander of the West Bank Palestinian police, Hajj Isma'il Abu-Jabr, almost ignited inter-Palestinian clashes when he arrived to threaten punishment for those who continued firing. He was chased away unceremoniously, and other orders to desist were similarly ignored. Subsequently, the Preventative Security Force (Jihaz al-Amn al-Wiqa'i), which is almost entirely composed of hardened Fatah militants from inside the Occupied Territories, joined the exchanges as an organized force. It did so with at least tacit encouragement from Yasser Arafat, who fully understood that if he tried to prevent their participation it would be imposed upon him.

Prior to these events, Israeli Prime Minister Binyamin Netanyahu's explicit rejection of any compromise over Jerusalem had only strengthened Arafat's conviction that a crisis would be required to ensnare Netanyahu, concentrate American minds, and strengthen his position among the Palestinians. On August 29, after obtaining a public commitment from Israeli President Ezer Weizmann to meet him if Netanyahu refused to do so, Arafat called a national commercial strike. Within days, it produced the long-awaited encounter, but nothing else. The strike was followed by the Israeli demolition of the Burj al-Luqluq Center for handicapped children within Jerusalem's Old City, loudly announced plans for additional settlements, and, finally, the extension of a tunnel excavated alongside the Haram al-Sharif/ Temple Mount complex into the heart of East Jerusalem.

Although it had encouraged Palestinian protest, the PNA leadership was reeling from the intensity of events and its loss of control over its forces and population. Nevertheless, with characteristic acumen, Arafat quickly turned the crisis to his advantage. Holding out against Netanyahu's desperate appeals for a meeting, he forced the amateurish Israeli leader to publicly demonstrate that Israel remained committed to its partnership with the Palestinians and that it considered Arafat the key Palestinian player in this relationship. Arafat then quickly moved to quell the protests and rein in his forces, holding out the prospect of progress at the Washington summit as an incentive. For the moment, at least, and despite the dismal failure of the summit, his own standing soared, as did that of the security forces.

The September rebellion, while revealing internal fractures within the PNA, consolidated the relationship between it and Israel's new Likud government. Both leaderships made clear that the continued implementation of Oslo was their strategic priority. In the absence of meaningful progress, however, the Palestinian street (perhaps once more augmented by the active participation of armed PNA elements) was likely to explode again. If the new security arrangements were upheld, a direct confrontation between the PNA and the Palestinians seemed inevitable. If Israel were to attempt to reoccupy the enclaves, Palestinians were fond of pointing out that it took Israel only six days to defeat the Arab world but six years to conquer the Gaza Strip.

OSLO II IN CRISIS

Despite the redeployment of the Israeli military from large sections of the Gaza Strip and most West Bank cities and the PNA's assumption of power within these areas, Israeli control over Palestinians was exercised with greater

vigor than at any time since the occupation began in June 1967. While the Declaration of Principles (DOP) initially enjoyed general popular acceptance, by late 1996 there remained only a handful of Palestinians prepared to defend it in private. Although most ascribed their disillusionment to the conduct of the Israeli authorities, the performance of the PNA, or both, an increasing number realized that Israeli and Palestinian practices were generally consistent with the DOP and the arrangements it has produced. Gradually, appeals for the faithful implementation and proper stewardship of the DOP gave way to demands for its fundamental reconsideration.

In contrast to most Palestinian exiles, who from the outset rejected the DOP because it relegated them to the furthest margins of the Israeli-Palestinian equation, reassessment of this agreement within the occupied territories was a slower and more complex process. The majority of Palestinians accepted the PLO's argument that in the post-1991 Gulf War and Cold War context the Oslo accords could neither be rejected nor improved upon, and that despite their shortcomings, they created a new dynamic that would ultimately result in the establishment of an independent Palestinian state. Repeated PLO proclamations that the transitional phase would be characterized above all by tangible improvements in personal security and economic prosperity were eagerly embraced by a population driven to utter desperation by Israeli repression and a stagnant *intifada*.²

The warm welcome accorded Yasser Arafat and his entourage of soldiers and bureaucrats when they entered Gaza in July 1994 revealed the high hopes Palestinians continued to attach to the DOP, even though little had been achieved in the intervening months to inspire popular confidence. Largely isolated from prior direct contact with the PLO apparatus, residents of the Occupied Territories generally retained an idealized notion of its character and capabilities. Those with a more nuanced view assumed that the PNA would be more responsive to popular opinion than the PLO had been, and additionally felt a moral obligation to give the historic leadership an opportunity to succeed. Only a small minority insisted that Arafat and his lieutenants signed onto the DOP to revive their own flagging fortunes, and warned that they would be reduced to junior partners in the administration of Israeli rule.

The rude awakening experienced by many Palestinians during the first year of autonomy did not fundamentally alter the popular consensus in favor of the DOP. Autonomy was considered the lesser of two evils when compared to direct Israeli occupation. PNA misconduct was rationalized as the product of inexperience and individual malfeasance; and the deteriorating economic

situation was attributed to Israeli restrictions and the donor community's inertia. The PNA's inability to confront a very palpable Israeli hegemony, however, set against its very public cooperation with Israel's security forces (most notably the "joint patrols"), damaged its reputation.

POST-OSLO II

With hindsight, the period between the signing of the September 28, 1995 Interim Agreement (the Taba Accords or "Oslo II") and the suicide bombings carried out by the Islamic Resistance Movement (HAMAS) and Islamic Jihad in February and March 1996 represented the high point of the DOP. The PLO, faced with mounting criticism of its strategy, performance, and conduct, was able to claim, with the extension of autonomy to West Bank cities, that "Gaza and Jericho First" was only a beginning. The January 1996 elections for an eighty-eight-member Palestinian Legislative Council and of Yasser Arafat as *ra'is* of the Palestinian Executive Authority endowed the PNA with sorely needed political legitimacy.³ The smooth transition to Peres after Rabin's assassination, and Israeli public reaction to this event, increased Palestinian hopes that Israel might be serious about reaching a genuine peace. The Palestinian opposition's decision to boycott the self-rule institutions led to its further marginalization and increased dissent within its already fragmented ranks.

The unprecedented Israeli siege of the Occupied Territories imposed in the wake of the suicide bombings constituted a turning point for Palestinian public opinion. The hermetic closure of the West Bank and Gaza Strip, and the policy of "separation," removed any remaining ambiguities about the nature of post-Oslo Israeli-Palestinian relations. Moreover, this period—which saw an unprecedented PNA campaign against anyone and anything currently or formerly Islamist—left little to the imagination regarding the PNA's own role in this relationship. "Separation" conclusively demonstrated that Palestinian economic fortunes remained hostage to the Israeli-Palestinian balance of power—that is to say, at the total mercy of Israel—and therefore reestablished for Palestinians the connection between political context and quality of life that the PLO had done its best to sever.

ISOLATED ENCLAVES

While Palestinians were previously subject to Israeli restrictions affecting virtually every aspect of daily life, the 1995 Interim Agreement (Oslo II) formalized the fragmentation of the Occupied Territories into zones of Palestinian

and Jewish settlement and the atomization of Palestinian society into designated areas A, B, and C. These zones and the associated phased character of Israel's "redeployment" from West Bank territory are nowhere mentioned in the 1993 DOP. They were introduced at Israel's insistence during the negotiations leading to Oslo II.

In the West Bank, only 2–3 percent of the total surface area, comprising the majority of Palestinian towns, was transferred to full PNA control (Area A). Because the towns are noncontiguous, and Israel remained in command of the road network connecting them, all movement of goods and persons into and out of, and between, these enclaves could be and was interdicted at will.

In the villages, most of which fall within "Area B" (altogether approximately 26 percent of the West Bank), the PNA had only civil and police powers, while Israel remained responsible for "internal security"—the meaning of which it is free to define. According to the terms of Oslo II, Israel could—and routinely did—continue with land confiscations, mass arrests, house demolitions, defoliation, prolonged curfews, arbitrary violence, and any other measure it saw fit to impose on the pretext of security.

About 70 percent of the West Bank was classified as Area C. Comprising the Jewish settlements (including the center of Hebron), water-rich areas, border regions, main roads, and most lands outside Palestinian municipal and village boundaries (but also several Palestinian villages), Area C was a contiguous whole surrounding Areas A and B in their entirety and parceling them into isolated enclaves.

Pursuant to Oslo II, Area C was not subject to restrictions on further expansion of Jewish settlement. In accordance with the Interim Agreement, jurisdiction over the settlements was transferred from the civil administration of the military government in the Occupied Territories to the Israeli state, consolidating their position as integral components of Israel's territory and public administration. Area C also included numerous "bypass roads" constructed during the previous several years—at an enormous cost in terms of Palestinian land—in order to erase the boundaries between Israel and the settlements, and to provide easy access between settlements by "bypassing" Palestinian enclaves. In mid-September, 1996, a new, \$40 million road, including the largest Israeli tunnel, was opened in the West Bank to integrate the Gush Etzion settlement bloc near Bethlehem with metropolitan Jerusalem. Speaking at the opening ceremony, Jerusalem Mayor Ehud Olmert asserted that this road would make Gush Etzion "a permanent part of Israel."⁴

A contiguous, if oddly shaped 60 percent of the Gaza Strip was designated Area A, with most of the remainder classified as Area C. Entirely surrounded on three sides by electrified razor-wire and a heavily patrolled coastline on the fourth, the entry and exit of goods and persons were strictly controlled by a series of permanent Israeli and Palestinian checkpoints. In principle, the only persons able to pass were senior PLO and PNA officials (VIPs), a select number of Palestinian businessmen and drivers with prior clearance, and a maximum of fifty thousand men—married, with children, over the age of thirty, with clean security records and permits to work in Israel.⁵ In practice, Israel prevented Yasser Arafat from leaving Gaza on several occasions, banned several senior PNA officials from doing so (including Social Affairs Minister Intisar al-Wazir, who is known as Umm Jihad, to punish her for an attempt to smuggle several students to Birzeit University in the West Bank), and routinely prevented most or all workers from reaching their jobs for prolonged periods. Israeli products generally had unrestricted entry to the Gaza Strip, while imports from other countries often experienced bureaucratic warfare and associated storage costs. Israel's policy on Palestinian exports sought to ensure continued dependence upon Israel and prevent the emergence of an autonomous Palestinian economy.⁶

According to senior Israeli military and intelligence officers, no suicide bomber ever applied for a permit to enter Israel. Likewise, during the 1990s only one Palestinian with a valid work permit committed a terrorist offense. Such officials understand that closure was a misguided and ultimately counterproductive political response to an essentially military challenge. Other observers have argued that closure was (or at least became) a political strategy rather than security tactic, and that its economic consequences (up to 70 percent unemployment in the Gaza Strip, widespread poverty throughout the occupied territories, and a rapidly growing PNA budget deficit which paralyzed its ability to deliver services) made violence more, rather than less, likely.⁷

Israeli administration remained very much in evidence within the PNA areas despite its formal physical removal. Birth certificates, identity cards, driver licenses, applications of various sorts, even Palestinian passports, all needed to be registered with and approved by the military government to attain official status. The difference was that Palestinians outside Jerusalem conducted such procedures through the intermediary of the PNA rather than directly with Israel, leading to considerable delays and frustration.

Although "internal closure" was imposed as an extraordinary rather than

permanent measure, the separation of East Jerusalem and its annexed environs from the rest of the West Bank was fully institutionalized. As a "final status" issue Jerusalem was excluded from the terms of Oslo II. Without an Israeli permit, which was virtually impossible to obtain, Palestinians could neither enter the Jerusalem area nor pass through it. Permanent military checkpoints on most primary and secondary roads leading out of the West Bank, constant patrols within Jerusalem, and stiff fines and prison sentences for violators ensured that few Palestinians ventured into their political, economic, cultural, and institutional capital to which they enjoyed virtually unrestricted access prior to the signing of the Oslo accords.

DISSIPATING SUPPORT

If the PNA could initially count on massive public support in the Occupied Territories because most inhabitants had simply not read the DOP or believed it would be overtaken by an inexorable dynamic leading to Palestinian statehood, its prestige was subsequently shattered by reality. Instead of the improvements in the quality of life intended to underpin the interim stage, most Palestinians became poorer after Oslo, and they were even worse off if compared to their circumstances before the eruption of the first uprising in 1987. Because the PNA was incapable of effectively challenging Israeli policies or mobilizing the international community to do so, the belief that no agreement at all would have been preferable to the present arrangements gained ground.

The PNA's approach to government and state-building, its relationship with Israel, and its political opposition all contributed to the spreading pessimism. The PNA is best characterized as an elected autocracy since its *ra'is* exercised a seemingly limitless capacity for micro-managing the public and private sectors, and consequently an equally impressive ability to co-opt, marginalize, or outmaneuver his critics with comparatively little violence. Arafat permitted no opposition to his own person or position as uncontested leader, and moved decisively to crush such dissent by whatever means necessary. Most of the violence, meted out by his security forces, however, was aimed at improving the PNA's standing with Israel and the West rather than directly bolstering his rule. While the PLO's traditional pluralism survived in an attenuated form, democracy was permitted only to the extent that it respected autocracy. For example, in August 1996 PNA security forces confiscated and banned books by Edward W. Said, who unequivocally denounced both the Oslo accords and Arafat.⁸ The Palestinian media promoted the personality cult of the leader as

faithfully as any of its Arab counterparts. Palestinian television (headquartered in Arafat's office) daily broadcast several songs of praise and additional eulogies. The media's responsibilities were emphasized when Mahir al-'Alami, night editor of the daily *al-Quds*, was arrested by the PNA's Preventative Security for relegating to an inside page a statement by Greek Orthodox Archbishop Diodorus likening Arafat to the first Muslim conqueror of Jerusalem, the second Muslim Caliph 'Umar ibn al-Khattab.

The judiciary fared little better. As Graham Usher pointed out, the plethora of Palestinian security services are neither regulated by legislation nor subject to regular legal review.⁹ In mid-August, however, the Palestinian Supreme Court agreed to hear a case brought against the PNA by ten Birzeit University students who were detained without charge or trial since the February–March 1996 suicide bombings. When the court ordered their immediate release, its president, Amin 'Abd al-Salam, was immediately forced into retirement and his ruling ignored. In other cases, suspects were arrested, charged, tried, convicted, and sentenced within hours by State Security Courts.

Hopes that the Palestinian Council would act as an effective counterweight to the executive branch on the whole were disappointed. The Council's powers of legislation were restricted by the corpus of Israeli military orders, which could not be repealed or contradicted without permission from the Israeli military government. Additionally, Arafat co-opted several of its most prominent independents, including 'Abd-al-Jawad Salih, Hanan Ashrawi, and 'Imad al-Faluji, into his cabinet.¹⁰ Nonetheless, substantial debate and criticism, even if devoid of results, was possible within the Council, which became increasingly restive in reaction to the growing frustration of its members and popular cynicism (in a 1996 public opinion survey, 46.7 percent agreed with the statement that the Council "represents the people well but with no effect").¹¹

Although the Palestinian Council remained a significant forum, ordinary Palestinians constituted the more likely source of effective opposition. Undermobilized and provided with no meaningful role in national reconstruction, they found the process of state-building too easily obstructed by the easy money being amassed by monopolists and others popularly decided as "mafias." While Palestinians did not belittle the significance of not having to ceaselessly worry about deadly clashes at their childrens' schools, being able to walk the streets more safely than before and enjoy a day at the beach, "this is not what we fought and died for" became a national refrain. In one 1996 poll, 68.5 percent of those describing themselves as "not well-to-do" were

pessimistic about their future. By contrast, 54.9 percent of the "well-to-do" were optimistic.¹²

Throughout the West Bank and Gaza Strip, the feeling of abandonment was palpable. The Islamist opposition, held responsible for provoking the closure and contributing to Netanyahu's rise to power, and the radical left, whose basically unchanged political program and slogans seem irrelevant, offered no viable alternatives to the PNA. Asked which Palestinian movement they trusted most, 34 percent chose Fatah, 6.5 percent HAMAS, 2.8 percent the PFLP, while 29.4 percent did "not trust anyone."¹³ The Fatah movement, increasingly co-opted and marginalized in equal measure as a result of Arafat's transformation from the leader of a national movement to head of government and the attendant decline of factional politics, may itself also emerge as a potential force for political reform, as it is a diffuse movement with multiple centers of power rather than a disciplined party.

Few Palestinians who followed developments in the "peace process" through the end of 1996, particularly since the imposition of "separation," could realistically claim that it would result in Palestinian self-determination. Rather, what appeared to be emerging was a series of "Arabistans," ruled by a native authority but subject to overall Israeli control.

PALESTINIAN NGOs SINCE OSLO

From Politics to Social Movements?

Rema Hammami

The post-Oslo debate on Palestinian non-governmental organizations (NGOs) in the West Bank and Gaza Strip came full circle in the late 1990s in two respects. An earlier debate that had envisioned NGOs as possible democratic alternatives to the Palestinian National Authority (PNA) was largely laid to rest by the NGO movement itself. At the same time, Palestinian NGOs were accused of some of the same charges usually leveled at the PNA. Specifically, in a campaign waged by PNA loyalists in the local press, NGOs were vilified as “fat cats” exploiting donor funds for their own enrichment and at the cost of an increasingly destitute population.

Despite the contending political projects represented by the two debates, there is much that connects them. While PNA attempts to defame NGOs were clearly opportunistic, the accusations touched on a growing and uneasy realization within the NGO community that they had come to be perceived as the employment sector of the economically privileged. This was one outcome of their integration into a global NGO ethic and culture, largely shepherded by the presence of a huge number of international donor aid agencies brought in to buttress the peace process. More fundamentally, it was rooted in an ongoing process of NGO retrenchment from a popular constituency which predated the Oslo process, but which sharpened with the continuing depoliticization of society that followed the formation of the PNA in 1994. Activist sectors of the NGO community, aware of these processes, finally acknowledged that their own institutional transformation contributed to the ongoing political crisis in Palestinian society. And in a few cases, they attempted to find a route back to the grass roots.

Within the possibilities of NGO politics there were some notable achievements since the 1993 Oslo accords. The formation of a well-organized NGO lobby under the umbrella of the Palestinian NGO Network (PNGO) and President Arafat's approval of a relatively benign NGO law were quite significant, given the quiescence of popular political resistance to PNA rule.

NGOs PRIOR TO OSLO

Prior to the emergence of the PNA, the West Bank and Gaza Strip were among the few areas in the Middle East where political space was available for the emergence of a strong and pluralistic infrastructure of NGOs. This was achieved both despite and because of the Israeli occupation. In 1995, estimates of the number of NGOs in the West Bank and Gaza Strip ranged from 800 to 1,200—although the diversity and informal nature of these organizations made a precise count difficult. The scope and size of the sector attested to the importance of NGOs as a response to occupation and statelessness, while the variability in their structures alludes to their varying historical trajectories.

While charitable societies were the largest and oldest sector, the majority of NGOs had roots in the PLO's mass mobilization or national front strategy, which emerged following the 1977 Camp David Accords. Left organizations, especially the Communist Party, played pivotal theoretical and organizational roles in this strategy. In its early years, grassroots organizing was comprised of non-factional women's, student's, and worker's groups, loosely organized in voluntary structures that stressed both national resistance and self-help. However, by the end of the 1970s, most of the movements had broken into factionally based groups.¹

Processes of institutionalization emerged once the organizations became factionalized and funding became available for activities. In the early 1980s the PLO provided funding to organizations through their allied factions. At the same time, a number of organizations began to form contacts with European donor NGOs. The Communist Party, not being part of the PLO, spearheaded these links out of necessity. Other left organizations followed suit and began to subsidize their factional funding with donor money.

The outbreak of the first intifada in December 1987 initially reaffirmed the original popular and mass nature of these organizations. The popular committees that served as the successful front line of the intifada in its first two years were only possible due to the organizing and mobilizing skills and experiences of the grassroots organizations. This heady period was short-lived,

however. By 1991 many of these popular initiatives had transmogrified into professionally based, foreign-funded, and development-oriented centers. In addition, dozens of donor-supported research centers emerged during this period, many founded by academics during the long years of Israeli-imposed university closures.

The transformation of the mass movement into an NGO community of elite, professional, and politically autonomous institutions was a complex process in which foreign funding played a notable but not a singular role.² Historically, foreign funding helped free NGO leaders from financial dependence on their factions, thus enabling them to develop a degree of programmatic autonomy and institutional security. Many organizations delivering regular services (and salaries) had experienced the destructive impact of their political leaderships' decisions on their work. Political decisions emanating from other contexts and imposed by democratic centralism could suddenly end programs and activities that were the result of deep knowledge of the local context based on laborious years of community organizing. Foreign funding began to impose a new set of constraints on organizations, however. Long-term planning, measurable objectives, and reporting requirements meant that organizations had to develop skills in the language, culture, and methodologies of NGO projects. Most importantly, NGO activities had to meet developmental, rather than political, goals.

The increasing dissociation of NGOs and political parties on the one hand, and of NGOs and grassroots constituencies on the other, were more fundamentally rooted in two major political crises of the early 1990s: the militarization of the intifada and the demise of the left factions of the PLO. By the end of the third year of the first intifada, the collective weight of Israel's anti-insurgency strategies had succeeded in turning the mass-based civilian uprising into a militarized underground movement of armed youth primarily interested in rooting out alleged collaborators. Mass civilian organizing was a primary victim of Israel's strategy to contain the intifada militarily. The other key element was the breakdown of the left factions. The ideological crisis sparked by the demise of the Soviet Union undercut much of the left's popular appeal. This was exacerbated by a growing popular disenchantment with authoritarian party structures by the party rank and file, who came to see democratization as a key political concern.³

Professionalized NGOs became natural havens for disaffected party cadres. Israel did not specifically target them during the last years of the inti-

fada; donor funding allowed autonomy or independence from party domination, and they offered individuals an independent political base.

DEVELOPING RELATIONS WITH THE PNA

The protection of Palestine's "well-developed civil society" in the period of state-formation was the NGO community's initial strategy in the wake of Oslo. Through it, the NGO elites attempted to grapple with changes in donors' funding priorities and prepared for anticipated autonomy battles with the PNA. Many feared that, in their scramble to support the Oslo process, Western donors would divert monies from NGOs to the emerging government sector.

The relationship between the PNA and the local NGO community was shaped by ever-growing PNA authoritarianism toward the various NGO sectors and NGOs' constantly evolving attempts to thwart governmental control. By 1995, the "professionalized" NGOs, dominated by figures with political histories in left factions, had become a vocal lobby whose first showdown with the PNA followed the issuance of a repressive draft law on charities and associations by the Ministries of Social Welfare and Justice in February 1995. The conflict was aggravated by the emergence in 1995 of a World Bank initiative to create a \$15 million Palestinian NGO trust fund. This project brought about the fundamental change in PNA assessment of the NGOs—from a mere political irritation to becoming an actual (though limited) political threat.

Responding to the role that PNGO was given as part of a consultative committee to the NGO fund in December 1996, Arafat created a government-controlled Higher Council of NGOs based in the Gaza Strip and largely comprised of Fatah-dominated organizations and others left out of PNGO. Soon after, he created a similar body in the West Bank.

Late 1997 marked a watershed in the relationship between the increasingly well-organized and vocal lobbying group of professional NGOs (under the umbrella of the PNGO network) and an increasingly repressive PNA. Two incidents marked this transition. The first was the obstruction of elections to the PNGO network in the Gaza Strip by armed "Force 17" soldiers who, under orders from the Ministry of Interior, stipulated that a permit was required to hold a public meeting.⁴ The second was a presidential decree annulling the board of Maqassed Hospital in Jerusalem and replacing it with Fatah loyalists.

Following these events, NGOs active in lobbying were suddenly audited by officials from the Financial Oversight Board (based in President Arafat's

office) or visited by various “public security” groups requesting information on everything from employees’ political histories to funding sources. In contrast to the violent invasion of HAMAS charitable institutions that had marked the PNA’s crackdown on their “infrastructure” in March 1996, these visits were merely irritating. At this stage, the PNA was simply warning the NGO lobby that if it did not acquiesce to the PNA’s “friendly” control, it would face the full weight of its coercive might.

THE NGO LAW AND NGO MOBILIZATION

Because the NGOs did not represent a real political force, the PNA probably could have ignored them were it not for the collective impact of the World Bank NGO fund, the role of human rights organizations, and NGOs’ use of legal strategies. The control of the \$15 million World Bank fund by a vocal and oppositional group of NGOs was clearly seen as an incipient threat to the PNA’s financial hegemony. Similarly, the PNA viewed human rights organizations disseminating information on PNA human rights abuses as a direct threat to its image locally and abroad. Still, “national institutions” remained potent symbols of national struggle and unity, so direct PNA moves against NGOs ran up against their popular, though largely symbolic legitimacy.

The PNA developed a multipronged strategy for silencing, co-opting, or marginalizing these threats. By creating “governmental NGO networks” it attempted to organize loyal institutions to compete with the PNGO over control of the World Bank fund. This was consistent with the general PNA policy of funding new NGOs to widen the regime’s patronage base. The PNA deployed a discursive strategy toward human rights organizations that rhetorically separated out the “bad” elements from the “good” national institutions that provided charitable services during the occupation. In line with this trend, well-known human rights figures like Raji Sourani and Eyad El-Sarraj were jailed and, in some cases, beaten. The PNA also orchestrated press campaigns accusing human rights organizations of being foreign agents or collaborators working against the “national interest.”

Although the PNA first entered the legal arena as part of its strategy to domesticate the “good” NGOs, the NGO “movement” itself was at the forefront of using the law as its first line of self-defense. Although President Arafat repeatedly refused to sign major legislation ratified by the Palestinian Legislative Council (PLC), it is significant that in January 2000 he endorsed legislation

governing the rights and freedoms of NGOs, "The Charitable Associations and Community Organizations Law," based on draft legislation developed by the NGO lobby.⁵

The 1995 legislation on NGOs advanced by the Ministry of Justice was modeled on Egypt's repressive law. Quick mobilization by PNGO got the law shelved. Following this, PNGO hired well-known lawyers to develop draft legislation that was more NGO-friendly. When the PLC came into being in January 1996, PNGO focused its campaign onto the agenda of the council. As part of this strategy, PNGO formed a coalition with the historically conservative but symbolically powerful Union of Charitable Associations, comprised of more than three hundred organizations. The PLC ratified the draft law in December 1998 after considerable investment of time and energy by PNGO. Compared to other Arab countries, the law is extremely liberal. It allows organizations to form relatively freely and to access foreign and other funds without informing the government. It also protects organizations' abilities to set their agendas and control their budgets without government interference.

The law was sent to President Arafat for his signature in December 1998 and was returned in March 1999 with his approval, pending one crucial change: that NGO registration should be changed from the Ministry of Justice to the Ministry of the Interior. Throughout the Middle East, Ministries of Interior are extensions of the *mukhabarat* (intelligence services).

In May, the PLC rejected Arafat's request by a vote of 26 to 12. The vote turned out to be moot, however, since the quorum of forty-four needed to vote down an executive decision was not present. At this juncture a seemingly banal UN report on donor funding to the Palestinian legal sector entered the fray.

THE ANTI-NGO CAMPAIGN

The May 1999 Report by the United Nations Special Coordinator in Gaza assessed post-Oslo donor support to legal and human rights sectors at more than \$100 million.⁶ Although it is difficult to assess how the money was divided between the PNA and NGOs, the report calculates that approximately \$20 million went to human rights, legal, and civic organizations. The Minister of Justice claimed that the report indicated his ministry received only \$4 million, and suggested that the NGO sector had run off with much of the rest. He publicly denounced NGOs as "a bunch of thieves, fat cats and foreign agents." On the PNA's Voice of Palestine radio, he accused human rights organizations of being stooges of foreign backers and claimed their directors received sala-

ries of more than \$10,000 a month, equivalent to the salaries of ten judges. The minister timed his public statements to deflect attention away from a scathing critique of the Palestinian justice system published by Agence France Presse during the same period. The fact that his allegations were widely reported in the PNA media and reiterated by PNA commentators made it clear that a full-fledged campaign was in progress to undermine NGOs' legitimacy.

This campaign was a reaction to the PLC's refusal to carry out President Arafat's requested change to the NGO law. However, the press was full of voices defending the NGOs, their roles and funding. PNGO attempted to rally political support beyond the PLC by lobbying various political factions. On June 16, a press release signed by six political factions appeared in the local press denouncing the smear campaign, defending NGOs' nationalist credentials, and explicitly demanding the ratification of the draft NGO law under the Ministry of Justice. The press release further detailed that the laws ensured NGO accountability. Significantly, Fatah was one of the signatories. While HAMAS did not sign it, it defended the NGOs in its newspaper, *al-Risala*. Despite their political weakness, the factions' support was important because of their enduring symbolic weight. The PNA needs the factions' loyalty to preserve the appearance of "national unity," which had become its sole method of keeping the idea of the larger Palestinian nation alive.

Although the law, with the NGOs under the supervision of the Ministry of the Interior, was finally passed and signed into law in January 2000, it remained a victory for the NGOs and perhaps a symbol of what active and well-organized lobbies could accomplish within the constraints of PNA rule. Clearly, Arafat viewed it this way. In June 1999, he created a Ministry of NGOs under his loyalist and former Oslo negotiator Hasan 'Asfur as a tactical maneuver around the law to regain direct control of NGOs.⁷

The heated debate in the press throughout June and July pitted the sorry state of the PNA legal system against alleged financial excesses of the NGOs as a whole, and accusations of "collaboration" and disloyalty by human rights groups in particular. The public was not likely to be sympathetic to the PNA, given the dysfunctional legal system and overt corruption that marked PNA governance. However, because of the dramatic drop in standards of living for much of the population post-Oslo, there was some popular sympathy with the accusation that NGOs were living too well off the donor "gravity train." In quiet, some sectors of the NGO community noted the alarming disparity between the amount of donor money channeled through NGOs to human

rights and legal issues (even if the most conservative estimates are used) and the paltry impact these NGOs have had on the rule of law and the protection of human rights.

A NEW CLASS?

Despite the PNA's exaggerated claims about NGO salaries, it was common knowledge that NGO pay scales are higher than professional and semi-professional salaries in the mid-to-lower-level PNA bureaucracy or in the public sector generally. The greatest discrepancies were between NGO salaries and those of the appallingly underpaid teachers, social workers, and police. NGOs are among the few workplaces perceived to operate according to professionalism. They became desirable workplaces for a new generation of middle-class professionals who view NGO employment as a career path to more lucrative salaries and prestigious jobs in international organizations. Speaking English, dressing well, and maintaining a nice office are all part of this new culture. The entrance of waves of young professionals into the NGO sector further depoliticized it, resulting in an even greater distance from any popular social base. The new professionals tended to treat the "grass roots" in a patronizing and condescending manner, perceiving them as social groups in need of instruction rather than constituencies from which they derived their direction and legitimacy.⁸

SEEKING CONSTITUENCIES

Activists whose historical formation was in political factions spearheaded the formation of PNGO and the campaign concerning the NGO law. The political skills of these NGO "politicians" served them well in developing strategies and building coalitions to defend the autonomy of NGOs vis-à-vis the PNA. This lobbying strategy marked a shift among the NGO politicians, who had considered themselves a political movement in formation during the first two years of PNA rule. In the same period, the left factions opposed to the Oslo process (the PFLP and DFLP) focused on the NGOs as a political alternative to participation in the PNA. Those factions not opposed to the Oslo process viewed NGOs as mobilizers of popular resistance to Israel's reneging on the peace agreements, as well as watchdogs against PNA authoritarianism.⁹

Originally, only a minority believed that NGOs were not a substitute for political parties. By 1998, however, this became the majority position. By then

it was obvious that NGOs could not organize a challenge to the continued "Arafatization" of Palestinian political life, nor were they able to mount a single sustained campaign against ever-expanding Israeli control over Palestinian land and movement. The crisis came to be viewed as one of political democratization and the absence of independent political movements necessary to achieve it.

Because several initiatives to organize "third way" parties or movements failed to yield results in the second half of the 1990s, a number of seasoned NGO politicians initiated experiments with new organizational forms featuring NGOs as catalysts of social movements. This notion of "social movements," borrowed from the experience of Latin American democratic transitions, was at the core of NGOs' attempts to link up with grassroots constituencies.¹⁰

By the outbreak of the second intifada there were three different models for these efforts. The Palestinian Agricultural Relief Committees created a farmers' union in an attempt to develop an autonomous but linked structure that would give them an organized grassroots constituency. Similarly, BADIL, which works on refugee rights, created an organized membership structure for its constituency. The second model, represented by the Union of Palestinian Medical Relief Committees, is that of an elected general assembly and regional committees whose immediate role was to articulate the priorities and needs of its constituents. Finally, Beisan and other organizations focusing on community development attempted to tap into existing structures (community-based charitable societies, youth groups, and refugee committees) to connect with semi-organized grassroots groups.¹¹

Another motive for this focus on social movements was the recognition that the left nationalist factions' failure to garner support stems partly from the continued exclusion of social issues from their political programs. Despite their inability to effect in any way the terms or implementation of the Oslo accords, their programs continued to deny reality and remained mired in discussions of whether to "support" or "reject" the Oslo process. In the meantime, a "territorialized" (if not sovereign) society came to exist in the West Bank and Gaza Strip with the daily problems and needs of any population: health, schooling, jobs, electricity, and social security. With the redeployment of the Israeli military from the main populated areas during the Oslo years, many of these basic needs began to surface. NGOs, which overwhelmingly focus on such issues, had a programmatic (albeit not a structural) edge on political movements.

NGO attempts to expand their base into more organized constituencies were cut short by the outbreak of the al-Aqsa Intifada. Even this limited experience indicates that social movements cannot be jump-started but must emerge organically from situated communities and social groups. Nonetheless, the NGO experiments rekindled a process of dialogue. New elections for the PLC or municipal elections could galvanize these efforts and translate "memberships" into organizing or voting blocs.

8

**GENDER, SOCIAL CITIZENSHIP, AND THE
WOMEN'S MOVEMENT IN PALESTINE****Rita Giacaman, Islah Jad, and Penny Johnson**

For over half a century, to be Palestinian has meant the absence of formal citizenship and the rights and duties it confers. While important elements of citizenship previously resided in membership in the Palestinian community and its institutions, the coming of the Palestinian National Authority (PNA) to Gaza and Jericho in the summer of 1994—with its limited powers, patchwork jurisdiction, and dependence upon Israeli and international goodwill—opened a new era in which the contours of Palestinian citizenship were being shaped and contested. Citizenship in Palestine, whether defined in political, social, or economic terms, is still fundamentally at question, with deep implications for women and society as a whole. Women's citizenship under PNA rule, and the role of the Palestinian women's movement in this new political and social context, were contested and redefined. The era ushered in by the signing of the 1993 Declaration of Principles pushed women activists to unite in order to safeguard women's interests, while at the same time it pulled them apart in the most profound split Palestinian politics has encountered to date.

Despite political polarization, the Palestinian women's movement, with other social and political groups, actively negotiated rights with the PNA. Their main focus was governmental representation; despite a few high-level appointments (most notably Umm Jihad as the minister of social welfare), women were poorly represented in ministries, commissions, and almost all policy-making bodies.¹ This focus, due in part to the overwhelming amount of international attention given to the January 20, 1996 Palestinian elections, resulted in the widespread phenomenon of "democracy workshops." Citizen-

ship is not merely a matter of voting or representation in governing institutions. Thus, the high voter turnout in the elections was not a complete answer to the dilemma of Palestinian citizenship. Additionally, President Arafat revived traditional forms of clan-based leadership and mediation, expressed by the appointment of a presidential consultant for clan affairs, a staggering rise in the number of *mukhtars* (village chiefs) in Gaza, and the promotion of clan associations for political representation in municipalities. This trend potentially excluded women from participation and undermines political parties and the development of the institutions of civil society.

THE PALESTINIAN WOMEN'S MOVEMENT IN THE NEW ERA

The atmosphere inside the women's movement grew tenser as women struggled to maintain the gender-based coordination of the past several years in the face of radical political polarization. PLO leaders from abroad were sometimes referred to as the "Abus" (fathers), underlining the one common and persistent fear of women activists: that any gains by women in general, or as political leaders, would be ignored by the patriarchal character of the coming authority. An atmosphere of diminished hopes and anxiety over the future deeply affects both activists and ordinary women. Shortly before the 1991 Gulf War, at a conference in Jerusalem entitled "The Intifada and Social Issues," the Palestinian women's movement first publicly raised the concern that political fundamentalism, sanctioned by conservative nationalist forces, was imposing new repressive conditions on women. Over the next few years, Palestinian women and men met to discuss issues that were hitherto taboo: domestic abuse, sexual harassment, and personal status issues, among others. The Taskforce on Women brought together representatives of women's committees, centers, and other organizations for sustained discussion around a united women's agenda. Women's movement activists, criticizing their previous lack of independence from male-dominated political factions and their failure to address women's issues, struck a "mea culpa" note that starkly contrasts with the self-confidence and courage they evinced as they brought women into the streets during the early years of the first intifada.

The mixed experience of the women's committees and the rollercoaster ride of the women's movement during the first intifada were the immediate backdrop for examining the strategies proposed by women activists in the early days of the new era. The overwhelming political question was the

nature of the PNA, its capacity and willingness to democratize, and how either to influence the emerging self-government effectively or to oppose it. The maze of Palestinian “technical committees” operating out of East Jerusalem’s Orient House became the object of periodic media attention as the builders of infrastructure, bureaucracy, and policy for a PNA. A Women’s Technical Committee, headed by leading activist Zahira Kamal, was among these quasi-governmental bodies. But it was established half a year later than committees on matters such as transportation and education, and it does not receive its funds from the regular budget. This committee resulted from a political struggle waged by women and is funded primarily by a foreign donor.

The committee formed subcommittees to examine issues such as legislation, education, and employment, with the aim of making policy recommendations. But its ability to influence political decisions was limited. Among the committee’s most ambitious projects was a draft Women’s Bill of Rights, which was seen as a mobilizing tool to show the interests and strength of women prior to the introduction of key pieces of legislation, like a constitution. It is striking that the committee, officially part of the emerging authority, saw itself as a “pressure group.” Hence, it was allied with non-governmental organizations, oppositional women’s groups, and what can broadly be called “democratic forces.” Most, although not all, members of the committee did not view themselves as “governmental,” and were surprised when others did. But the introduction of a quasi-governmental link in the women’s movement produced stresses and strains, particularly for women opposed to the 1995 Taba accords. The problems posed by a strategic alliance with religious groups opposed to the agreement—particularly HAMAS—prompted debate about whether overlooking differences on social and gender issues to create a united opposition to the PNA leadership was justified.

The first intifada left women’s groups with a legacy of heightened consciousness and failed initiatives, exemplified by the closure of many of the small-scale women’s production projects. In their urgent search for a viable strategy for the new era, Palestinian women activists seized, perhaps too quickly, on concepts developed elsewhere. Much emphasis, for example, was put on women’s meetings and the need for “gender training.” This clearly appealed for two reasons: cadre women were eager to advance their own abilities to understand and deal with gender issues, and they hoped to influence their male colleagues. Another “new era” concept with positive and negative features was that of a “women’s lobby.” In the current stage of the US women’s

movement, this reflects women's increasing economic integration, as well as the nature of the system itself. Palestinian women's groups uniting to pressure the emerging PNA for policies favorable to women's interests would be, incontestably, a positive development. The notion of a lobby also addressed a pressing need for new forms of women's organization. (In the early 1990s, a spate of women's research and training centers and a women's legal center were born in response to the same need.) A lobby, however, emphasizes the exercise of influence, rather than a more public contest for equality.

In this regard, it is striking that increased feminist consciousness, often remarked on, found little resonance in institutional struggles over women's issues, whether at schools and universities, factories, or hospitals—three sites where women's presence and gender inequities might reasonably prompt women's demands. A continued focus on the national arena, even in gender issues, is a partial explanation. However, for both the women's movement and other democratic forces, the transformation of civil institutions, as well as the PNA, remained an unaddressed item on the agenda, as is evident from the treatment of women's issues in the General Program for Economic Development issued in 1994.

SOCIAL CITIZENSHIP IN THE PNA:

THE "GENERAL PROGRAM FOR ECONOMIC DEVELOPMENT"

One of four research teams engaged in collaborative research in the Women's Studies Program at Birzeit University in the mid-1990s reviewed, from a gender-informed perspective, research, reports, and policy documents that addressed "social entitlements and social support." One obvious and early conclusion of the team was that central aspects of public policy usually designated as social welfare issues—social and income security, old age benefits, social services, public housing, unemployment, and occupational welfare—received little attention. Of equal importance, an underlying social philosophy of citizens' rights to basic social welfare services was not developed. Instead, policy documents gave priority to relatively short-term economic development. This emphasis responded to the crisis in (male) employment and reflected the assumption that promoting economic development would secure support for the peace process, as well as ensure stability and legitimacy for the PNA.

This short-sighted formula had serious implications for women. While economic strategies (jobs and investment) that complement the political agenda were of great importance, such market-oriented strategies are not a

universal panacea; they also create new problems and divisions in society. Without social support for those excluded from the market economy, individual or state security is unlikely to be achieved. This is particularly true as Palestinian society emerged from a prolonged and debilitating period of conflict, occupation, and low-intensity warfare, in which the population's political, economic, and social welfare suffered sustained damage.²

The PLO's "General Program for National Economic Development, 1994–2000," contains, in part two, chapter 12, entitled "Social Welfare and Recreation," a rare attempt to offer a comprehensive national policy on social welfare. The authorship of the entire study, written in Arabic, is given only as the "PLO's Department of Economics and Planning," but the general editor is known to be the distinguished economist, the late Yusif Sayigh.

Before turning to the document, it is helpful to review the context in which it was produced. Regrettably, it was poorly circulated even within the ministries and policy-making bodies of the PNA. The existence of a "Master Plan" implies an ability to implement policy recommendations. In the Palestinian context of the 1990s, the PNA was only one of several actors shaping economic and social policies. International aid agencies, state parties, and the United Nations—equipped with a battery of policy papers, situation analyses, and needs assessment reports that inform their donor strategies—played an important and increasing role in the area of socioeconomic development. These agencies often shaped policies without adequate coordination among themselves, and without essential consultation with local organizations and experts.

Providing an array of services, Palestinian non-governmental organizations—with differing explicit or implicit social and economic policies—played a significant role in sustaining Palestinian society throughout the years of occupation. After 1994 these NGOs strove not only to maintain a service-delivery role, but to participate in policy making on a national level. Other actors included local political movements, parties, and social forces, both progressive and conservative. However, Israel continued to set the parameters and Jordan played a low-key, but significant, role. With the possible exception of conservative and fundamentalist forces and some important non-governmental organizations, among them women's groups, these major actors did not articulate a social agenda. At the same time, neither an explicit legal framework nor an implicit social contract regulated or defined the relationship between the PNA and its citizenry.

Social support in Palestine functions on multiple levels through household, kinship, and informal social networks, NGOs, and political parties. Highly developed Israeli social security, health, and welfare systems offer benefits to Palestinian residents of Jerusalem, while Islamic *zakat* (alms) committees, and to a lesser extent churches, provide complementary forms of support. One major international agency, UNRWA, is still largely responsible for the social welfare of the Palestinian refugee population. In the areas controlled by the PNA its authority extended to social welfare, education, and health, although the scope of the authority was limited to some extent by the previous powers and responsibilities of the Israeli civil administration. The World Bank's 1993 assessment of social security services available to Palestinians as "patchy, inequitable and inadequate" remained very much the case. Throughout the 1990s an irregular and politicized system of claims and favors, characteristic of PLO political culture, continued, alongside the development of bureaucratic structures, to be an important *modus operandi* within the PNA and the political factions. This system reflects the wider informal networks of social support and mutual claims that sustained Palestinians (although not equally) and helped them manage daily life under occupation.³ These networks can and do extend beyond family and kin, even though family and kinship networks continue to be central to individual and communal social support.

In order to construct equitable and effective public social policies in Palestine, it is important to look more carefully at family-based networks rather than to assume their continuous and unproblematic presence in Palestinian society. This assumption obviously guided the World Bank's characterization of the Palestinian household as a "shock absorber" that would continue to absorb economic pain in the future, including a possible decline in real wages. Well before the establishment of the PNA, Palestinian households sustained a series of severe economic shocks, including the effects of the first intifada, the 1991 Gulf War, and periodic Israeli closures of the Occupied Territories. Their absorptive capacity is not "infinitely elastic." Stress on the household had severe repercussions for women, who "devise and implement survival strategies for their families, using their unpaid labor to absorb adverse effects of structural adjustment policies."⁴ Additionally, family networks are not equally accessible to all households or members of society. In a 1993 study, Geir Øvensen analyzes how Palestinian households have dealt with the dramatic decline in male participation in the labor force caused

by Israel's continued exclusion of Palestinian workers from the Israeli labor market. He posits a "family employment network" whereby other employed family members compensate for an individual's loss of employment. Øvensen then makes a highly relevant point:

The "family employment network" hypothesis cannot, of course, apply to households where no members are labor force participants. Because of their small size and low labor activity, most female-headed households fall outside the private "social security system."⁵

Given these realities, it is more appropriate to view family-based social support as being in crisis in the 1990s, rather than as constituting a stable status quo. Clearly, publicly provided social welfare services are urgently required to relieve some of the pressure on households.

TOWARD NATIONAL SOCIAL POLICIES

The PNA, with its limited resources, only assumed limited responsibility for the formulation and execution of social policies on a national level. It focused primarily on the coercive and policing functions of a state—as in postcolonial societies elsewhere in the developing world—leaving the development of social policies and services to international aid and non-governmental organizations. It did not play a central and active role in determining the social rights of individuals and groups. Social policies and programs were not constructed on the basis of concepts of citizens' rights and universal entitlements, but rather through notions of charity. Finally, these policies did not take into consideration gender and other social divisions in society in terms of rights, allocations, and claims on social benefits.

The document under review can serve as a useful starting point for understanding the framing of public discussion and policy. The social welfare section of this "master plan" is impoverished, perhaps because economic issues take precedence.⁶ In the section introduction, the author does give priority to issues of social welfare:

As for the Palestinian state, all efforts need to be doubled to reach the minimal accepted standard to deal seriously with the problems of health, education, social welfare, occupational welfare, and local community and family services. . . . The state should consider this a priority because developing this aspect will reflect positively in other social, economic and political sectors in Palestine.

In the preceding paragraph, however, the following rather bleak view of fiscal feasibility appears:

Ensuring social equity to all and the welfare of the individual and society is impossible in the prevailing conditions. Thus, it is the state's responsibility in the interim period to achieve a substantial degree of care and social welfare, especially for low-income and poor classes.

The contradiction between these two adjacent paragraphs was not resolved with any clear statement of priorities or any conceptual framework of citizens' social rights and entitlements. The report's recommendations revealed serious omissions in meeting the needs and rights of specific groups, especially women, and an implicit structure for social entitlements that was gendered and discriminatory.

Secure entitlements (social security, retirement, and unemployment) are derived primarily from market productivity and are seen as the deserved benefits of an individual's economic contribution to society. A second tier of social care deals with vulnerable groups, defined variously in the document as orphans, the poor, "women in special circumstances," prisoners, families of martyrs, refugees, and the disabled. The elderly are placed in both categories. Vulnerable groups are defined by need, sometimes cited as in "extreme poverty" or as "special hardship" cases. Elasticity in defining destitution and the fact that the list of vulnerable groups varies throughout the document reflect the instability of the entitlement.

This broad division between entitlements by right and welfare allocations by need is evident in a variety of social welfare systems.⁷ The division is fundamentally gendered, as women's non-market contributions to society—through informal economic structures, the household, care-giving, or the broad processes of reproduction and socialization—are not acknowledged. In the Palestinian context, "secure" entitlements remain relative, given that the document does not clearly delineate the role or commitment of the PNA to the provision of social support. Emerging from an entirely different context than existing welfare states, the social role of the PNA could not be assumed. Was it to be based on providing services to all citizens? The majority of Palestinians suffered serious consequences from the occupation, and, consequently, required wide and comprehensive social support. In the PLO document, such questions remained unanswered or ambiguous. For example, although the document begins by stressing the urgent needs of refugees and

martyr's families, they are not specifically included in the special social programs, or even in the proposed budget.⁸ Policy was not derived from a stable set of well-defined social rights and entitlements.

While the document begins by reiterating the importance of achieving equality among citizens, a later elaboration reveals that equality is defined in political and regional terms, without regard to the serious class and gender inequalities in Palestinian society.⁹ Under the section entitled "The Basic Goals of the Program," the first goal is "Male Retirement and Female Old Age." When issues of entitlements or citizens' rights arise, they are linked primarily to paid labor. A clear example of this approach is found in the discussion of retirement entitlements, where the document states:

There is no law that gives the family of the deceased the right to acquire his salary upon retirement, or in the case of death before retirement. Retirement benefits differ from old age benefits, as the worker spent long years in work, and has the right to live the rest of his life secure and content.

On the one hand, the policy clearly bases its retirement/social security model on the right of workers to live in security and dignity for the rest of their lives. On the other hand, the family of the deceased worker has no right or claim to this social support, and old age benefits are a lesser entitlement than retirement funds. These social rights are based primarily on paid work, excluding most women in their old age and negating their important and complex non-market contribution to socioeconomic development. Given that most women in Palestine have not participated in the formal labor force, the policy's old age pension model is undermined by its unequal treatment of different social groups.

If and when women are considered in the document, it is in the category of "destitute" requiring assistance in order to alleviate severe life conditions, or in relation to male "workers," "martyrs," and "prisoners." Under the sole section on "Care of Women in Special Circumstances," the document reads:

Women play a crucial role in Palestinian society, especially among the poor classes that suffer from extreme poverty. Many women support their families; in some cases women are partial supporters of a disabled son, and in other cases they support their families completely in the case of a martyred husband.

While ignoring the complex and varying life circumstances of women (none of whom, it is assumed, are divorced, abandoned, or single), the document reinforces the assumed status quo, viewing women's needs and existence

solely in terms of their linkage to men, family, and kin. Women's paid work is viewed as exceptional (when a husband is martyred or a son disabled), although the document states elsewhere that 44 percent of all families in extreme poverty are headed by females.

When women are highlighted, as in this section, it is in the context of their family responsibilities. The document neglects examining the needs of women at different stages in their lives, such as girls and teenagers, who are not fully integrated into the extensive recreational program that constitutes a sizeable part of the proposed budget allocations. The impetus for this program and for the accompanying focus on social counseling for youth seems geared toward dealing with "idle youth" and "juvenile delinquents," who are clearly male. Recommendations for the provision of counseling at schools, colleges, and training centers may help both male and female youth confront social problems as well as expand their opportunities for growth and positive development.

One of the few special provisions in the document is for birth allowances of \$90 per child, conflating women's needs with those of children. In the absence of other social support for children and families, this pro-natalist policy needs further examination for its impact on women and overall future economic development. Fertility rates in the West Bank and Gaza Strip are high (roughly seven births per woman in 1992, higher in Gaza),¹⁰ and the population in already congested Gaza was projected to double by 2010. In terms of other benefits, the recommended maternity leave of two months falls short of the World Health Organization's recommended leave of three months. One positive feature is the proposal to underwrite one-third of the nursery costs of working mothers; the costs, however, are not reflected in budget allocations.

The document generally relegates women's needs to charitable societies and women's groups, falsely assuming that such groups have limited their role to dealing with situations of dire poverty. Women's groups are assigned the care of "women in special circumstances," and women's organizations are urged to establish centers for traditional craft production, as well as other small-scale income-generating projects. This recommendation did not take into account the considerable experience of the women's movement in these areas nor the economic failure of many of these projects. In this way, the document tended to erase the history of the Palestinian women's movement and its role, not only in both service provision and the development of innovative models for social development, but in organizing and mobilizing women, and in contributing to the current human rights/democracy debate.

CONTROL OR PARTICIPATION?

The document emphasizes the central role of the PNA in controlling the policy-making and planning process. Planning here is seen as a mechanical, technical procedure rather than a continuous process requiring the participation of different social actors, including women. The author envisages the PNA as the planner and the executor, with non-governmental organizations assigned varying responsibilities in providing services. The recommendation for a "consultative council" of non-governmental organizations might provide an opening for lessons learned in other developing countries, especially the Arab World—where policies have failed precisely because of their imposition from above.

Another disturbing feature is the document's assessment of Palestinian NGO social service provision under occupation—in which women have been principal actors—as faction-based, unprofessional, and in need of state control. While political factionalism exists, this assessment fails to understand the importance of the local NGOs' contribution to the development of a social service infrastructure in the struggle against the occupation. More importantly, it fails to realize the significance of NGOs in developing innovative and effective programs for service provision, and in promoting democratization and community action essential for the growth of civil society. In particular, the women's movement was a leading force in widening and redefining social, rather than private, issues and needs—a perspective that could greatly contribute to the development of social citizenship.

In Palestine, the objective constraints of the transitional stage, the inexperience of the PNA, and limited state and national resources were limiting factors. Nonetheless, a crucial opportunity to lay the foundations for equitable social policies, and more broadly for social citizenship and a democratic vision of Palestinian society, was missed. While most actors involved in policy formulation gave at least lip service to building democracy and citizenship in Palestine, few focused on the development of the constituents of citizenship and a system of universal social entitlements recognizing the social rights of citizens, addressing inequities in society, and assigning responsibility for social welfare and protection. Gender relations are deeply entwined in all aspects of this project; the quest for democratic relations between state and citizenry cannot be divorced from the search for more equitable gender relations.

COMPETING POLITICAL CULTURES

Interview with Marwan Barghouti

Introduction by Lisa Hajjar

Marwan Barghouti spent four and a half years in Israeli prison as a teenager, where he learned Hebrew. After he was released, he became a student leader at Birzeit University. In 1987, several months before the first intifada erupted, Barghouti was arrested for “incitement” and deported to Jordan. There he was elected to the leading Revolutionary Council of Fatah. Following the signing of the Israeli-Palestinian Declaration of Principles (DOP) in 1993 and the establishment of the Palestinian National Authority (PNA) in 1994, Barghouti was permitted to return home and became Fatah’s secretary general in the West Bank. In 1996, he was elected to the newly established Palestinian Legislative Council.

In the early years of the Oslo process, Barghouti was optimistic that the DOP would lead to peace and an independent Palestinian state. But he became increasingly frustrated and critical of PNA corruption and Israel’s continuation of settlement building. By 1998, he began calling for an end to further negotiations on interim issues. When the Camp David summit broke down in July 2000, he called on Palestinians to take to the streets to demonstrate their discontent with the enduring occupation.

When the second intifada started in September 2000, the charismatic and experienced Barghouti was one of its main leaders. He participated in demonstrations and spoke out about Palestinians’ right to resist occupation. As the Palestinian death toll began skyrocketing, he instructed the Fatah *tanzim* (organization) to attack Israeli soldiers and settlers in the West Bank and Gaza Strip.

For this, Barghouti was branded a “master terrorist” by Israel. In September 2001 a warrant for his arrest was issued along with an extradition request to the PNA. He was captured by Israeli forces on April 15, 2002 during “Operation Defensive Shield” and charged with killing twenty-six Israelis and being a member of a terrorist organization. Because Barghouti was the highest-ranking PNA official captured by the army, Israeli authorities decided to “put the PNA on trial” by prosecuting him in a civilian court in Tel Aviv rather than a military court in the Occupied Territories. Along with his acknowledged leadership of the Fatah *tanzim*, Barghouti was accused of directing the al-Aqsa Martyrs’ Brigades, which engaged in suicide bombings, a charge he vehemently denied.

Barghouti rejected the jurisdiction of Israeli courts and refused to permit his lawyers to mount a defense. On May 20, 2004, he was convicted for the murder of five people and received a life sentence. The court ruled that there was insufficient evidence to convict him on the other twenty-one murder charges.

Barghouti’s fate, like that of other Palestinian prisoners, could change if and when Israeli-Palestinian negotiations are renewed, as prisoner release is one of the bargaining chips that Israel has used to avoid making other concessions. Barghouti’s arrest and conviction reinforced his image as a possible “Palestinian Mandela.” As Barghouti continues to support a “two-state solution” to the conflict, if and when Israel is ready to negotiate, he might be brought out of prison to strike the final status deal.



COMPETING POLITICAL CULTURES

Graham Usher spoke with Marwan Barghouti after his return to the West Bank from political exile in Tunis and Amman in September 1994.

When you returned to Palestine, you said your role was to “act as a bridge between the PLO leadership outside and the local population.” Why was a bridge necessary?

Because there are two Palestinian political cultures: one born of the Arab world and one born of the Israeli occupation. My role, and that of other Palestinians who have had the two experiences, is to fuse these two cultures into a new political culture appropriate to self-rule. Without this mediation there are bound to be conflicts between the historical leadership in exile and the younger leadership in the territories.

Some say that the deterioration in relations between the two can be traced almost directly to the murder of Abu Jihad [during the first intifada in April 1988].

Yes. Abu Jihad was perhaps the only “outside” leader who really studied the situation inside the territories. He didn’t just issue directives. He was in direct touch with the cadres here, he listened to us and so had a fuller picture. When the Israelis killed him, they also killed a concept, a strategy, if you like, that held the two wings together. Abu Jihad was in direct control of Fatah, the largest movement struggling against the occupation in the territories. When he was removed, centrifugal forces in the movement were released and internal conflicts developed.

How do you foresee Fatah’s role during the interim period?

In the past, the Palestinians have missed a number of opportunities in the struggle for self-determination. This is why I support the peace process. If nothing else, Oslo has terminated the Zionist dream of a greater Israel. For the first time, an Israeli government has recognized the Palestinians as a people and the PLO as their representative.

But the implications for the national struggle are extremely complex. The occupation continues, and so our national resistance must likewise continue, but because we have a Palestinian Authority (PA) on Palestinian territory, the means of resistance must change. Fatah must continue the struggle to liberate the Occupied Territories. Second, we must build the PA. These two missions must be complementary. This entails an extremely nuanced and flexible political strategy.

Historically in the territories Fatah operated as a clandestine organization based solely on the national question. Now we must go public and articulate positions on the social and economic dimensions of the struggle.

At my first Fatah Higher Council meeting [after returning to the West Bank], I said that Fatah must mobilize the people around three central slogans for the interim period—national independence, democracy, and development. I believe that these slogans together would command the support of the vast majority of Palestinians in the territories.

Gaza-Jericho First will not automatically lead to independence. This will only come if we set off an irreversible dynamic through the new national mechanisms we set in place.

I know the Israelis do not want this. Their vision of self-rule is one of a

“security partnership” with the PLO. But we—the generation who confronted the occupation on a daily basis—would never consent to be “partners” in the oppression of our own people. We are also the generation, however, that has absorbed deep changes in the world—the collapse of the Soviet bloc, the defeat of Iraq, the realization, finally, that the armed struggle is no longer an option for us.

The Oslo [Declaration of Principles] represents the PLO’s accommodation to this new balance of forces, a political realism as to what now is and is not possible. But the same holds for the Israelis. If Oslo expresses our accommodation, it also reflects Israel’s belated recognition that the Palestinian question cannot be resolved by force. But our condition is that Israel too must eventually recognize our national rights. The peace process is the objective reflection of these realities.

You talk of independence, development, and democracy as being the three cardinal aims of self-rule. Which is primary?

Independence. But in practice the three cannot be separated. We will only get genuine independence if we develop a national infrastructure for the self-rule, and we can only develop an infrastructure if we have a democratic Palestinian civil society.

You have an opposition, both nationalist and Islamist. How is Fatah going to deal with this?

The fundamental attitude is one of respect. There can only be a genuine party of government if there are genuine parties of opposition.

There are two kinds of opposition confronting us. One is the Marxist streams of the Popular and Democratic Fronts. These traditionally have always opposed Fatah within the PLO, but have been unable to wrest hegemony from it. Fatah remains the backbone of the Palestinian national movement. If anything, the changes I referred to—particularly the demise of the Soviet Union—have strengthened Fatah’s hegemony.

The Islamist opposition, represented mainly by HAMAS, emerged after the [first] intifada. The precursor of HAMAS was the Muslim Brotherhood, which never engaged in any kind of national activity against the occupation.

Historically, these oppositions have always had to accommodate Fatah. When, in 1965, Fatah took the strategic decision that liberation would be achieved via armed and popular struggle, most of the Arab groups at that time

were against it. Once we had demonstrated the essential political realism of this approach, the opposition took up the same line. In the case of Islamists, it may have taken them twenty-five years, but eventually they adopted the same approach.

We can live with the opposition. Indeed, if they can come up with a better alternative to Oslo to realize our national rights, I will join them! Fatah isn't the important thing. But neither the PLO opposition nor the Islamists have an alternative. In the end, Palestinians will always be drawn to the basic realism embodied by Fatah's politics.

Now, for sure, Fatah's support is not constant. When nothing changes on the ground—as during the Madrid peace process—our support declines. When things do change—like when prisoners are released or the Palestinian police return to Gaza and Jericho—you see that Fatah's support revives. The same dynamic will happen in the West Bank, once the PA establishes its influence here.

The more Fatah progresses on the road to independence, the more the opposition will have to adapt to the reality of self-rule. It is already happening. Fatah is currently in negotiations with the opposition over forming municipalities throughout the occupied territories. The PFLP and DFLP are participating.

Two years ago, I engaged in a long dialogue with Ibrahim Ghosheh, HAMAS's representative in Amman. I told him that HAMAS, politically, would sooner or later have to come to terms with the peace process, no matter how much they rejected it. Today they have.

But adaptation brings its problems. The Islamist Bassam Jarrar [see *Middle East Report*, no. 189 (July–August 1994)] told me that a condition for “quiet” between HAMAS and the PA during the autonomy would be the preservation of *shari'a* as the basis of all personal law. Is this a condition that Fatah could agree to?

Fatah, first and foremost, is a national movement, the median. We respect the plurality of faiths in Palestine: Muslim, Christian, and Jew. I am a Muslim; 90 percent of Palestinians are Muslims. Of course, I respect Islamic tradition and law. But we are trying to build a civil society that is habitable for all Palestinians, including Christians who have been active in our national struggle and will have a crucial role in building a future Palestinian society.

HAMAS has the right to call for Islamic law or for anything else, but they also have the duty to accept the democratic process. Within six months or a

year, we are going to have elections for the PA [they occurred in January 1996, and HAMAS did not formally participate]. If HAMAS representatives win a majority of seats, they can pass their laws. But if they don't, they must accept the diversity of Palestinian opinion.

Will this lead to civic strife between Fatah and HAMAS? I can state categorically that it will not. Whatever our differences, all of the Palestinian groups desire a democratic PA and all know that the primary objective remains ending the occupation. We must air differences democratically so that the people, not the gun, can judge.

You have said that with the self-rule Fatah should transform itself into a political party.

I think there must be a clear distinction between the PA and the Fatah movement. A government must serve the people as a whole, not any one faction. To maintain this distinction we must draw clear lines of demarcation between Fatah and the PA, and these lines must be inscribed by law. The PLO's electoral committee is currently drafting a law for political parties in the PA. The best way to facilitate this process would be for Fatah to take the lead and turn itself into a political party. This view, however, does not yet enjoy consensus among Fatah members. But there is agreement that we must build anew our mass institutions in light of the political and civil changes brought on by self-rule. And there is agreement also with the central principle behind my call for a political party—that while Fatah supports the PA, it must preserve its organizational and political independence from it.

What would be Fatah's relation to the PLO?

The political priority now has to be to build the PA. The PLO is not—and never has been—an end in itself; it has been the political and organizational bridge for Palestinians to their homeland, the living symbol of their right to return. And this mission has yet to be accomplished. This is why, in the DOP, it says that the final “permanent status negotiations” are to be conducted between Israel and the PLO, not between Israel and the PA.

But once the permanent status negotiations begin, the PLO will gradually have to cede political authority to the PA in the territories, because the central struggle will then be here. I foresee the PLO's ultimate role as akin to that of the World Zionist Organization for Jews—an international institution that facilitates and sustains the right of return.

What kind of Palestinian state do you want?

A democratic state, based on law, human rights, and respect for a plurality of faiths and diversity of opinions. All the things, in fact, that have historically been denied us in our struggle for a homeland. For Palestinians, nothing less will be acceptable.

COMING OF AGE

HAMAS's Rise to Prominence in the Post-Oslo Era

Charmaine Seitz

Nearly fifteen years ago, the Islamist opposition group HAMAS laid out its demands for joining the central decision-making body of the Palestine Liberation Organization (PLO). Besides holding fast to Palestinian claims over all of historic Palestine, the Palestine National Council was to endorse armed struggle, refuse to recognize Israel, and grant HAMAS 40–50 percent of the council seats, a number which HAMAS felt would properly reflect its representation in Palestinian society. Those demands were rejected (perhaps as HAMAS intended), despite PLO Chairman Yasser Arafat's hopes to co-opt the growing movement.¹ In 1998, an interviewer incredulously asked how HAMAS could make such inflated estimates of its influence given that newly published opinion polls in the Occupied Territories showed that Arafat commanded 62 percent of Palestinian support, as compared with 4 percent for HAMAS spiritual leader Ahmad Yassin. "That is a joke," laughed spokesperson 'Abd al-'Aziz al-Rantisi.² Polls are fickle, and HAMAS insisted that its ideology could be found in nearly every Palestinian home.

Indeed, before his assassination by Israel eight years later, Rantisi may have had one last laugh. Polls published in March 2004 showed that HAMAS's support in Gaza had risen to 27 percent, with Arafat's secular faction Fatah at only 23 percent. Results from both the West Bank and Gaza Strip showed Fatah holding a steady lead at 27 percent, unless the Islamist groups were lumped together, in which case they took 29 percent.³ Alongside this steady surge of popularity, HAMAS's influence on Palestinian tactics and discourse has brought it intriguingly closer to achieving the demands it laid out to the PNC. The Palestinian leadership's tactical nod to armed struggle has opened the way

for HAMAS to drive the Palestinian-Israeli confrontations to its own pitch. The nature of Israel's occupation and the protracted conflict have, in the eyes of many, severely restricted prospects for a two-state solution and reopened the question of the territory lost in 1948. Finally, despite all HAMAS claims to the contrary, a Palestinian National Authority (PNA) weakened by Israeli attacks and restrictions has provided the group with new opportunities for leadership and international recognition.

Paradoxically, HAMAS is under numerous unfamiliar pressures. Counted among the US targets in its "war on terrorism," HAMAS faces new crack-downs on funding and mobility. By spring 2004, Israel had assassinated three of the group's eight original founders and arrested or killed scores of lower-ranking activists. Furthermore, the unprecedented mantle of popular support poses strategic questions for a group whose measure of victory, the achievement of an Islamic (i.e., Islamist) state on all of historic Palestine, has never captured the Palestinian mainstream. HAMAS faces the challenge of successfully applying its new mandate.

BORN FROM DEFEAT

In 1993, after Israel and the PLO signed the Oslo accords, HAMAS's relevance seemed in question. HAMAS was originally a branch of the Muslim Brotherhood, which conceived HAMAS after "the retreat of the Palestinian cause to the lower rung in the ladder of Arab priorities" and the PLO's decision to negotiate a two-state solution.⁴ By 1985, the Palestinian Muslim Brotherhood had decided to seize any fresh opportunities for resistance. With the outbreak of the first popular uprising against Israel's occupation in 1987, the groundwork was laid for the establishment of the Islamic Resistance Movement, known by its Arabic acronym HAMAS, or "enthusiasm." The new organization did not participate in the Unified National Leadership of the Uprising (UNLU) that directed strikes, boycotts, and demonstrations against the Israeli occupation; and differences arose over HAMAS's pursuit of armed resistance. The divergent political objectives between the dominant secular nationalist tendency and an Islamist trend that incorporated the imperative of liberating Muslim holy land into national goals established a new tension in Palestinian society.⁵

After the 1993 Oslo accords, HAMAS continued to reject any compromise that abandoned the lands of historic Palestine for a state within the 1967 borders. While HAMAS showed signs of readiness to discuss an interim agreement that included a full Israeli withdrawal to the 1967 borders, elections, and

further negotiations, it refused to recognize Israel and maintained that such an arrangement could only be an interlude to final liberation.⁶ However, the Oslo compromise and its initial popularity forced the organization to articulate more clearly its stance on an interim accord. The "April 1994 initiative," as it became known, called for an unconditional withdrawal and removal of settlements in the West Bank, Gaza Strip, and Jerusalem, as well as elections among Palestinians inside and outside Palestine. HAMAS did not change its strategic goals, but now articulated a political program for the first time, part of which was formal acceptance in principle of an interim solution on the way to a Zionist denouement. HAMAS thus redressed its increasing marginalization by responding to events on the ground without abandoning the purity of its opposition, which stemmed from a particular interpretation of religious doctrine and Islamic law.

The Oslo accords brought the external PLO leadership home to establish the PNA. Were HAMAS to continue the struggle against Israel, it would come into direct confrontation with the PNA and its "strong police force" provided for in the Oslo accords. In contrast, elections offered HAMAS an opportunity to expand its political participation. It was difficult, however, to explain participation in a voting process established through the "ignominy, capitulation, and abasement of the Palestinian cause," as Sheikh Ahmad Yassin once described the accords.⁷

In a critical and internally disputed decision, HAMAS chose not to openly submit candidates in the 1996 Legislative Council elections. Instead of risking a poor showing, it seemed to settle in for a period of quiet advocacy. Gaza leader Mahmud Zahhar attempted to explain why a focus on Islamic charities, orphanages, and community events would not spell the end of the movement. "Every one of these activities continues, and military activity continues, but I see things changing now," he told a reporter. "One activity might be pursued at the expense of another." Nevertheless, "HAMAS is one book. Today you can read the social page, and tomorrow you will read the political page, but they are all HAMAS."⁸

Zahhar spoke of a "new page" despite Israel's recent assassination of HAMAS's chief bomb-maker, Yahya 'Ayyash, in the Gaza Strip. Concerned about HAMAS's continuing opposition, the PLO had entered into discussion with the organization in Cairo in December 1995, just before the Palestinian elections. The meager outcome was a promise by HAMAS not to "embarrass" the new autonomy, first by not calling on all factions to boycott the coming

elections and, second (the PLO believed), by halting its attacks.⁹ Israel then proceeded to set an elaborate and lethal trap for 'Ayyash, recruiting a member of his extended family to place a bomb in his cell phone, which could be detonated by remote control. Nearly two months after 'Ayyash's death (and notably after the Palestinian elections, but before the Israeli vote), a previously unknown HAMAS cell, the Yahya 'Ayyash Brigades, claimed responsibility for twin suicide bombings in revenge.

What followed was the bitterest period of rancor between the PNA and HAMAS. Israel continued to round up HAMAS activists in the thousands, while the PNA dispatched its own security forces against the group, on several occasions leading to bloodshed. HAMAS's public support had dwindled to just 10 percent at the time of the elections in January, and polls also showed that the Palestinian public was wholeheartedly opposed to the continuation of attacks on Israeli civilians. HAMAS's conciliatory line was to continue dialogue with the PNA. In the words of Islamist Jamil Hammami:

We support dialogue to allow the language of reason to prevail, despite the differences over the current political process. The changes that took place on the Palestinian scene after the dialogue [in Cairo], whether the elections or the recent attacks in Israel, affirm the fact that the peace process needs reevaluation. It should be asked: did the peace process give security to the Israelis and Palestinians? The undeclared, unwritten cease-fire in this country—the Israelis did away with it by killing Yahya 'Ayyash. Everyone expected Yahya 'Ayyash's supporters, or [HAMAS's armed wing, the 'Izz al-Din al-Qassam Brigades] to respond. So we are back in the cycle of action-reaction. In such an environment, you can't convince people that we are entering a new era. I hope that we'll try to get over this and reinforce dialogue and continue where we stopped. I don't think there is a way for conciliation between HAMAS and the Authority except [through] dialogue.¹⁰

But a 1997 interview with HAMAS leader Ibrahim Ghosheh in Jordan demonstrated that HAMAS was equally aware of the possibilities for undermining the PNA. By then the public mood had turned decidedly against the Israeli-Palestinian accords, with Israel's construction of the Har Homa (Jabal Abu Ghunaym) settlement sealing off the southern approach to Jerusalem from Palestinian access, and Israel carrying out a much smaller Israeli troop withdrawal than had been promised (both of which resulted in the collapse of negotiations and retracted Palestinian security cooperation). In September

1996, frustrations exploded in what became known as the “Tunnel Uprising,” marking the first exchange of fire between Israeli and PNA forces—and the first time that Israel dispatched air power against Palestinians. Emboldened by the breakdown, Ghosheh was quite bald in his assessment of ongoing HAMAS-PNA dialogue.

“HAMAS’s ultimate aim is for the Palestinian Authority to disappear. The Palestinian Authority draws its authority from Oslo,” he said. “We believe that the future will bring a new Palestinian movement. This would include not only HAMAS, but HAMAS would be a leading force within it. We would work with Fatah and the other PLO factions, as well as with independent Palestinian forces.” But Ghosheh then witheringly incorporated the limits of Palestinian power established by the Oslo accords into HAMAS’s new interim program. The new movement, he said, would “transform the current *autonomous* areas in the occupied territories into bases of Palestinian *sovereignty and independence*.”¹¹

When the PNA shut down the 1996 protests as talks recommenced, HAMAS returned to the program that Zahhar had signaled early on: the quiet advancement of Islamist social infrastructure. By 1999, between 10 and 40 percent of institutions in the West Bank and Gaza were Islamic-based, and 65 percent of Gaza primary schools were run by the movement’s charities.¹² HAMAS embarked on this path expressly because it saw itself as having been temporarily defeated; it was preparing the ground for the next opportunity in the struggle.

While HAMAS may have early on flirted with the temptation of open revolt against the PLO,¹³ its leadership eventually established that both religious strictures and the political environment required HAMAS to stop short of open confrontation. Gradually, as frictions came and went, HAMAS found rhetorical refuge for its repeated conciliations to the much-criticized PNA by positing that the strength of the Palestinian cause was inextricably tied to the unity of Palestinian society.

HAMAS saw other expedient means of undermining the proponents of Oslo politics. Attacking Israel subverted the failing agreements without confusing the public over HAMAS’s goals. Israeli intransigence and the structure of the accords themselves created mounting discontent among the Palestinian public, which increased support for HAMAS’s periodic armed activities against Israel. These then further weakened the tentative PNA-Israeli understandings. HAMAS’s political leaders continued, however, to emphasize their

rejection of civil war and to demonstrate, on specific occasions, willingness to practice restraint.

These modalities, largely possible through the religious interpretations of Sheikh Ahmad Yassin, made it seem at times that HAMAS had two faces: reconciliatory and hard-line. It is more accurate to view HAMAS as equally bound to two coexisting traditions: the long-term Islamist struggle, and the pragmatic need for political relevance.

TRANSFORMING THE BATTLEGROUND

Like the first, the second intifada broke out with little warning save for the vacuum created by the failed final status negotiations at Camp David in July 2000. Frustration with Israeli-Palestinian peace agreements had reached an apex. The timetable for the Oslo accords had long since expired, but the Palestinian bureaucracy they created puttered on. Internal disputes over corruption, and frictions between local Palestinians and the returned exiles had been deftly managed or suppressed by Arafat, sometimes with the help of the various security services. Countervailing political forces, such as the elected Palestinian Legislative Council and the court system, had also been marginalized. While political support for Fatah weakened alongside public faith in the PNA (the two were never clearly separated), HAMAS's support also declined.¹⁴ Saddled with a continuing occupation and an unresponsive and corrupt leadership, Palestinians were despairing. Conditions were ripe for an explosion.

After four years of punishing economic blockades and over 2,400 dead, Palestinian officials maintain that the second intifada's main success was to reinstate a source of Palestinian power—that is, an active, clear, and even at times punishing rejection of Israel's continuing occupation. While the first waves of protest after Israeli opposition leader Ariel Sharon visited the al-Aqsa mosque on September 28, 2000 were never replicated in size and intensity, the public managed to sustain a mood of opposition, manifested throughout highs of activity and lows of fatigue, and increasingly localized leadership.

At first, there were furious public demonstrations, most of them consisting of young men and boys throwing rocks at Israeli soldiers. The Israeli military dispatched snipers to those demonstrations; anyone over the age of twelve was considered a fair target under the rules of engagement.¹⁵ House demolitions and the assassination of Palestinian activists were carried out at a record pace. The result was unprecedented bloodshed, almost entirely on the Palestinian side. Meanwhile, the Palestinian leadership paid symbolic homage

to the people's protest but maintained a studied public silence over the aims and strategies of the new uprising. While an umbrella group, the National and Islamic Forces (NIF), incorporated the most popular grassroots political leaders, its influence extended only to planning the dates and times of demonstrations. The group was severely limited by lack of political cohesion, as well as the well-founded assumption that broader political decisions would not be allowed to supersede limits established by Arafat himself.¹⁶ Furthermore, criticism of intifada strategy was quieted by a sense of solidarity with the leadership. Palestinians were immensely relieved that Arafat had not acquiesced to the Camp David proposals.

The intifada quickly turned from a mass movement into a mostly armed confrontation fueled by public emotion. Saleh Abdel Jawad, a professor at Birzeit University, expressed his concerns early on. "Currently, it is sufficient to point to the losses on both sides to prove these tactics fruitless," he wrote. "While the Palestinians lost over eighty martyrs during the tunnel confrontations [in 1996] in exchange for sixteen Israeli soldiers (a ratio of 1:5) the Palestinians have lost eighty martyrs to two Israeli soldiers (a ratio of 1:40) in the current confrontations. It is my belief that the gap in this ratio will only get wider if we fall into the trap of a total armed confrontation, one where the Israelis will be the initiators and we are on the defensive."¹⁷ Conversations with a young Fatah recruit who went nightly to the edge of Ramallah to shoot mostly in vain at a settlement were a window into the defeatist logic prevalent after Israel's heavy military crackdown. "We want to make them scared," said this twenty-year-old. "If you go to the checkpoints these days [to throw rocks] you are going to die. What is better, to die with a gun in hand, or with nothing?"¹⁸

As in the first intifada, there was a reflexive retreat to religious symbols and rhetoric. This seemed like a deliberate attempt of the political leadership to inspire interventions from Arab and Muslim states, and an admission of weakness against the strengthened narrative of irredentist religious struggle. The uprising quickly became known as the "al-Aqsa Intifada" and reels of footage from the daily demonstrations and the previous intifada were played on national television, with "blessed Jerusalem" as the central theme. The original al-Aqsa clash was repeated at various religious sites, such as the fighting at a site claimed by some orthodox Jews to be the site of Joseph's tomb in Nablus, Jews' burning mosques in Palestinian-Israeli towns, and the torching of the Jericho synagogue by Palestinians.¹⁹ The PNA tried to harness those

symbols as its own. After Islamic Jihad, on October 26, 2000, dispatched the intifada's first suicide bomber, a twenty-four-year-old who rode his booby-trapped bicycle into an army post in the Gaza Strip, the PNA police saluted at his funeral.²⁰

But the Islamists also made overtures to the national secular center of power. For the first time, they joined in PLO meetings and shared command of the NIF. These overtures were not intended as an ideological marriage with the Palestinian leadership, but rather a cosmetic nod to calls for "unity." An interview with HAMAS's Ramallah representative on the NIF reiterated Ghosheh's view:

HAMAS is not part of the PLO nor in any institution branching from it, whether that be the Palestine National Council or the Central Council. . . . Even so, HAMAS has developed a vision of the PLO in which it would be an organization for all of the Palestinian people on the basis of a new foundation, new dialogue and new, free and fair elections for the Palestinian people inside the homeland and abroad. In this way, we would be able to deal with the PLO in a more effective way."²¹

But one month into the confrontations, HAMAS activists remained uncertain that its competitors would permit it any role at all. "Fatah has said at meetings that if other factions want to fight, they can," said Ghazi Hamad, editor of the HAMAS-affiliated newspaper *al-Risala*, in mid-November. "But I think that it is not so open. The Fatah fighters still remain in the security branches," he pointed out.²² Observers believed that the entry of HAMAS and Islamic Jihad into the equation would sap power from the PNA and Fatah.²³ HAMAS reluctance was also posed as an unwillingness to allow the PNA to use the activities of the 'Izz al-Din al-Qassam Brigades to gain political capital, only to throw its members back in jail at the onset of a political deal.²⁴

Eventually, however, the pressure on HAMAS to meet the public clamor for revenge won out. The 'Izz al-Din al-Qassam Brigades tentatively entered the conflict, claiming responsibility for shooting two Israeli restaurateurs in Tulkarm. On February 14, a Gaza bus driver, claimed by HAMAS as one of its own, drove into a crowd of soldiers and civilians at a bus stop, killing eight. A March 4 suicide bombing in Jerusalem killed three Israelis. On June 7, 2001, twenty-two-year-old Sa'id Hutari detonated himself in a crowd of teenagers at a Tel Aviv nightclub, killing twenty-one. HAMAS claimed the bombing two days later.

The attacks inside Israel continued a policy of attacking Israeli civilians that began in 1994 after an Israeli reserve officer and Kiryat Arba settler, Baruch Goldstein, fired on Muslims at prayer in Hebron's Ibrahimi mosque, killing twenty-nine. HAMAS justified the tactic, saying that as long as Israelis were killing Palestinian civilians, Israelis would be treated in kind. Polls showed Palestinians supported attacks inside Israel by 60 to 80 percent majorities.²⁵ HAMAS, Fatah, and a reorganized Popular Front for the Liberation of Palestine sought to build new constituencies upon the policy of revenge.

Without clear objectives and leadership from the PNA, various armed groups surged into the void. The bulk were Fatah-initiated, but new interfactional cells were formed, particularly in concentrated areas of Israeli settlement.²⁶ Among them were Gaza's Popular Resistance Committees, made up of disenfranchised Fatah activists fed up with what they saw as the cronyism and political ineptitude of the PNA, trained recruits of the Palestinian security apparatuses, and members of leftist factions, HAMAS, and Islamic Jihad.

HAMAS's participation in such formations signaled the secular national movement's loss of hegemony. Weak-kneed international interventions intended to restore calm had failed. The Israeli left had all but disappeared, no longer able to construct a Zionist consensus around the failed Oslo accords.²⁷ Without successful negotiations to point to, the Palestinian nationalist camp had no plausible program for ending the occupation. Without articulated strategic objectives for the armed activities, the only measure of Palestinian success was the number of casualties inflicted on the Israeli side.

HAMAS's disciplined and compartmentalized cells were already practiced at inflicting carnage on crowded Israeli streets. Suddenly, the movement had *carte blanche* to set the terms of the confrontation. Since it envisioned a long, protracted struggle, Palestinian suffering in the short term was interpreted, within its narrative, not as failure but as a necessary rite of passage before ultimate triumph. The agonized Palestinian public yearned for a means of understanding its loss. The Palestinian leadership never abandoned the negotiation track; but every attempt at international mediation hinged on shutting down the armed confrontations rather than producing a substantive political solution. And every inevitable failure weakened the next attempt. As Israel bombarded and encircled Palestinian institutions and security installations, the only countervailing force was armed activity. Fatah was key to that resistance, but it was also bound by the needs of the quixotic negotiation track. When would-be bombers were turned down by Fatah because the PNA re-

quired calm, they proceeded to carry out attacks under the sponsorship of the Islamists.²⁸

Israel's strategic goal was to crush the national aspirations of the PNA and impose the kind of limited ghetto autonomy that Palestinians had rejected at Camp David. Prime Minister Ariel Sharon promised to deliver this with force. While armed attacks on Israeli civilians obviously endangered Palestinians' international support and offered a useful pretense for Israel to fulfill its goal, HAMAS justified those attacks by placing them within its broader narrative, which valued armed struggle over negotiation. Fatah, on the other hand, remained committed to the two-state solution and compromise on most outstanding issues. While its "young guard" was progressively disenchanted with interim solutions, they continued to see armed activity as leverage for restarting meaningful talks.²⁹

Increasingly, Fatah and the left factions were forced to compete with HAMAS in the tally of death. Islamist leaders mocked Fatah for shootings at settlements that caused no damage to Israelis.³⁰ On January 30, 2002, Fatah's al-Aqsa Martyrs' Brigades succumbed to Islamist tactics, sending a young woman to Jerusalem to carry out Fatah's first suicide bombing attack. Deploying the first woman suicide bomber was an attempt at differentiation. But clearly Fatah had adopted HAMAS's methods in an attempt to gain control of the changing course of the intifada.³¹ By the intifada's third anniversary, the various Palestinian factions had dispatched more than a hundred suicide bombers.

"HEAVEN OF BUSH, HELL OF BIN LADEN"

The September 11 attacks on the United States posed new problems for both the PNA and HAMAS. While accounts of Palestinians celebrating the attacks were wildly exaggerated by Israel, there *were* some Palestinians who felt vindicated that the power of the United States, which permitted Israel to dominate them without restraint since the collapse of the Soviet Union, had been challenged. "The Arab and Islamic worlds realize that the dictatorships present today exist because of the support and intervention of Western regimes," said Sheikh Basam Jarrar, in an interview in his al-Bira publishing house. "This is why there was no sympathy among these people for what happened in America."³²

In some Palestinian towns, vigils were held in memory of the September 11 dead. At those memorials, Palestinians remarked that they could easily empathize with Americans because of their own tragic history.

Also prominent was the fear that Palestinians' enemies would exploit the event. When US news outlets initially reported that the Democratic Front for the Liberation of Palestine had claimed responsibility for the attacks on the World Trade Center, one journalist groaned, "Can't they just leave us alone?" DFLP spokesperson Qays Abu Layla struggled to explain on Al-Jazeera that his tiny faction's membership had neither the will nor the ability to cause such destruction.

Recognizing that drastic steps were required to place Palestinians on the correct side of the them-us divide established by President Bush, Arafat swiftly called a cease-fire to the intifada and worked hard to assure its implementation. Days later, the United States, which was also interested in Palestinian-Israeli calm while it went after al-Qa'ida and the Taliban, brokered a meeting between Arafat and Israeli Foreign Minister Shimon Peres that launched a multistep plan to pave the way for resuming broader negotiations: Israel was to lift its economic siege, while Palestinians restored security coordination with Israel. Initially, the PNA's part of the plan worked. Arafat demonstrated that in most places he was still able to rally his security services. In Beit Jala and Rafah, where Fatah members proved more resistant to the cease-fire demand, Arafat ordered a change in the local governing bodies.

Israel, however, dragged its feet on lifting the punishing closure that blocked trade between Palestinian towns and prevented the movement of most people. During this period, twenty Palestinians were killed in Israeli raids while six Israelis were killed in various shootings—the kind of disproportionate bloodshed that marked the intifada from its beginnings. It was only a matter of time before the Palestinian consensus shattered.

On October 2, the 'Izz al-Din al-Qassam Brigades dispatched two Palestinians to the northern Gaza Strip settlement of 'Alei Sinai, where they killed two young Israelis before being shot and killed. HAMAS was testing the waters. Would the new international sensitivities allow the continuation of armed attacks? "This settlement is not populated by civilians," spokesperson Mahmud Zahhar argued. "They are settlers carrying weapons. We have the right to attack the soldiers and what they call armed civilians, in addition to all of the Zionist people in our occupied land."³³

While the PNA unequivocally condemned the attack, HAMAS knew that it did not have the stomach for the brutal crackdowns that had marked previous periods of disharmony. Ghazi Hamad explained that the intifada had created irreversible ties between HAMAS and its former nemesis: "There is a kind of

open dialogue [now]. No one is ready to defeat the other or to put the knife in the back of the other. If you ask if this has deep roots or not, if with a new political agreement there will be a new crackdown or a gap between HAMAS and the Authority, this will depend on the position of both of them. Will we go back to the past where some think to destroy the others? [The answer is] no."³⁴

HAMAS was certain that Fatah activists and former security members, now involved themselves in fighting Israel, would refuse to implement a security deal with Israel. The blackened Rafah police station, burned by rioters protesting the Arafat-Peres meeting, was a testimony to the powerlessness of Palestinian security forces against the public consensus. "Is [Arafat] ready to crack down on Palestinian society, to crack down on Palestinian unity?" asked Hamad. "Arafat needs HAMAS and Islamic Jihad to support him against the Israeli occupation."³⁵

What Hamad did not say was that HAMAS also needed the legitimacy lent by the umbrella of Palestinian unity, including what remained of the institutions of the PNA. US policy lumped HAMAS with al-Qa'ida, although HAMAS had neither targeted Americans nor carried out any attacks outside of historic Palestine. As the United States, at Israel's behest, embarked on a campaign to cut HAMAS funding and pursue its exiled leaders, HAMAS saw a danger that it would soon be politically isolated. A HAMAS leaflet warily denounced the September 11 events, referring to them as "violence against innocent civilians."³⁶

The subsequent US invasion of Afghanistan threatened to reignite conflict. "Right now, we are divided among ourselves between bin Laden and Bush," wrote editor Hafiz al-Barghuti in the official PNA newspaper, *al-Hayat al-Jadida*. "We commenced fighting against each other assuming that some of us would gain the heaven of the US. But what is hidden from view in both cases is an American hell in this world and the hell of God after death if we do not stop this internal dispute."

The morning after US bombing of Afghanistan commenced, over one thousand demonstrators, many of them students, set out from the Islamic University of Gaza in protest. Five hundred meters from the campus, Palestinian police in riot gear met the crowd. The students threw rocks, while the police fired tear gas and live ammunition. At least three were killed in the riots that broke out throughout the Gaza Strip. It was the first time since November 1994 that Palestinian security forces opened fire with live ammunition on a HAMAS-led rally. The order, it was rumored, came from the highest levels of the PNA.

Nonetheless, the HAMAS leadership responded mildly. Mahmud Zahhar defended the demonstrators but then minimized the extent of the internal dispute. "Yesterday's incidents reflect a split in the Palestinian position," he admitted. "But this can be overcome by an effective investigating committee that points to the perpetrators."³⁷ HAMAS was not willing to use the incident to definitively break relations with the PNA.

COMING TO THE TABLE

In that brief October 2001 lull, one major obstacle to Arafat's cease-fire was Israel's continuing policy of assassinating Palestinian activists. Starting with a helicopter missile strike killing Husayn 'Ubayat and two women bystanders in Bethlehem on November 9, 2000, Israel's extrajudicial assassinations were intended to knock out both operational-level activists and the political leadership. Targets included members of every political faction, and even some, like Tulkarm Fatah leader Thabit Thabit, who were engaged in Palestinian-Israeli dialogue. Twenty-nine months after 'Ubayat's assassination, Israel had authorized 175 assassinations, killing 235 people and injuring 310. Only 156 of the dead were described as targets.³⁸

On a narrow operational level, the policy could be called a success. It ended the involvement of the more experienced activists and generated an element of chaos within the organizations on the ground. Because the policy relied heavily on information provided by Palestinian collaborators, it was also psychologically debilitating. Every assassination taunted Palestinians with the degree to which their enemy controlled their own streets.

But the assassinations also created a deep desire for revenge and drew more and more Palestinians into the armed conflict. Factions felt that they had to avenge their members' deaths. Several perpetrators of attacks on Israelis turned out to have recently lost a relative or friend in an Israeli attack. There seemed to be no end to the numbers of volunteers for suicide bombings, which required little training. The definitive blow to the October 2001 cease-fire arrived when the Popular Front for the Liberation of Palestine made good on its threats to retaliate for the missile strike that killed their West Bank political leader, Abu 'Ali Mustafa. On October 17, gunmen shot and killed far right "transfer" champion and tourism minister Rehavam Ze'evi in his East Jerusalem hotel room. Israel responded with incursions into Bethlehem, setting off another round of escalation.

By July 24, 2002, when Israel sent a one-ton bomb into a crowded neigh-

borhood of the Gaza Strip to assassinate HAMAS founder Salah Shihadah, the European Union had dispatched security advisor Alistair Crooke to offer incentives for a Palestinian cease-fire. His strategy was based on the view that the initiative for the confrontations rested with the Palestinian armed groups, and the way to generate calm was to get them to agree to lay down their arms. The plan's focus on the Palestinians was both an admission of European weakness vis-à-vis the United States, which backed Israel's "right of self-defense," and a sign of international acceptance of Israel's argument that Palestinian attacks were the source of the confrontations.

Hours before Israel killed Shihadah and fourteen of his family, friends, and neighbors, Fatah's most stubborn holdouts had signed an agreement for a unilateral cease-fire. Security chief Muhammad Dahlan was about to go to Gaza to clinch the deal with HAMAS. "We had almost closed the details and nearly all the negotiations were finished and HAMAS had agreed to our demands," said Dahlan in an interview.³⁹ HAMAS was to stop its attacks in Israel and the Occupied Territories for a limited period of time, he said. "And the Israelis knew that, at least from listening to our phone calls," according to Dahlan. Israel scoffed at that view, saying that HAMAS would not have participated.⁴⁰

After the bombing, the cease-fire talks continued in fits and starts. But their success depended on Israeli reciprocity, guaranteed by the United States. While Washington continued to indulge Israel by blocking the Security Council's condemnation of Shihadah's assassination, there were also reports that the US had been lending its weight to the talks. According to one account, an envoy indicated to HAMAS that the United States would look favorably upon HAMAS's joining a Palestinian "unity government." While the US could not guarantee Israeli reciprocation for a cease-fire, the US envoy reportedly said, the US would put a good word in.⁴¹ In follow-up interviews, the two men who should have known about these contacts, HAMAS political leader 'Abd al-'Aziz al-Rantisi and security official Muhammad Dahlan, denied that the United States sent any such message to HAMAS.⁴² However, the story continued to circulate.⁴³ In December 2002, after talks sponsored by the Egyptian government among all the Palestinian factions in Cairo, Planning Minister Nabil Shaath said:

The negotiations between HAMAS and Fatah have gone into ups and downs over the last two years, particularly over the last year. We came very close

twice and were thwarted by assassinations, but again that [stems from] all sorts of credibility problems with Israeli reciprocity. Lately though, there has been encouragement from the Egyptians, the Europeans and Saudis—even the Americans—about the chances of making that succeed. [This encouragement has been given] without really *full* commitments, but “promises” that if HAMAS commits itself, then all of these parties will do their best to get the Israelis to reciprocate. . . . The issue today is the credibility of the promise of reciprocation.⁴⁴

Ziad Abu Amr, a political scientist who has written about HAMAS, a Legislative Council member, and a participant in much of the factional dialogue of the second intifada, believes that while HAMAS was pleased to participate in these discussions, which advanced its credibility and international stature, it was not ready to renounce its fundamental strategy. “I don’t think that HAMAS is going to make major concessions to anyone for something that is symbolical and moral,” he said. “Meeting with European officials, being invited by the Egyptians, being recognized as a major power and a responsible movement does not mean that, for these symbolic gestures, HAMAS is going to compromise on major issues. But [these meetings] will help engage HAMAS and I think this is positive.”⁴⁵

Abu Amr wondered if international or local realities had changed enough to push HAMAS and Fatah closer together, or if the sides had the political will to make mutual compromises. The prospect of reaching a joint political program was hindered by HAMAS’s commitment to the liberation of all of historic Palestine, and Fatah’s commitment to the two-state solution, he said. Even a tactical agreement for a program based on statehood in the 1967 borders was blocked because HAMAS refused to relinquish further claims. Agreements signed with Israel prevented the PNA from backpedaling.

While there were also discussions about including HAMAS in the Palestinian leadership, HAMAS was concerned that it would be a minority voice pitted against the other Palestinian factions. To resolve this issue, HAMAS had asked that decisions be made by consensus. But there remained questions about whether Arafat was ready to have his decisions second-guessed by anyone.⁴⁶

These issues have become more pressing in light of the Israeli military’s withdrawal from the Gaza Strip in pursuit of Ariel Sharon’s long-time goal of establishing a small Palestinian fiefdom under Israeli security control.⁴⁷ What

makes this initiative important for HAMAS is its ability to present any Israeli withdrawal as a success for its strategy of liberating Palestine by armed struggle. In his last interview before falling prey to Israel's assassination policy, Rantisi was asked for his definition of victory:

Of course there are different levels of victory. . . . Sometimes you can win by executing a plan to push Israeli tanks away as they invade any area in our country—because at that time, you would protect our children from being slaughtered by the Zionists. Accordingly, that is a victory.

Also, when we force the enemy to leave any piece of our land without giving up any of our legitimate rights as a price for that, we consider this victory.

We might also win a round of confrontation or win the media war, thus producing a victory in this expanding war. All of the things I have mentioned are partial, field or periodic victories, but the perfect and complete victory that Palestinians seek is that which can put an end to their suffering, and [is] achieved by regaining all of their comprehensive and complete stolen rights.⁴⁸

The possibility of "partial victory" offers HAMAS a rhetorical opening for fuller participation in the Palestinian leadership. While the PNA criticized the unilateral character of Israel's withdrawal from the Gaza Strip, HAMAS had no such concern. Every bit of land that is "liberated" by armed struggle brings Palestinians one step closer to final success. Both the PNA and HAMAS know that HAMAS controls the streets of Gaza. The assassination of spiritual guide Sheikh Ahmad Yassin and his successor, 'Abd al-'Aziz al-Rantisi, hurt the movement by eliminating its most experienced leaders, but the assassinations also expanded the movement's grassroots support.

By Abu Amr's criteria, it appears that all of HAMAS's guiding principles remain intact. Pressure on the movement sharpened its tactics but did not alter its main goals. Despite international censure of HAMAS's armed actions, there is a growing understanding that it must be a party to any successful negotiations.⁴⁹ Because Israeli strategy during the second intifada focused on undoing the quasi-national creations of the Oslo accords, HAMAS filled the gap with its own networks. Further, Palestinian society, struggling to create meaning for its losses, increasingly sought religious explanations.⁵⁰ "In these circumstances, I feel I have to turn to God," said one man in his thirties, explaining why he had begun to pray regularly for the first time in his life. "Prayer is the only way to find answers and some calm."⁵¹ Every Friday, mosques are full, even in the decidedly secular town of Ramallah. According to the PNA

Ministry of Awqaf (Pious Foundations), the number of mosques in Gaza during the first four years of the second intifada increased by 50 percent. When clerics passed the hat after prayers to collect money for those made homeless by Israeli incursions in Rafah in the spring of 2004, they collected nearly half a million dollars within days. All Palestinian factions, including the far left, now initiate their political pronouncements with religious language.⁵² Clearly, HAMAS is enjoying not only institutional growth, but a broader, deeper acceptance of religious logic and belief as a means of managing the difficulties of Palestinian daily life.⁵³

Palestinian views on political Islam are complex when measured against neighboring Muslim systems. Certainly, these views are also informed by diaspora communities, the Palestinian Christian minority, and proximity to Israel's political system. In a 1999 poll, nearly 80 percent of respondents said that they wanted the future Palestinian state to be based on *shari'a* law. What that means is unclear. Unlike Saudi Arabia where women are barred from public office, but more like Jordan where some women serve in the parliament (both systems incorporate *shari'a*), exit polls from the 1996 Palestinian elections showed that 40 percent of Palestinians had voted for women. In 1999, 55 percent of Palestinians were opposed to the death penalty. This majority reflects a position decidedly different from the *shari'a*-informed legislation that allows capital punishment in most neighboring Muslim states (and the PNA).⁵⁴ That same poll showed that 59 percent of Palestinians said HAMAS should share power with the PNA, while only 10 percent said HAMAS should be in complete control.⁵⁵

Finally, one element is usually disregarded when commentators note the rise of HAMAS in polling data: the numbers of Palestinians who "don't trust anyone" has risen steadily along with the decline of Fatah and the rise of HAMAS. As much as 40 percent of Palestinian society expresses lack of trust in any of the key existing political movements.⁵⁶ This leaves room for a new political configuration.

For now, HAMAS and its agenda dominate Palestinian political and, in some places, social culture. While the PNA and the PLO remain the official addresses of the remnants of Palestinian power, they are increasingly subject to a growing consensus that bridges must be built between the strong Islamists and the fractured nationalist camp. "I do not agree with HAMAS's suicide bombings, but when I tell them this," says independent and former negotiator Haidar Abd al-Shafi, "they just disagree. My main problem, though,

is that there is no forum where we can discuss this openly, and *that* I believe is the fault of the Palestinian leadership."⁵⁷

It now appears likely that HAMAS will be incorporated into the Palestinian leadership. It won more than 30 percent of the seats contested in municipal elections in the West Bank during 2005, and twice that percentage in the Gaza Strip. In the context of the intifada, elections are viewed by HAMAS as a positive political tool. HAMAS leaders believe that these successes, along with anticipated achievements in Legislative Council elections when they are held, will secure HAMAS's international standing and provide a stepping stone for formulating a domestic political agenda.

But HAMAS's center-stage position does not mean the movement will next wrest power from the PNA. Analyst 'Iyad Barghuti argues that HAMAS remains true to tenets of Muslim Brotherhood political participation. Members of the Brotherhood in Jordan once told Barghuti that they would never seek government control in a country that was dependent on outside resources to stay afloat. "They knew that one month after taking over, they wouldn't have any money to pay their employees," he explained.⁵⁸ While the Occupied Territories are not Jordan, calculations like these are especially relevant since HAMAS has been declared a terrorist organization by both the United States and Europe. Moreover, HAMAS has little to gain from governing an area that largely remains in Israeli control. It seems more likely that HAMAS will work to preserve the debilitated secular-national Palestinian leadership, all the while further transforming it from within to conform to HAMAS's political goals. And the longer the Israeli-Palestinian conflict remains unresolved, the more time HAMAS has to cement its foothold.

BACK TO THE CENTER

Post-Oslo Revival of the Refugee Issue

Rosemary Sayigh

*A displaced person owns nothing but the spot where he is standing,
which is always threatened.*

—Mureed Barghouthi, “Songs for a Country No Longer Known”

Since the failure of the Oslo accords, the Palestinian refugee question has returned to the center of the debate over a just resolution to the Israeli-Palestinian conflict. US-Israeli military hegemony, Europe’s weak voice, Arab government complicity, and Palestinian fragmentation have provided the basic ingredients for a coercive settlement of the “refugee problem” based not on the refugees’ rights but on their disappearance. In this view, the “New Middle East” must be tidied up, states, citizens, and borders must correspond, and disruptive anomalies must be removed. Because of their centrality to regional instability, the removal of the Palestinian refugees as a political force is essential to a pacified Middle East able to fulfill its US-designated role in the global economy. Coercion has been and will continue to be used in efforts to force a solution, because—in the short term—it is easier to coerce the weak than persuade the strong. Yet neither Israeli state terrorism, nor think-tank analysis, nor international diplomacy can achieve a comprehensive and permanent dissolution of refugee rights.

Which Palestinians count as refugees? If we include all Palestinians outside historic Palestine—around 3,823,156 in 1995—and add the more than 1,178,777 registered refugees in the West Bank and Gaza Strip, as well as the 770,652 displaced inside Israel, we reach an approximate figure of 5,774,585, or around 90 percent of the total Palestinian population (estimated at 6,409,036 in 1995).² But many Palestinians living in exile have assimilated, or become wealthy and settled, or lost active hope of return to their original homes. A politically more relevant number is the population who live in a state of severe poverty and vulnerability. The percentages of Palestinians living in camps

give a sharper idea of real refugeedom: 55.6 percent in Gaza, 53.6 percent in Lebanon, 28.1 percent in Syria, 25.6 percent in the West Bank, 19.6 percent in Jordan—1,044,822 people, according to demographer George Kossaifi.³ The 1992 FAFO survey of conditions in the West Bank, Gaza Strip, and Jerusalem shows that on most indicators—employment, housing, infrastructural services, household assets—camp inhabitants form a distinct and disadvantaged sector.⁴ In addition, it shows a stratum of refugees living outside camps whose living standards are hardly better. Thus, around 70 percent of camp refugees and nearly 50 percent of refugees outside camps in the Gaza Strip fall in the lowest economic status bracket; for the West Bank, the figures are 40 percent (in-camp) and just over 20 percent (out-camp).⁵ With repression and closure, unemployment and poverty have risen drastically.

In Lebanon, a 1996 study of 1,500 in- and out-camp Palestinian women found that 94 percent of respondents' households had a monthly income less than the sum that UNRWA considers the basic minimum for a family of five (\$700), while in 26 percent of households total income was less than \$160 a month (the minimum legal wage), and 53 percent of households had between \$160 and \$352 a month.⁶ Eight out of ten women workers in the sample were the sole or main income earners for their households, most of them (71 percent) earning less than the legal minimum wage. The later LIPRIL study (1999–2000) found a wide disparity in household incomes in camps, with 30 percent falling in the "Poor" category and 15 percent in the "Ultra-poor."⁷ The condition of the refugees in Syria and Jordan may differ somewhat, since—unlike in Lebanon—Palestinians in these host countries have rights to some government services. But the majority of in- and out-camp refugees in better-researched Jordan subsist at a low income level, even though Palestinians in Jordan have nominally been citizens since 1949.⁸ For registered refugees everywhere, previous income sources—UNRWA aid, PLO subsidies, family remittances, labor migration (especially in the oil-producing countries, now blocked)—have been sharply constricted since the 1991 Gulf War. Economically, this "subsistence mass" is sustained only by occasional labor, petty commerce, transfers, small scattered NGO projects, and minimal public services.

The creation of a refugee political identity is not just fostered by poverty, which Palestinian refugees share with sectors of the surrounding populations. It is also promoted by the continual frustration of desire for home, national sovereignty, and normality in all its meanings. All of the Palestinian diaspora is a prison, except for the wealthy, lucky, or politically important few. Even

when Palestinians have adopted the nationality of a host country, theirs is a lesser citizenship. Targets of suspicion, they are constantly followed, singled out at airports, interrogated, refused entry. Caught breaking the law, they receive a level of punishment aimed at intimidating others. In the United States and Canada, people of Palestinian origin are subject to surveillance, detention, and deportation.⁹ In Lebanon and Kuwait, citizenship has not protected naturalized Palestinians from vigilante violence.

One misconception of refugee conditions, so entrenched as to have become invisible, is “static mapping.” UNRWA’s authoritative but limited reports on the refugees gave birth to the idea that all are somehow “covered,” from which other assumptions follow—for example, that conditions and host country policies are stable, or that free refugee movement between them is not problematic. In fact, the opposite is true. High unemployment rates and discrimination in the “host” countries have forced refugees from every diaspora area to move, and move frequently, in search of work. Yet refugee mobility is impeded by frontiers and “national security” regulations. For those who still carry “refugee” passports or whose Palestinian origin is evident on second-country passports, crossing any border is a process trammelled by security checks, often ending in rejection.¹⁰ Several categories of Palestinians cannot move at all, such as Gazans who hold Egyptian travel documents but who have been refused residence permits in the Palestinian National Authority areas. Estimated to number around 20,000, most of them reside in Kuwait, and although they hold Egyptian travel documents they are not allowed to enter Egypt. A second group (from 25,000 to 30,000) is stuck in Libya.¹¹ A third category is formed by Fatah dissident fighters in Damascus, holders of Jordanian passports that Jordan will not renew, without travel documents of any kind or residence rights in Syria. In addition, there are Arab countries Palestinians cannot enter or transit to a destination of residence, including Jordan (unless invited by a first-degree relative with a guarantee of JD 5,000); Egypt, where no Palestinian refugee under sixty years can enter; and Saudi Arabia, where refugees holding travel documents can go on the *hajj* (pilgrimage to Mecca) only on group tours. Entry to Qatar, Oman, and Kuwait is extremely difficult. Algeria, Tunisia, Morocco, and Yemen require a letter from the PLO. Syria and Lebanon do not allow Gazans holding Egyptian travel documents to enter or visit.¹² Serhan concludes, “The only individuals who can travel or visit other Arab countries are those invited by institutions, organizations, conferences, or by first degree relatives.”

Coercive displacement has further disrupted life for others. In Gaza between 1971 and 1989, the Israeli authorities forced 10,517 camp families to relocate (then as now, Ariel Sharon was the architect of displacement).¹³ The Bedouin of the Negev and the West Bank are also frequently the victims of eviction.¹⁴ In Lebanon around four thousand families displaced by war, many of them several times, have never been properly re-housed, and camp space has been frozen so as to add pressure on refugees to migrate. During the 1991 Gulf War most of the 350,000 Palestinians in Kuwait were forced to leave. Qadhdhafi's threats in 1994–95 sent many work migrants back to their original host countries, often without their savings; of these, some 1,000 Gazans were stranded for sixteen months on the Libyan-Egyptian border. At the same time, Lebanon closed its borders to Palestinians and enacted new restrictions on their entry and exit.¹⁵ In Jerusalem, some 1,500 Palestinian Jerusalemites have been deprived of their ID cards and residence rights, and threats made against thousands more.¹⁶ The 2003 US/UK war against Iraq exposed Palestinian residents there to eviction and insecurity; many are now living in a camp on the border between Iraq and Jordan.¹⁷ Thus, Palestinian displacement is continuously repeated in new places and ways, and stamped on the consciousness of new generations.

Even if we discount refugee vows to raise their children to remember Palestine, there are "push" factors that make full integration in the Arab world unlikely. In neocolonial Arab states with high levels of unemployment, citizenship is graded, with native citizens enjoying priority of access to state resources, jobs, and protection. Even in Syria, where the returnees enjoy full civil rights and can become cadres of the state, an unofficial ceiling exists. In Jordan, where all but a few 1967 refugees have Jordanian citizenship, entry to the political class is closely controlled. Third-generation refugees in Lebanon testify to a degree of discrimination in educational institutions, the workplace, and social life that reveals boundaries not about to melt away.

Other factors that impede integration arise from within Palestinian society itself, which in spite of dismemberment has retained a kind of national/class consciousness that manifests itself most strongly in marriage practice. In Lebanon, marriages between Lebanese and Palestinians took place in the PLO period, but are far less common today. In Jordan, with the highest absolute number of refugees in camps (252,089 in 1995), village and family endogamy is still the rule rather than the exception; Hana Jaber comments that family endogamy in Wihdat camp is linked to the desire to conserve memory

of origins.¹⁸ Whether based in hierarchy or in local mores, status boundaries work strongly to reproduce “the refugee” as a political/social/cultural figure, embodying a powerful collective history of oppression and resistance. Pride in the “refugee identity”—as “strugglers,” as “more Palestinian,” as “refusing to disappear”—makes the marginality of Palestinian refugees a latent form of power. Assumptions of assimilation also ignore the many kinds of non-political solidarities that connect refugees in the diaspora to each other and to Palestine, as well as the political ones that connect them to other oppositional Arabs. These linkages suggest that for the majority of Palestinians, nationalism, class, and refugee status are inextricably intertwined, and in the absence of any breakthrough toward justice, this majority will maintain an oppositional potential into the foreseeable future.

REFUGEE REPRESENTATION

Those Palestinian intellectuals who made the figure of the refugee or exile central to their work—the painter Isma‘il Shammout, Edward Said and Jean Mohr in *After the Last Sky*, Fawaz Turki in *The Disinherited*, and, above all, Ghassan Kanafani, whose *Men In The Sun* raised the Palestinian refugee to a universal symbol—belong/ed to a generation that shared the experience of expulsion and refugeedom. For them, the refugees were the human expression of the Palestinian crisis, and their return was an essential element of a unifying national vision. Lena Jayyusi puts it well:

The original Palestinian master narrative was about the dispossession of the Palestinians . . . it was a narrative of justice that made a claim of restitution. Much of that kind of discourse is now submerged or marginalized. . . . Our narrative of dispossession, so fundamental to our moral condition, and to our national and collective claims, and to the possibility of genuine restitution, still needs to be spoken and insisted upon.¹⁹

The Palestinians are probably the most counted, tracked, and discussed of all world peoples, as Elia Zureik points out.²⁰ Yet most of this multinational monitoring and conference organizing has aimed to serve negotiators’ needs for “facts” and “solutions,” rather than the refugees’ needs for justice, or even their short-term need for civil rights and a better life. Individual Palestinians invited to speak at such conferences serve as tokens of Palestinian participation rather than as shapers of agendas. Only rarely do they come from camp milieus. No scope has been left for refugees to raise their priorities, since to

listen to them would mean having to take them seriously, whereas suppressing their voices has been the hidden agenda of most international solution efforts. True, visits to the camps by foreign delegations of all kinds and colors have been a feature of refugee life from the beginning; but 'Imm Noman' expresses a sense of futility common among camp refugees: "A long and wide life we've spent telling our reality, and what have we gained from it?"²¹

Representation of the refugees by the PLO and resistance factions unfortunately transcended the project of publicizing their plight and using it for national or factional aims. Camps became sites of political tourism. Even in Jordan and Lebanon, where the resistance movement had a "mass" to work among, "mass work" was propagandistic rather than guided by an ideology of social/cultural change. National adoption of the refugee as symbol of Palestinian victimhood remained abstract and weak—a rhetorical trope rather than a worked out program of social and cultural transformation. The PLO period in Lebanon (1970–82) saw little effort to develop the armed struggle slogan and give it a cultural framework. There was no parallel effort to revise the history of 1948, record refugee histories, or legally develop the right of return.

Studies that place the refugees as agents of history and producers of culture are relatively few in number. Cossali and Robson's *Stateless in Gaza* is an excellent example of the *testimonio* genre, though unfortunately little known.²² But research done by refugee communities themselves is beginning to challenge the demographic/policy approach favored by the "international community"—for example, a study of refugee attitudes to the "peace process" by the Campaign for Refugee Rights to Return carried out by BADIL in 1997, or the oral histories of refugees done by PACE in Ramallah in 2000. Oral history recording projects, many using film as well as sound, are spreading among local NGOs²³; others are being conducted by individual researchers, marking a turn toward an interest in subjective experience and away from "objective" surveys.

Film directors from camp backgrounds—for example, Sobhi Zubaidi from Jalazon camp (near Ramallah) and Rashid Mashharawi from Gaza—are making an impact. More films about refugee life or exile are available now, and some have won prizes.²⁴ Young peoples' dance and theatre groups have formed in camps and carry their performances abroad; teenagers in Lebanon are making video diaries and feature films and showing them in film festivals. Discussion groups are being organized in camps by people who live there, rather than by outside activists as in the past. While no one would claim that these cultural expressions are sufficient to offset the current bleak

political and economic situation, they do show that social and cultural evolution continues in spite of the most adverse circumstances. Such evolution is not toward integration with surrounding societies, nor toward acceptance of *tawtin* (resettlement), but toward a form of resistance that includes refusal to be duped or give up historic claims. The concept of the Palestinian refugees as “disposable,” as moveable like pawns to any territory labeled “Arab” or “Palestinian,” not only defies international law concerning refugees, UN resolutions, and democratic principles, but is also politically and humanly unsound in its ignorance of the make-up of refugee communities. For them, awareness of rights to a home in a specific place (*al-balad*),²⁵ and of a specific history of expulsion and struggle, produces an unusual attitude to time:

Waiting one might think has negative connotations, that is, passivity. But not so in Shatila where waiting embodies resistance. . . . The people in Shatila wait, but in their waiting there is struggle: struggle to keep their identity; to teach the new generation about their homeland; to educate them despite all the restrictions imposed on them. In other words, waiting in Shatila is an act of change.²⁶

AFTER OSLO: REVIVAL OF ACTIVISM FOR RETURN

The Oslo accords floated a mirage of a state in the West Bank and Gaza Strip, and simultaneously relegated refugee return to “final status” issues, that is, to an unknown future. Given the power asymmetry between Israel and the Palestinian National Authority, the postponement of difficult issues implied either their abandonment or bargaining in a context of biased American mediation. In a review of PLO positions on the right of return, Suleiman notes that in the letters of mutual recognition exchanged between Arafat and Rabin before the signing of the Declaration of Principles (DOP), “Arafat’s letter . . . did not mention the Palestinian people’s right to self-determination, including the right of return.”²⁷ He adds that after Oslo, a new official Palestinian position began to emerge, hinted at by PNA officials such as Ziad Abu Zayyad, of “separation between the ‘right of return’ and its actual implementation.” Later, ambiguously “unofficial” peace initiatives, such as the Nusseibeh-Ayalon plan (September 2002) and the Geneva accords (October 2003), confirmed that refugee rights are the most vulnerable of bargaining items.

The marginalization of the refugee issue has had at least one unintended effect: it unleashed a process of refugee community self-mobilization inde-

pendent of Arab states and the PLO for the first time. One of its first manifestations was a congress of Youth Activity Centers in the small West Bank camp of Far'ah in December 1995, followed by popular refugee conferences in Dheisheh and Gaza in 1996. In Israel in 1991–92, the National Committee (later Association) for the Defense of the Rights of the Internally Displaced (ADRID) established itself with similar aims.²⁸ In January 1998, BADIL (Bethlehem) was set up as a refugee-based NGO specializing in advocacy of the right of return. Oslo also triggered activism around this issue among Palestinian exiles in the United States beginning in 1996 with a call for a popular congress of independents.²⁹ In 1999–2000 another US-based movement, Al-Awda (The Return), collected 600,000 signatures from Palestinians who refused to relinquish their right of return. A start-up meeting in Boston in April 2000 brought together right-of-return activists from North America, Europe, and the Middle East; in September 2000, Al-Awda was consolidated by a large rally in Washington, DC. Currently, Al-Awda chapters exist in thirteen US cities, as well as Canada and the UK. Independent Al-Awda groups have been formed in several European countries, including Denmark, Spain, and Italy. In 2000, a larger federation, the Right of Return Coalition (RRC), held its first conference in Cyprus, attended by delegates from Al-Awda and similar groups in the Middle East such as A'idun (Lebanon and Syria), ADRID (Israel), and the Higher Committee for the Right of Return (Jordan).³⁰ The Coalition is beginning to tighten into a body with regional branches and offices (North America, Palestine, the Arab host countries, Europe), with BADIL as executive secretariat and a system of representation based on organizations. A younger generation of refugee activists sees this as an advance on representation by selected notables, as in the past. Generational difference may be one cause of stress within the movement, but opposition to right-of-return activism among the PLO factions has weakened with the collapse of the Oslo Accords and the "two-state solution." The fact that the PLO's Directorate of Refugee Affairs called a recent ROR conference in Gaza suggests that the PNA does not want to be seen to be neglecting this issue. In Lebanon, the factions have begun to take the right of return onto their own agendas.

Right of Return Coalition founders say that it has remained financially and politically independent, relying on voluntary work. The Internet enables activists to circumvent the geographic distances and national boundaries that previously blocked direct refugee-to-refugee mobilization.³¹ So far, the Right

of Return movement has managed to avoid the competition for office and status that afflicted the PLO and resistance, perhaps because of its distance from any corridors of power. Right of return spokespersons tend to be marginal to the mainstream national movement—community activists, NGO workers, independent professionals, teachers, lawyers, and intellectuals. Spurning American-Israeli-Palestinian “negotiations,” the return movement has gone back to basics, working on advocacy, grassroots workshops, information outreach, and legal research. Ironically, the failure of Oslo has coincided with an upsurge of interest in Palestinian history, as if frustration serves as spur to indirect forms of struggle.³²

An early measure of the Right of Return movement’s influence was a hardening of the official Palestinian stand by the beginning of final status negotiations in November 1999. Attitudes toward the refugee issue in the West Bank and Gaza Strip shifted as Israel’s politics of procrastination exposed the Oslo process as yet another maneuver. The dividing line the accords created between “insiders” (winners) and “outsiders” (losers) faded, as “insiders” began to adopt the refugee issue as their own. Another sign of growth has been a new degree of world interest. In 2004 at least eleven right-of-return conferences were held, seven outside the Arab world, two in university milieus, and one—a historic “first”—in Haifa (March 26–28), with a second later in the year. Among sponsors of the first Haifa conference was Zochrot, whose website declares, “We are a group of Israelis that aim to raise awareness to the tragedy and suffering of the Palestinian people, particularly among the Jewish population of Israel.”³³ Israelis ready to acknowledge Palestinian victimization may be a very small minority, but if joined by the many Jewish diaspora peace groups, they may yet offer a bridge to a dialogue on radically different bases, and between radically different partners, from those that produced Oslo.

As long as Israeli interests are held to be paramount by those who hold the levers of the “international community,” no solution likely to be offered will put refugee rights and desires in the balance against Israel’s determination to remain a Zionist and Jewish state. International bias and indifference are likely to prolong the current dangerous stalemate. Though Palestinian refugees cannot be considered to form a “class” with the potential to disrupt the regional status quo—they are too divided geographically and politically, too constrained by the host regimes, and too dependent on political patronage—the political refugee identity remains a potent radicalizing factor continually

reproduced by objective conditions. And, as Azmi Beshara warns, the refugee issue cannot in political reality be juggled against the others:

The Palestinian liberation movement must make up its mind whether the creation of a Palestinian state without the right to return constitutes a historical settlement, as long as the state retains sovereignty over al-Aqsa mosque and as long as it has the right to accept Palestinian refugees within its own borders, or grant them passports and citizenship. But if it does make this concession, it will find that it will also be making concessions on the borders of 4 June 1967, on East Jerusalem and on Israeli withdrawal from the settlement complexes.³⁴

OPENING THE DEBATE ON THE RIGHT OF RETURN

Sari Hanafi

Sari Nusseibeh, the Palestinian National Authority's (PNA) diplomatic representative in Jerusalem, started an enriching debate when he declared that, in the framework of a two-state solution, Palestinians cannot demand the return of refugees to homes now inside the state of Israel. Nusseibeh's declaration elicited spirited responses from scholar Salman Abu Sitta and refugee advocate Terry Rempel of BADIL, among others. The Al-Awda network—formed to press for the refugees' right of return to their pre-1948 homes—even collected signatures on a petition to PNA president Yasser Arafat, demanding Nusseibeh's dismissal from his post. This initial discussion was crucial, although it was followed by less productive debates.

The importance of the right of return should not interfere with the right to free expression. Just as some within Islamist movements argue that certain topics are not debatable, lest "God's will" be violated or the Qur'an contravened, a new nationalist and secular fundamentalism refers to "national consensus" to silence the opinions of Nusseibeh and others.¹ But what is this national consensus? Is it a consensus concerning the establishment of two states, one Palestinian and the other Israeli, or one secular state? Is it a consensus over the targeting of civilians during a national struggle? Or is it a consensus concerning the position of Palestinian refugees awaiting implementation of their right of return? More than a few massacres have been perpetrated and justified in the name of "national consensus" in the Arab world. New ideas, whether valid or invalid, are often considered a break from the national consensus and thus tantamount to treason. Ironically, the discourse of national consensus has historically not been consensual, but instead

has been used by dominant forces to retain their positions. The Zionist movement itself had no "national consensus," but encompassed different political forces, though some groups came to dominate over time. If the PNA does not embrace those who do not agree with its global vision, dominant political forces in Palestine may establish a one-party state like others in the Arab world.

THINGS UNHEARD OF?

In content, what Sari Nusseibeh said is not very new, nor is it surprising. Azmi Beshara has said as much, though as a criticism of the two-state framework envisioned by the Oslo "peace process."² Inside the Palestinian establishment, PNA officials like Saeb Erakat and Yasser Abed Rabbo have reiterated their long-standing contention that while the right of return should be recognized, its implementation should be flexible. An op-ed by Arafat clarified the PNA's position: "We seek a fair and just solution to the plight of Palestinian refugees who for fifty-four years have not been permitted to return to their homes. . . . We understand Israel's demographic concerns and understand that the right of return of Palestinian refugees, a right guaranteed under international law and UN Resolution 194, must be implemented in a way that takes into account such concerns."³ Nusseibeh's declaration is novel in its level of clarity, compared to issues left unaddressed in other statements. What is surprising is not only that Palestinians in general regarded Nusseibeh's declaration as highly provocative, but that Israeli intellectuals also pretended they have never heard such things before.

How was the new debate over the right of return received by Israeli and Palestinian audiences? On the Israeli side, responses were couched in colonial stereotypes that characterized the colonized as a mob containing very few voices of reason. Danny Rubinstein, columnist for the liberal daily *ha-Aretz*, summarizes the Palestinian debate by saying that Nusseibeh's declarations "are the extraordinary that prove the ordinary."⁴ Historian Benny Morris considers also Sari Nusseibeh "an exception. His statements are putting his life in danger. He is not one of the first-rank senior leadership. I never heard Muhammad Dahlan, Jibril Rajub or Abu 'Ala' and their guys saying this. Even if they sign on to such a text at one stage or another, a new generation will emerge in ten or twenty years and argue that they had no right to give up [the right of return]."⁵ These statements show a total ignorance of the debate on the Palestinian side. After Nusseibeh's statement, discussions took place in newspapers, inside political parties, and in the camps, even assum-

ing the form of an exchange of communiqués between the Fatah youth organization (supporting Nusseibeh) and another faction in Fatah (reiterating the traditional position of the Palestinian leadership). Since the beginning of the second intifada, Israeli media and intellectuals reverted to paralleling the opinions of representatives of the military-political system. Scholars like Morris and A. B. Yehoshua began to write on the question of Palestinian return in the language of phobia.

AN ENDURING SYNDROME

The dominant Israeli discourse on Palestinian return psychologizes the conflict: there are a lot of writings about Israeli anxieties, worries, and nightmares, and about the "Palestinians who hate." This discourse is also ethnically structured. Its major concern is demography: how returnees would disorder the colonial legacy of expulsions. Israel's public relations campaigns have worked intensively since the Camp David talks of July 2000 to convince the world that there actually is a possibility of massive Palestinian return, to bolster Israel's claim that return means the erasure of Israel through the destruction of its "Jewish character." This perspective has been disseminated in many articles published in Israeli and Western newspapers by well-known members of the Israeli "peace camp."⁶ This enduring syndrome of victimization makes any serious discussion of the Palestinian right of return, let alone other rights, impossible. Unfortunately, Nusseibeh's declarations reinforced the Israeli attitude about the importance of the demographic threat in the Palestinian-Israeli conflict. This Israeli demographic discourse has become hegemonic. In an article entitled "Refugees Forever," Yossi Alpher wrote that "Israel could recognize some humanitarian right of family reunification, which Palestinians could label 'return,' for all first-generation refugees, i.e., those over fifty-four who were actually born in present day Israel, who wish to return and who have relatives that could assist in their absorption. Their number would not be large, nor would they affect the long-term demographic balance, but their 'return' could provide a degree of satisfaction for the Palestinian narrative without seriously challenging the Israeli narrative."⁷

While Sari Nusseibeh's declarations opened up debate over the right of return and its meaning in the Palestinian polity, on the Israeli side he was used by his "peace partners" as evidence that Palestinians will yield their rights. At a rally of 15,000 organized in Tel Aviv on February 16, 2002 by Peace Now and the Beilin-Sarid "Peace Coalition," Nusseibeh demanded justice for the

refugees and spoke of the need for Israel to take responsibility for the creation of the refugee problem and apologize. But the Peace Now report on the rally recorded only Nusseibeh's statement that "the path to peace is through the return of the refugees to the state of Palestine and the return of the settlers to the state of Israel." As the Israeli sociologist Lev Grinberg argued, this partial silencing of Nusseibeh reveals the game played by his counterparts. It is telling that a main slogan at the rally was: "Leave the territories and be ourselves again." Palestinian negotiating positions have no place in this formulation.

Yehudith Harel summarized the attitude of many Israeli intellectuals in her critique of Amos Oz:

The attitudes reflected in Oz's article, even more than the political positions expressed, are the epitome of the intellectual corruption and the emotional handicap of the Israeli mainstream peace camp intelligentsia. This has generated within Israeli circles a deep-rooted, patronizing, self-righteous discourse, a lack of empathy for other people's suffering, a lack of understanding of their perspective and needs and, above all, an almost chronic conviction that the "other" has to act in the best of Israeli interests.⁸

A LACKING STRATEGIC DIMENSION

The Palestinian debate is more dynamic than the Israeli one, though it suffers from a lack of strategic political discourse. Palestinian politics is caught between two discourses. The first is a moral discourse based on the justice of the Palestinian cause. With regard to the refugee issue, this means that the refugees uprooted from their land should return home, according to international law and principles of human rights. The second discourse is externally oriented, based on fragments of positions usually taken under pressure to answer specific crises. This discourse integrates many tactical elements and differs from one constituency to another. What is lacking in the Palestinian discourse is the strategic dimension: a discourse based necessarily on moral premises but which understands the international balance of power and transmits this understanding to the public. This means that the political leadership must be able to tell the public of its inability to realize promises made by past elites.

It is symptomatic of the lack of strategic discourse that Palestinians are more interested in the statements Palestinian leaders make during visits to Western capitals than in knowing what decisions are taken in the central

committee of the PLO or in enlarged PNA cabinet meetings. In the same spirit, Sari Nusseibeh's declarations at Hebrew University in Jerusalem and Tel Aviv University created much more debate about the right of return and the refugee issue in the Oslo framework than Azmi Beshara's commentary in an Egyptian Arabic monthly.

RIGHT OF RETURN

Even in the framework of a two-state solution, Nusseibeh did not adequately evaluate the centrality of the right of return. There are two dimensions to the right of return: symbolic and material. When Nusseibeh spoke of the illogic of four million Palestinians returning to Jewish Israel, he focused on the material dimension. By contrast, the late Edward Said emphasized the symbolic dimension with his concept of mutual pardon or forgiveness. Both dimensions are important. In order for Israel to recognize the Palestinian right of return, it must not only acknowledge the refugees' rights, but also redress the root of the Israeli-Palestinian conflict and Israel's central role in the dispossession of Palestinians for the past fifty-four years. Regardless of the solution that concludes the conflict—one state or two—the refugee issue cannot be considered secondary.

The second intifada uncovered the importance of the refugees, as they represented the social and political actors most unable to bear the impasse of the Oslo process begun in 1993. The Al-Awda network has been the primary force in defining the issue of the right of return as essential to the Arab-Israeli conflict in the Western and Arab public sphere. This network, composed of Palestinian diaspora activists and supporters of the Palestinian cause, has lobbied Human Rights Watch and Amnesty International to take positions in favor of the right of return, a rare case of a southern network undertaking the Herculean effort to influence the policies of northern organizations.

In addition to the moral and symbolic value of realizing the right of return, this right is important in creating the framework for providing refugees with the choice between remaining in their host countries, returning to their places of origin, migrating to the political entity in the Palestinian territories (or an attractive third locale). The right of return is a necessity for those who spent the last half-century living in miserable camps, lacking basic civil rights, or otherwise suffering discrimination from host countries. The right of return and the right of choice, however, do not only depend on Israel's recognition, but also on the policies of the Arab countries that host refugee populations.

VOLUME OF EVENTUAL RETURN

Both Nusseibeh and his main critic, Salman Abu Sitta, make the problematic assumption that the implementation of the right of return will trigger the actual return of a huge number of refugees. Nusseibeh believes that such an influx would change the character of the Jewish state within the framework of a two-state solution, and hence cannot be contemplated. Abu Sitta, who supports such a return, has not adequately explored the potential sociology of return if it becomes possible. What would actual Palestinian return look like? Will there be a mass of refugees rushing in simultaneously or a trickle of fragmented groups induced by factors more powerful than nationalism, identity, and the experience of exile?

Abu Sitta's work has been important in opening up the debate concerning geographic absorption in Israel. He demonstrates, after dividing Israel into three demographic areas, that the majority of Israeli Jews (68 percent of the population) is now concentrated in an area comprising 8 percent of Israeli territory. A second area (6 percent of Israeli territory) holds a mixed population including another 10 percent of Israel's Jewish citizens. Hence, Abu Sitta says, the areas in and around former Palestinian villages remained empty and unused and could readily absorb returning refugees, most of whom were peasants when they fled in 1948. Of course, fifty years later, the majority of these refugees dwell in metropolitan area like Damascus, Amman, Cairo, Chicago, and New York. They are no longer peasants.

But the land's ability to absorb the refugees is not the only factor in determining return scenarios. Irish Americans did not return to Ireland following the end of British colonialism, few Armenians returned to Armenia after its independence, and only a small number of Lebanese returned to Lebanon following the civil war. In all these cases, there was not only ample capacity in the countries of origin, but ample political will for reabsorption. Data from the UN High Commissioner for Refugees demonstrates that the number of refugees who choose to return when possible is far smaller than the number who choose resettlement in a host country or repatriation to a third-party state. The structure of the global labor market plays a major role in this phenomenon.

RESEARCHING RETURN

The probable outcome of a right of return will be determined by many factors. Fieldwork and studies conducted in thirteen countries make it clear that the population of four million refugees is far from homogeneous and seem to

indicate that only a far smaller number would pursue return. It is impossible to estimate the actual number due to the uncertainties over what form a negotiated settlement might take. The possible reactions of the Arab states would cause estimates to vary tremendously.

In his letter criticizing Nusseibeh, Abu Sitta refers to polls conducted in some areas, particularly within the Palestinian territories, that demonstrate a refugee consensus on the intention to return. Any such poll, whether conducted by amateurs or highly professional research centers, and certainly any research based on questionnaires in Arab states lacking secure freedom of expression, is vulnerable to critique. No matter how the question is presented, responses will obviously tend to a political position that is influenced more by protracted conflict, disillusionment, and the prospect of defeat than the subject's actual intent. Factors influencing the subject's decisions range from the experience and memories of exile to his or her economic situation. If the question of desire to return is posed only in conceptual terms, interviewees might get a 100 percent positive response as to whether the refugees will return. If the question is narrowed, however, to include such factors as the prospect of returning to a village under Israeli sovereignty and holding Israeli nationality, or one without guaranteed adequate employment or housing, the percentage might drop significantly. A Palestinian residing in Lebanon may not be able to determine his or her intention to return if the Lebanese position remains unclear. Will the Palestinians be literally thrown onto the border, as occurred in Libya, or will they be given the right of choice? Such factors often invalidate the methodology of polls and surveys.

The person asking the questions can determine the results. Four years ago, I visited my family, who live in a Palestinian refugee camp in an Arab host country. My father refused to see photos I had taken in Haifa because, in his words, it was not "his Haifa." Haifa was now an Israeli city, he declared, and was adamant that he could not return as long it remained under Israeli sovereignty. The very next day a Swiss journalist interviewed my father and asked him if he would return to Haifa if it became possible. Suddenly, he waxed ideological and eloquent, announcing that "as a Palestinian, like any other, I long to return no matter what the conditions."

BEYOND THE SACRED

A decade after Oslo, Palestinian negotiators reached an impasse in the debate concerning refugee return. Refugee rights discussions should be opened

to creative ideas outside the sacred discourse. In a special bulletin published by the Palestinian Academic Society for the Study of International Affairs in early 2001, Muhi 'Abd al-Hadi and Jan de Jong proposed an extension of the Palestinian territories to include the Galilee and some areas of the Negev in order to absorb portions of refugee populations, without denying the remainders' right of return. This solution resolves the Israeli fear of altering the character of the Jewish state. 'Abd al-Hadi and de Jong went so far as to say that the Galilee communities should be annexed to a future Palestinian state, a proposal vehemently opposed by Palestinians inside Israel (and worth opposing for that very reason). At the same time, the spirit of this idea was included in the Taba talks, where Israel proposed giving up 3 percent of the land within its pre-1967 borders to a Palestinian state, in exchange for land expropriated for illegal settlements. New ideas, even those that won't work, can shake loose new possibilities. It is not sufficient to prove that the Palestinian right of return is enshrined in international human rights law and humanitarian law. Research must also demonstrate that recognition of return is a necessity for regional security and, in some cases, a humanitarian necessity as well.

Part 3

Figure 7. Israeli peace demonstration in Tel Aviv, 2002.

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INSIDE ISRAEL

Militarism, Citizenship, and Struggle



For nearly two decades Israeli universities have been a venue for lively debate on Israeli history and sociology, which then migrated to the public arena through articles in the mainstream press and even the broadcast mass media. The debate extended beyond academia into the arts, particularly films, poetry, and literature. The most obvious characteristic of this debate was the willingness of a considerable number of Israeli Jews to reassess the way the "Arab" is perceived and treated in past and present Israel. The academic debate about Zionism began in the 1980s with the appearance of a number of scholarly works presenting images of Jewish society in Palestine and Israel that were strongly at odds with the Jewish public's self-image and collective memory. These works challenge the most sacred "truths" of Zionism and criticized the role played by the country's academic institutions in shaping the Zionist self-image and the Zionist interpretation of Israeli-Palestinian reality. Their authors legitimize and validate the national claims of Palestinian citizens and the social outcry of Mizrahim (Jews from Middle Eastern countries) against the oppression inflicted on them first by the Zionist movement and later by the state of Israel. They seek to incorporate their critique and historical accounts of these marginalized groups into Israel's education, media, and cultural systems. Their aim is to end the long period during which these groups' history was obfuscated, if not totally erased, from the Israeli national ethos as reflected in official state ceremonies, canonical literature and poetry, and government media. However, this debate was largely an exercise of the "chattering classes," albeit one with wide implications for society as a whole.

These scholars have now been in the public arena long enough to be regarded as a cultural phenomenon. The Israeli media calls them “post-Zionists,” a term not all of these scholars accept.¹ “Post-Zionism” is best described as a hybrid of anti-Zionist notions and a postmodernist perception of reality. It has become a convenient term that groups together Zionist and anti-Zionist Jews, as well as positivists and postmodernists, united in a critique of the conventional wisdom about Israel’s history. The “post-Zionist” scholars are not the first to challenge the Zionist version of Israel’s past and present. Their precursors, however, were mostly leftists without academic credentials in history and social science. In contrast, the “new historians” and “new sociologists,” as scholars accredited by official academia, challenged the conventional thinking from within the system.

THE POSITIVIST CHALLENGE: THE “NEW HISTORIANS”

The postmodernist critique appeared only in the wake of a purely positivist debate on the 1948 war, which did not involve any serious metahistorical or theoretical discussion. The challengers became known as the “new historians,” a term coined by one of them, Benny Morris.² But whereas “new history” in Europe was an interdisciplinary effort to complement or replace diplomatic and elite history with a broader social perspective incorporating the experience of non-elite sectors of society, the Israeli “new historians” deal primarily with elite politics and adhere to a positivist methodology. For this reason, they should more aptly be described as revisionists, in the manner of the revisionist school of American history on the cold war.

Mainstream Zionist historiography in Israel continues to subscribe to an impossible combination of positivist and ideological approaches to history. The positivist approach means that those researching the country’s past and present ignore methodological or theoretical questions that might affect their confidence in Zionism. Moreover, their research analyzes the deeds of the elite as documented in the archives and takes their version of events as objective and truthful. This mixture of ideological paradigm, scholarly ethnocentricity, and empirical bookkeeping was first challenged by the revisionist history of the 1948 war. That war and the preceding Mandate period had previously been treated as the culmination of a teleological process of redemption and renaissance of the Jewish people. The role of the historian was limited to reconstructing this miracle that had begun with the awakening of the national movement in the 1880s and ended with the 1948 “war of liberation” against the

British. The task of describing and analyzing the Arab side of the story was entrusted to the Israeli Orientalist establishment, which was largely uninterested in the 1948 war. Even Yehoshua Porath, who provided the first balanced Israeli view of the Palestinians, never wrote about 1948.³ The few Israeli Orientalists who did write about 1948 avoided dealing with the *nakba* (the Palestinian catastrophe) as a human or national tragedy and showed no understanding of its significance for Palestinians.⁴ Instead, they focused on the political and military maneuvers in the Arab world outside Palestine before and after the war. The Palestinians of 1948 were erased from the academic scene in Israel.⁵

The new portrayal was made possible by the opening of the archives dealing with the 1948 war following the thirty-year rule of declassification in Israel, Britain, and the United States. Research in Israel was conducted in the decade following the 1978 declassification—in other words, during the Lebanon war and the first intifada. The non-consensual war in Lebanon and the first Palestinian uprising created a clear-cut distinction between Israel's peace-orientated camp and the insular expansionist "national" camp. Thus, the scholars who went through the newly declassified material did so after their confidence in their country's conduct already had been shaken. Moreover, the first intifada opened a new chapter in the Israeli-Palestinian dialogue. This dialogue acquainted Israeli scholars writing about their country's past with the historical narrative of their Palestinian academic counterparts, often for the first time. For many of them, this encounter brought the first recognition of the scholarly merit of what hitherto had been regarded as sheer propaganda. Above all, Israeli scholars became aware of the basic contradiction between Zionist national ambitions and their implementation at the expense of the local population in Palestine. Finally, the articulation of a clear national sense of identity among the Israeli Palestinians, who played a crucial role in reminding the public of the existence of a counternarrative, helped to shape the "post-Zionist" agenda of Israeli academia. In some cases, the recognition of the other side of the story was the result of a certain ideological stance; in others it was the consequences of adopting a postmodern, multi-narrative approach to history, and in still others it was both.

While the official Zionist narrative asserted that the Yishuv (Jewish community in Palestine before 1948) faced annihilation on the eve of the 1948 war, the "new historians" show that no such danger existed. The Jewish community easily won the diplomatic battle in the United Nations and was favored by the balance of military power on the ground.⁶ The Yishuv's military

advantage was significantly enhanced by an unwritten understanding between the Jewish Agency and the strongest Arab force, Jordan's Arab Legion, prior to the war. The understanding confined the Arab Legion to the struggle over Jerusalem and its vicinity and prevented it from linking up with the Syrian troops entering Palestine in the north and the Egyptian ones entering it in the south. In return, the Israelis accepted Jordan's *de facto* annexation of the area now known as the West Bank. Additionally, the "new historians" argue that there was a genuine willingness on the part of most of the Arab governments and what was left of the Palestinian leadership to negotiate a settlement over Palestine after the war based on Arab acceptance of the 1947 partition recommendation and the repatriation of the refugees. Israel, in contrast, was unwilling to compromise.

The new historians also brought to light the history of Palestinian dispossession and suffering. In 1948, Israeli forces (with some exceptions) expelled about half of the Palestinian population from their homes. Sometimes expulsion was indirect, caused by a campaign of terror that induced Palestinians to flee their homes. Massacres took place in Lydda and Ramla, al-Duwayma, Sa'sa, 'Ayn Zaytun, and other places. Rape, looting, and confiscation of property also accompanied expulsions. Were these atrocities and conduct a consequence of the war itself or were they the result of a premeditated expulsion plan? Some Israeli "new historians," such as Benny Morris, who has conducted the most important scholarly research on the question, tend to talk about these crimes as emanating from the atmosphere of war. Others, like this author, tend to see expulsion as the outcome of a plan prepared by the Jewish leadership before the war.⁷ Palestinian historians see it as a direct result of the Zionist settlement in Palestine.⁸ Ultimately, the establishment of a Jewish state could have become a reality only through an act of expulsion. Such discussion of Israeli conduct in the war stands in stark contrast to the mainstream Zionist version of the war's history, which claimed that the Palestinian leadership called for evacuation in expectation of the invading Arab armies. Nor is there any official recognition of atrocities beyond the Deir Yasin massacre, which is attributed to right-wing terrorists, rather than the Haganah. The "new historians," however, have researched the Haganah's involvement in several war crimes, including (according to some) Deir Yasin.

The "new historians" thus researched, in a purely positivist manner, Israeli crimes against the Arab world and the Palestinians in 1948. They drew a picture that provoked angry reactions from public figures and press commenta-

tors. Israeli policy prior to 1967 had never before been depicted as aggressive, let alone brutal or morally unjustifiable. Although none of the "new historians" dealt with Israeli academia in their works, once the debate became public they openly blamed mainstream academia for concealing these unpleasant chapters in the story of 1948.

FUNDAMENTAL CRITIQUE OF ZIONISM: THE NEW SOCIOLOGISTS

The research carried out during the 1980s on 1948 paved the way for a more fundamental criticism of Zionism and its role in the Israeli academia, allowing trends that had begun earlier to register on the public consciousness. A new readiness to look into the essence of Zionism had been triggered by the 1973 war, which caused the first cracks in Israel's moral self-satisfaction. More importantly, in the relative calm that followed that war, tensions between Israel's multicultural and multiethnic fabric and the "melting pot" ideal came to the fore. Social and cultural undercurrents of dissatisfaction and antagonism in Israeli society erupted in the early 1970s into a social protest against the evils inflicted by the state on deprived Jewish communities, mostly of North African origin. Young and vociferous activists tried to emulate the dissent voiced by African Americans and established their own Black Panther movement. The Mizrahi movement represented a social demand for a new and fairer distribution of the economic resources and a share in the definition of cultural identity. The protesters failed to move the Israeli left but attracted the attention of the right, which skillfully manipulated their protest into a mass movement that was one of the factors that brought Menachem Begin and the Likud to power in 1977. The Mizrahi protest movement, as a domestic issue, engaged the interest of sociologists, who were intrigued by the theoretical and methodological implications of the development of a social protest movement in Israel. The movement coincided with a growing sense of national confidence among Palestinian citizens of Israel, and their case fortified the cases of others who felt excluded from the Zionist historical narrative. From the late 1970s onward, academics produced historical and sociological research that validated the critiques posed by deprived groups. They were less successful as political agents of change in Israel. Attempts to unite the plight of Palestinians, Mizrahi Jews, and women (as a minority group) to create a joint political front were a total failure.

The sociologists' challenge, inspired by global and theoretical developments in the humanities, was more relativist and postmodernist in nature. It

reflected the disenchantment characteristic of many Western academics with the fallacies and illusions created by “enlightenment,” “modernity,” and other Western concepts signifying the triumph of science and reason over “uncivilized” notions from the non-Western world. The challengers adopted a more skeptical approach to truth and data, particularly truth and data represented within a national context by the elite and the court academicians who served it.⁹ Israeli academia is part of Western academia. It is not, therefore, surprising that Israeli historians and sociologists adopted the same interdisciplinary, skeptical, and subjective view toward their own history. It allowed them, as academics, to represent Palestinian, Mizrahi, and feminist aspects of the story, much as American scholars represented the multicultural realities of their own society. The “new sociologists” were not critical of their predecessors’ work solely on the basis of the “facts.” They also felt the need to reassess the basic paradigms these scholars employed. They pointed to a contradiction between the mainstream Israeli scholars’ contribution to nation building and the university’s mandate to promote pluralistic and critical research. The “new sociologists” were a more diverse group than the historians. Some were more relativist, some were more anti-Zionist. Perhaps for the sake of convenience, the sociologist Uri Ram labeled them “post-Zionists.”

Common to all these challenges was the underlying assumption that collective memory was officially constructed through the educational system and the media. This assumption began to be voiced in the early 1970s at Haifa University, where Israel’s mainstream sociologists were accused of employing methodologies that suited the Zionist ideological claims on the land and the Jewish people.¹⁰ The trend continued in the early 1980s, with more established sociologists, such as Baruch Kimberling and Yonathan Shapiro, exposing, via domination and co-optation theories, the dictatorial and arbitrary nature of the Jewish political system that developed during the Mandate period.¹¹ These works challenged the myth, adopted by Israeli historians of Zionism, that their leaders’ actions had been motivated by altruistic socialist and liberal ideologies.¹²

The most significant contribution to the new way of thinking, however, was the application of a postcolonial perspective to the historical study of Zionism. Before the “new historians” began to examine the history of Zionism, the Jewish right to Palestine was taken for granted by mainstream historians. Their role was to provide the evidence for that right, not to question it. By using neutral methodology and comparative theoretical approaches,

the new historians and especially the historical sociologists argued, in agreement with their Palestinian counterparts, that early Zionism was essentially a settler-colonial movement. From their perspective, Zionism was not merely a movement to redeem a lost land after two thousand years of exile. Their works describe the purchase of land, the eviction of local Palestinian peasants, the takeover of the local labor market, and the major economic concessions as parts of this colonial project. In the new historiography, Zionism began as a national awakening in Europe, but turned into a colonial movement when it chose Palestine as its target territory. Thus, Israel's new sociologists came even closer to the Palestinian narrative than the new historians had. Their theoretical perspective allowed them to look at Zionism as a colonial movement without being accused of adopting uncritically the Palestinian discourse. Gershon Shafir reconstructed early Zionism—despite such particularisms as the absence of a proper mother country, the marginal role played by capitalist profit-and-loss considerations, and the movement's nationalist discourse and motivation—as a settler-colonial movement.¹³ Others followed suit, employing theories and methodologies hitherto ignored by their peers that substituted and substantiated a more blunt ideological claim.¹⁴

THE NEW WAVE OF CRITICISM

The next wave of post-Zionist scholars opted to deal not only with history and sociology but also with metahistorical and theoretical questions. Therefore, they wrote not only about the past and the official historiography, but also about mainstream academia's reactions to the "new history." They were impressed by the harshness of the response, such as that of two prominent Israeli scholars who condemned the revisionist challenge as signifying the end of academic discourse in Israel altogether.¹⁵ At this stage, "post-Zionist" scholars were increasingly moving toward postmodernist (i.e., relativist) historiography and multiculturalist interpretations of the social reality in Israel. Their work focuses on the role of academia in constructing a Zionist historiography and sociology. This new wave of scholars, who can be categorized as deconstructionist in methodology, aims at exposing the role played by the academic establishment in the nation-building process. Focusing on official texts, the content of museums, ceremonies, school curricula, and national emblems, these scholars have drawn attention to the way in which the dominant Ashkenazi (European Jewish) group and its narrative has excised others from the national memory.¹⁶ Some employ Edward Said's critique of Western

academic Orientalism. Their works expose the sociological, anthropological, and historiographical discourses used in research on "Arabs"—whether Israeli Palestinians, Egyptians, or Mizrahi Jews.¹⁷ This grouping of Palestinians and Oriental Jews into the same category, as in the work of Shlomo Swirski and Sammy Smootha, is contrary to everything Zionism and Zionist academia ever stood for.¹⁸ Other scholars exposed the role played by Israeli academia in providing the scholarly basis for repression and the governmental axis of inclusion and exclusion.¹⁹ Of particular importance is the work of Uri Ram, who has examined how the Israeli sociological establishment analyzed Israeli society in the past. He showed how Zionist sociologists elaborated theories to fit notions such as the "ingathering of the exiles" and the "melting pot." These theories, which contradicted the reality of a heterogeneous multiethnic and multicultural society, were used to crush any opposition to the dominance of Eastern European culture from competing cultural directions, such as the one brought by Jews immigrating from Arab countries.²⁰

The injection of moral and ethical questions into scholarly research on Zionism and Israel opened the way for a new examination of the Holocaust and its impact on Israeli society. This research has so far been of a more positivist nature. But it also involved an ideological stance that touched the most sensitive nerves of Jewish society. Particular attention has been paid to the Yishuv's behavior during the time of the Holocaust. In Tom Segev's *The Seventh Million*, for example, we find a local leadership, on the very eve of the Holocaust, interested in saving only Jews who were willing to immigrate or who were physically and mentally capable of contributing to the success of the community. Idith Zertal's *From Catastrophe to Power* discussed the lofty and dismissive attitude of the *sabras* (native-born Jews) toward the survivors and their plight.²¹

Another subject dealt with recently is the militarization of Israeli society.²² Although there is no direct correspondence between militarism in the conventional European historical sense and the Israeli case, the militaristic nature of Israeli society has two aspects: its actual influence on the country's conduct, and the way security considerations are exploited for the sake of discriminatory policies. Scholars are interested in explaining the present militaristic character of Israel as a product of its history. In order to do so, they had to rely heavily on positivist historians such as Benny Morris, who had mined the military archives of both 1948 and the 1950s to record accurately and painstakingly the aggression of the Israeli army. Morris describes the "retaliation"

policy of the 1950s as a brutal and aggressive form of Israeli expansionism.²³ What one might call the “new political sociologists,” meanwhile, provided analyses in which Israel, far from being merely acted upon in the regional context, was very much an actor and initiator. Instability and conflict in the Middle East now were attributed not solely to “Arab radicalism” or “Arab intransigence,” but to Israeli actions as well.²⁴

The other side of the same coin has led bold young scholars to slaughter Israel’s most sacred cow: “security above all.” The new political scientists reject government explanations that security considerations were responsible for the marginalization of North African Jews.²⁵ Most of these scholars drew parallels between the attitude toward Mizrahi Jews and Palestinian Israelis. Edward Said’s *Orientalism* influenced many of them to treat Israeli society as a whole as “Orientalist.”²⁶

Another development is a growing interest in the present status of Palestinians in Israel. There has been an expansion of the critical assessment of Arab-Jewish relations in the state and the growing number of Palestinian academics in Israel willing to address these issues. In the past, the few Palestinians in academia have been reluctant to approach controversial issues of recent Palestinian history. (It is noteworthy that the number of Palestinians teaching in Israeli universities is still very small, no more than twenty staff members out of nine hundred.²⁷)

This recent wave of scholarship has been even less acceptable to mainstream academia than the positivist revisionism of the “new historians.” Indeed, the findings of the latter, particularly (in fact, almost exclusively) of Benny Morris, have been accepted by a growing number of historians. The neutral terminology he used (such as the 1948 war, expulsion, and so on) has been absorbed into the public discourse on 1948.²⁸ The exposure of Israeli academia to pluralism and multiculturalism is legitimizing an academic debate on the essence of Zionism, carrying permissible debate beyond the focus on the single (albeit crucial and formative in the country’s history) chapter of 1948. Still, every attempt to discuss the essence of Zionism—either by revisiting the early years of the movement or critically analyzing the society today—has been denounced as a typical intellectual exercise on the part of self-hating Jews in the service of the enemy. This position has been expressed with particular vehemence in the public debate in Israel on post-Zionism in recent years.²⁹

It is noteworthy that the academic opposition has not come from the right (which has a limited presence in Israeli academia), but from the Zionist left.

Although this left accepts criticism of post-1967 Israel, the period from 1882 to 1967 is off-limits. Some critics of post-Zionism have voiced strong opposition to the continued Israeli occupation of the territories seized in the 1967 war. This protest, however, was based on a strong commitment to consensual Zionist positions, which kept the Zionist left from accepting the fundamental Palestinian positions on central questions such as the fate of the 1948 refugees. This position was institutionalized when the Peace Now movement was established in 1978, first as a lobby for peace with Egypt, then as a campaign against Israel's 1982 Lebanon War. The movement remained active throughout the first intifada, became idle and mute during the Rabin years (1992–95), and re-emerged under the Netanyahu regime (1996–99). However, the movement's reaction to the Lebanon War and later to the first intifada did not deviate from Zionist perceptions of reality. Peace Now's criticism was and remains directed only against post-1967 Israeli policy; its main concern has been this policy's effect on Israeli morale and morality.

Many academics gravitated toward the movement, but their affiliation did not cause any change in the mainstream scholarly works on the past and present situation in Israel and Palestine. Still, it was a beginning from which others, particularly filmmakers and playwrights, continued to develop their own post-Zionist view of life in Israel. It was only when anti-Zionist positions, such as the ones held for years by the Communist Party of Israel, were adopted by academics that fundamental changes occurred in the way Israelis perceived the "Arabs" or the "Palestinians," or indeed the whole Zionist project. The presentation of the Palestinian and Israeli in the local Israeli media serves as an excellent example of the Peace Now predicament. The press, paradoxically, conserves the old prejudices and images of Israel and the Palestinians while simultaneously making the public aware of the growing critique of Zionism among the different groups comprising the culture-producing community in Israel. Most of these groups have remained within the limited critique of Zionism typified by Peace Now, but they contributed to the decline of the Zionist myth as much as their more radical and anti-Zionist colleagues, inside and outside academia.

More than anything else, the new scholars challenge the collective memory of most Jews in Israel, particularly the collective memory of 1948 that still feeds most of Israel's principal myths. They have had a twofold effect on Israeli historiography: legitimizing the historical narrative of the Palestinians and, to some extent, "normalizing" the national collective memory of Israelis.

How important is this new outlook in shaping Israel's future conduct and nature? This difficult question relates to the more general issue of how academia affects society. The debate on Israel's origins has aroused a great deal of interest in Israel, although in most cases it has generated an angry reaction against what is perceived as betrayal. Nonetheless, Israeli discourse now includes references to the past that do not ignore the existence of an alternative way of looking at what had happened in the early years. Some mainstream scholars, as well as the authors of new textbooks for schools and editors of TV and radio programs, accept at least some of the points made by the new scholars. More importantly, the new way of looking at the myths of Israel's foundation goes beyond the academy. Novelists, artists, filmmakers, and playwrights all have produced works with a historical approach that conveys messages similar to those of the new scholars. These other forms of cultural activity have wider audiences and are more effective in influencing the way people think and act. Of particular interest are films, which portray a different kind of Palestinian, criticize the conduct of Israeli soldiers, and show empathy to the aspirations of the other side in the Arab-Israeli conflict. As the academic debate continues, the industry of these new cultural products grows, and in the long run may strengthen the political voices already presenting these issues on the margins of the Israeli political map.

THE SHRINKING SPACE OF CITIZENSHIP

Ethnocratic Politics in Israel

Oren Yiftachel

On February 14, 2002, the Israeli government sent light planes to spray 12,000 dunams of crops in the southern Negev region with poisonous chemicals. The destroyed fields had been cultivated for years by Bedouin Arabs on ancestral lands they claim as their own. The minister responsible for land management, Avigdor Lieberman, explained:

We must stop their illegal invasion of state land by all means possible. The Bedouins have no regard for our laws; in the process we are losing the last resources of state lands. One of my main missions is to return to the power of the Land Authority in dealing with the non-Jewish threat to our lands.¹

Lieberman's words clearly proposed a forceful separation of Palestinian-Arab and Jewish citizens of Israel. Expressions such as "our land," "our laws," and "their invasion" demarcate sharply the limits of identity and rights in the Jewish state. The Negev crop destruction is one of many recent attacks on Arab rights in Israel. The state's policies and practices, coupled with increasingly confrontational Palestinian resistance, have laid bare the conflict between the state's Jewish majority and the 18 percent of its citizens who are Palestinian Arabs, shrinking the space for Palestinian citizenship. In Israel, a constant tension exists between citizenship and ethnicity. Times of ethnic conflict typically present an opportunity to advance nationalist agendas of "ethnicizing" control over land and resources. But the shrinking space of citizenship is ominous: it represents a long-term threat to political stability, with the likely specter of ethnic politics dragging communities into cycles of protracted conflict, spawning a growing delegitimation of the state.

A NOT-SO-ACADEMIC DEBATE

During the 1990s, a serious debate began in academic and intellectual circles over the nature of the Israeli state, after decades of taking Israel's putative "Western and democratic" nature for granted. The main triggers were the discussion of democratization at the cold war's end and the 1992 passage of two basic laws that declared the state to be "Jewish and democratic" and enshrined several key human rights as part of an expandable "modular" constitution. Aharon Barak, president of the Israeli High Court of Justice, typified the response of mainstream intellectuals: "Our existence as a Jewish and democratic state, with non-Jewish minorities who deserve full equality, reflects our basic principles and values."² Some scholars, such as Sammy Smooha, Yoav Peled, and Ruth Gavison instead defined Israel as an "ethnic democracy." They discerned persistent and systematic inequalities between Arabs and Jews (especially in the exercise of collective rights), but also a democratic framework that guaranteed basic civil rights. This setting, so they claimed, led to the gradual acceptance of the "Jewish and democratic" formula by the state's Arab citizens and created conditions for sustaining political stability. Critical scholars, however, argued that Israel was more accurately described as an "ethnocracy," an "ethnic state," or an "imagined democracy."³ The wave of critical works highlighted the nature of Israel as not only a Jewish, but also a Judaizing state, with features at odds with the tenets of democratic citizenship: pervasive discrimination against Palestinian citizens, the political role of religion, the blurring of the state's geography and the ongoing military control, and settlement of the Occupied Territories, whose Palestinian residents remain disenfranchised. These critical voices, however, encountered strong opposition.

Needless to say, scholarly positions on the nature of Israel are not purely academic, but function as professions of faith in a political system. Following the events of October 2000, in which thirteen Arab citizens were killed by the Israeli police during mass demonstrations (where a Jewish citizen was also killed), and in the wake of the intifada which claimed nearly 2000 lives (mainly Palestinian, but also over 400 Israeli lives, including 120 settlers) in its first twenty months, it is clear that the Israeli system is neither democratic nor stable. On the contrary, Israel shows signs of fragmentation and chronic instability, resembling Northern Ireland, Serbia, or Sri Lanka. The illusion of democracy has given internal and international legitimacy to Israel's expansionist policies and practices, and helped foster a system of unequal

citizenship. Despite undemocratic features, though, several important democratic bases do exist within the Israeli polity. Israeli authorities have also taken several significant democratic steps in recent years, including the High Court ruling which prohibited discrimination against Arabs in the allocation of state lands, the near equalization of budgets for Arab local governments after decades of blatant discrimination, the first-ever appointment of an Arab minister to the Israeli government,⁴ and even the failed attempts by former Prime Minister Ehud Barak to end the occupation of the Palestinian territories. These are important steps, although they run against the grain of recent popular sentiments and policy agendas, which have taken Israel further down the ethnocratic path.

ETHNOCRACY IN ISRAEL

Israel is a state and a polity without clear boundaries; and the country's organization of social space is based on pervasive and uneven ethnic segregation. This leads to a necessary questioning of Israel's ostensibly democratic status.⁵ I argue that the Israeli polity is governed not by a democratic regime, but rather by an "ethnocracy," which denotes a non-democratic rule for and by a dominant ethnic group, within the state and beyond its borders.⁶ The Jewish system of land ownership and development has undermined the state as a territorial-legal entity. Organizations based in the Jewish diaspora, such as the Jewish Agency and Jewish National Fund, possess statutory power within Israel to purchase and develop land. In addition, Jewish settlement in the occupied territories has ruptured the Green Line as a meaningful border. Today, over 400,000 Israeli Jews reside in the Occupied Territories, including East Jerusalem, and Israeli law has been unilaterally extended to each of the settlements located there. The Green Line has thus been transformed into a geographical mechanism of separating citizens not from fellow Jews, but from non-citizen Palestinians.⁷ The legal and political power of extraterritorial Jewish bodies and the rupturing of state borders empty the notion of "Israel" of the broadly accepted meaning of a state as a territorial-legal institution.

Israel lacks a basic requirement of democracy: the existence of a *demos*, or an inclusive body of citizens within a given territory, as opposed to the principle of *ethnos*, which denotes common origin. The term "democracy" means the rule of the *demos*, and the modern application implies an overlap between permanent residency in the polity and equal political rights as a necessary democratic condition. In the Israeli polity, *ethnos* rather than *demos* is

the main organizing political principle. Israel should therefore be characterized as an "ethnocracy." I define ethnocracy as a regime type with several key characteristics:⁸

- Despite several democratic features, ethnicity, not territorial citizenship, is the main logic behind resource allocation.
- State borders and political boundaries are fuzzy: there is no identifiable "demos," mainly due to the role of ethnic diasporas inside the polity and the inferior position of ethnic minorities.
- A dominant "charter" ethnic group appropriates the state apparatus and determines most public policies.
- Significant (though partial) civil and political rights are extended to minority members, distinguishing ethnocracies from *Herrenvolk* or authoritarian regimes.⁹

Israel's political structure and settlement activity have negated the relevance of borders. The significance of this observation becomes clear if we examine Israel's 1996 elections. Counting only the results inside the Green Line, Shimon Peres would have beaten Benjamin Netanyahu by a margin of over 5 percent. The settlers' political power is far more than simply electoral. They are represented by 14 Knesset members out of 120 and several government ministers, and hold a host of key positions in politics, the armed forces, and academia. In addition, about 60 percent of the West Bank is now held by Israeli Jews as private, state, or military land.¹⁰

Ethnic settlement has been a major—indeed constitutive—feature of the Israeli ethnocracy, which should thus be labeled a settling ethnocracy. The fusion of ethnocentric principles and the dynamics of settlement have created uneven and stratified patterns of intra-Jewish social and ethnic fragmentation. Here we can note a fundamental rationale of the Jewish ethnocracy—the spatial exclusion of Palestinian Arabs—has been diffused into Jewish society, legitimizing patterns of intra-Jewish ethnicization. The most notable has been the segregation and tension between Ashkenazis and Mizrahis. The political, legal, and cultural tools of ethnic segregation that undergirded the Zionist project were also used to segregate Jewish elites from Jewish "minorities."¹¹ A parallel ethnic segregationist logic legitimized the creation of segregated neighborhoods and localities for Orthodox and Ultra-Orthodox Jews, recent Russian immigrants, and Palestinian Arabs. In other words, the uneven segregationist logic of the ethnocratic regime has been infused into spatial and

cultural practices, which have worked to “ethnicize” Israeli society. Not all segregation is negative, and voluntary separation between groups can at times function to reduce ethnic conflict. But in a society which has declared the “ingathering and integration of the exiles” (*kibutz ve-mizug galuyot*) a national goal, levels of segregation and stratification between Jewish ethno-classes have remained remarkably high.

This process, however, is not unidimensional, and must be weighed against dynamic democratizing, such as the growing levels of equality of legal and social rights, cultural pluralism, a more inclusive media, higher levels of tolerance toward “others,” and genuine political openings for non-mainstream ideological and lifestyle communities. Political resistance in the peripheries of the Israeli ethnocracy has also slowed Jewish expansion and caused significant (if partial) changes associated with the Oslo agreement. In addition, the absolute (but not relative) socioeconomic standards of both Palestinians and Mizrahis have risen, due to development programs. Yet the ethnicization trend has also been powerful, as illustrated by the growing tendency of political entrepreneurs to exploit “ethnic capital” and draw on ethno-class-religious affiliations as a source of political support. In the 1996 elections, such sectoral parties increased their power by 40 percent, and, for the first time in Israel’s history, overshadowed Labor and Likud.

RETHINKING CITIZENSHIP

In Israel, systematically stratified citizenship has developed from the combination of Judaization policies and religious-legal control. Several types of citizenship have emerged, differentiated by the combination of legal and informal rights and capabilities. During 2001, as Prime Minister Ariel Sharon pursued aggressive anti-Palestinian policies, the thin illusory layer of equal citizenship continued to erode. Ethnocentric rhetoric from leaders and politicians, both Jewish and Arab, heightened. Such escalating rhetoric led to the indictment of MK Azmi Beshara, who faced charges of “supporting a terror organization,” “inciting violence,” and “endangering state security.” The charges followed his well-publicized June 2001 appearance at a memorial service for the late Syrian president Hafiz al-‘Asad where he claimed:

Following the victory of [the Lebanese] resistance, and following the Geneva summit and the failure of Camp David, an Israeli government came into power determined to shrink the realm of resistance, by putting forth an ultimatum:

either accept Israel's dictates, or face full-scale war. Thus, it is not possible to continue with a third way—that of resistance—without expanding this realm once again so that the people can struggle and resist. Nor is it possible to expand this realm without a unified and internationally effective Arab political position.¹²

Beshara's appearance at the ceremony irked the authorities and Jewish public. Their anger was exacerbated by his defiance in the face of criticism, including his declaration: "I am not an Israeli patriot." The state's attorney general moved to indict Beshara—marking the first time a Knesset member (MK) was tried on non-criminal grounds, and the first time parliamentary immunity was stripped on the basis of political views.¹³

The discriminatory treatment of Arab leaders became conspicuous when the same attorney general declined to press incitement charges against Jewish leaders. For example, Rabbi Ovadia Yosef, spiritual leader and political authority of the large Orthodox SHAS movement, declared in July 2001 that Israel should "bomb the Arabs with missiles, through and through," and on another occasion that "most people know the Arabs are snakes . . . and snakes should be dealt with like snakes."¹⁴ These leaders, as well as other Jewish politicians, such as the ministers Avigdor Lieberman and Efi Eitam or deputy minister Gideon Ezra, all made inciting public comments about Israel's Palestinian citizens with impunity. In contrast, from the end of 2001 to the beginning of 2002, three other Arab MKs were charged with incitement, following statements supporting the violent Palestinian intifada or the resistance of Palestinian Arabs in Israel to oppressive policies. The chasm between Jewish and Arab political space has thus widened significantly in the recent past, seriously shrinking the ability of Palestinian Arab citizens to mobilize within the confines of Jewish tolerance and Israeli law.

JUDAIZING THE JEWISH STATE

After independence, the Israeli state significantly intensified the tactics, strategies, and ethnocentric cultural construction of the pre-1948 *yishuv* (Jewish community in Palestine). The territorial restructuring of the land has centered an expansionist Judaization (de-Arabization) program adopted by the nascent Israeli state. The flight and expulsion of close to 800,000 Palestinian refugees during the 1948 war created large "gaps" in the geography of the land, which the authorities filled with Jewish migrants and refugees. The Judaiza-

tion program was premised on a hegemonic myth cultivated since the rise of Zionism that the land (*eretz yisra'el*) belongs solely to the Jewish people. An exclusive form of territorial ethno-nationalism "indigenized" immigrant Jews and concealed or marginalized the prior Palestinian presence. The "frontier" became a central icon, and its settlement was considered one of the highest Zionist achievements. Settlement thus continued to be the cornerstone of Zionist nation building.

The "return" of Jews to their ancestors' mythical land as a safe haven after generations of persecution was a powerfully liberating ideal. Yet the darker sides of this project were absent from the construction of a "natural return" of Jews to their biblical promised land. Very few dissenting voices challenged these Judaizing discourses, policies, or practices. The hegemonic historical and political perception of the land as only Jewish created a national discourse dominated by an unproblematic historical linearity of "forced exile" and subsequent "return," two thousand years later.¹⁵ A parallel discourse developed in reaction to the Arab-Jewish conflict (and Arab rejectionism), elevating the exigencies of national security to unquestioned gospel. These discourses blinded many Jews to a range of discriminatory policies imposed against Palestinian citizens, including imposition of military rule, lack of economic or social development, political surveillance and under-representation, and large-scale confiscation of Palestinian land.¹⁶

Following the 1992 constitutional changes, the notion that Israel is a "Jewish and democratic" state has achieved near-consensus among the Jewish public, and the two are constructed as inseparable. The result has been a further shrinking of the political space available to non-Jews, because criticism of the Jewish nature of the state is interpreted as an "attack on democracy." Sharon justified the charges against Beshara by claiming that "democracy has to defend itself," though Beshara did not criticize Israel's democratic features, but rather sought to strengthen them. Against the background of concern with the "Arab demographic danger" and Palestinian citizens' resistance to the state agenda, the further Judaization of Israel has become a major concern. New bills attempting to "anchor" (by special majority laws) Israel's character as a Jewish state, and as the state of the Jewish people, were proposed in the Knesset by prominent MKs Limor Livnat (Minister of Education), Tommy Lapid (head of the Shinui Party), and Ofir Pines (parliamentary leader of the Labor Party). In May 2002, two laws restricting Palestinian Arab political activity were passed. The first amends Israel's electoral law by prohibiting

the candidacy of any party or individual who “supports (in action or speech) the armed struggle of enemy states or terror organizations.” The second is the “law against incitement for violence,” which specifies harsh measures for supporting anti-Israel violence. Explicitly justified to halt “subversive” political activity, these laws make it easier to disqualify Palestinian Arab (and critical Jewish) politicians from running for parliament, especially for supporting any resistance against the Israeli occupation.

Acting on the deeply ethnocratic notion that Jews need to maintain a strong demographic majority in all parts of the binational country, several key personalities and institutions released plans to “combat the danger” of rising Arab population. The group of professors and generals who form the Herzliyya Forum for National Strength released a report in 2001 calling upon the government to “seriously consider” steps such as limiting the ability of Arabs to influence the long-term future of the Jewish state, restricting Arab natural growth, and raising the option of transfer by recommending that Israel “find an outlet for this [Palestinian] population east of the Jordan River, if it doesn’t restrain its rate of natural growth.”¹⁷

“TRANSFER” AND ETHNOCRATIC LOGIC

In deeply divided states such as Israel, defined spatial boundaries are ever more necessary, given the need to construct an overarching citizenship for the various ethnic communities and build a system of accepted institutions, laws, and political procedures. During the first twenty months of the second intifada, the manipulation of ethnic geography with the goal of Judaizing Arab areas gathered steam. The idea of “population transfer”—long unmentionable in public—resurfaced. While the number of leaders openly supporting transfer is small, several Knesset members and ministers now support it, often with such feeble qualifications as “if the need arises” or “only as a voluntary plan.”¹⁸ Transfer is gaining growing legitimacy in the Jewish public.¹⁹ Here, too, Avigdor Lieberman expressed controversial views:

There is nothing undemocratic about transfer. Even in Europe millions were transferred from one place to another and it helped to bring peace. . . . The separation, like surgery, helps healing. When I see Arabs going to blow themselves up in Haifa or Nahariyya, or Arabs who donate to terrorists’ families—if it were up to me, they wouldn’t have stayed here one minute, them and their families.²⁰

Accompanying these voices are several variations on the theme, such as the vision revealed by the leader of the National Religious Party, cabinet member Efi Eitam:

Israel should control forever the entire territory between Jordan and sea. We should offer the Palestinians a choice between enlightened residency (with no voting rights) in Israel, or primitive Arab citizenship. The Arabs in Israel are a ticking time-bomb. . . . They resemble a cancerous growth.²¹

Eitam's vision represents the ideal of many Zionists—to control the land, while dispensing with its (non-Jewish) people. In effect, he is offering a mixture of measures ranging from firm ethnic control to apartheid and future transfer. While his views are militant, they fall within the accepted boundaries of political debate in today's Israel, with the obvious effect of shrinking further the ability of Palestinian citizens to find an effective political strategy beyond rhetorical provocations or withdrawal from the public arena.

Eitam is not alone. Similar notions have emerged from the heart of "leftist" Labor Zionism—such as Ephraim Sneh's proposal that a future Palestinian state annex Arab localities close to the Green Line in return for the annexation of West Bank settlement blocs by Israel. Sneh presented his vision (ironically labeled "stationary transfer") as democratic, humane, and equal:

No Arab will have to move from his/her home. We are offering them annexation to the Palestinian nation, with which they openly identify. All we say is: the 1967 borders are not sacred. . . . Let's modify them to create a better ethnic political geography: Jews in the West Bank will be part of the Jewish state, and Arabs (who declare day and night that they are Palestinians) will become part of the Palestinian state, staying on their own lands. What is more simple?²²

These ideas have received growing credence, including support from prominent intellectuals and academics such as Ruth Gavison (former head of the Israeli Association of Human Rights), authors A. B. Yehoshua and Amos Oz, and geographer Arnon Sofer. All express the "need" to reshape Israel's borders according to "ethnic principles."²³ Recent surveys show that this idea is gaining popularity, reaching approval rates of 50–55 percent among Jews, and 20–30 percent among Palestinian citizens.²⁴

The main impact of these proposals is the further diminution of citizenship. Constant geographical manipulation of the status of Palestinians in their

own homeland shows the ethnocratic values that dominate Israeli society and government. Such values have elevated ethnicity over citizenship, presenting Arabs with little prospect of using their citizenship as a meaningful political asset. Recently, ethnocratic logic has also been extended to Jewish groups supporting Palestinian rights, as exemplified by Limor Livnat's demand to prosecute university professors who support conscientious objectors, the petition signed by forty-three professors at Ben-Gurion University to ban a lecture by former Labor minister Yossi Beilin for his role in "orchestrating the disastrous Oslo agreement," and the abortive attempt to dismiss historian Ilan Pappé from Haifa University.

FAULT LINES

Typically, ethnocratic regimes construct self-fulfilling prophecies. Minorities and groups marked as "anti-national" are marginalized and oppressed, and when they resist, they are condemned as "disloyal" and deserving of further exclusion. But the manipulation of geography stretches wider in Israel than debates over state borders. While less prominent on the public agenda, planning, land, and development issues further the state's ethnocratic agenda. For example, after a lull of several years, the state has initiated more large-scale Jewish settlement projects within the Green Line. In early 2002, 68 new settlements were in the process of approval, and construction had begun on 18.²⁵ These are in addition to the 920 Jewish settlements already existing in Israel-Palestine, whose expansion continues.

In the meantime, four new Arab localities were also approved, but these are mainly aimed at concentrating Negev Bedouins into planned towns. The plight of the Bedouin community in the southern Negev continues to demonstrate the dark side of the Judaization program, which works to de-Arabize land wherever possible. Dozens of Bedouin villages—some in existence before 1948, and others built as a result of state-organized transfers in the early 1950s—are now regarded as "unrecognized." Residents are denied basic services, and pressured to move, in order to shift further lands to state control. Bedouin resistance has created a stalemate with an atmosphere of inflammable conflict.

The future of state lands, 76 percent of Israel's territory,²⁶ has received wide media coverage. State policy has aimed mainly to increase incrementally Jewish rights to state lands while maintaining a meager allocation for Arab localities. The main fault line in debates over state land, however, is between

a pro-privatization coalition of Jewish farmers and developers and a group of anti-privatization social organizations headed by the Mizrahi Democratic Rainbow, a movement of second-generation Mizrahi Jews espousing a socially progressive agenda. Palestinian citizens have been totally excluded from this debate, despite their justified claim for a fairer share of state lands, much of which were confiscated from Palestinian refugees. But Palestinian issues have nonetheless entered the debate: the pro-privatization coalition accused the Mizrahi Democratic Rainbow of supporting the Palestinian right of return and aiding Palestinian land demands. In his address to the Israeli High Court against an appeal by the Mizrahi Democratic Rainbow to halt privatization, prominent lawyer and property developer Shraga Biran stated:

The acceptance of this petition, God forbid, is the acceptance of a post-Zionist, anti-nationalist argument. Would this honored court accept an argument that property should be taken from the Jewish public in the name of the [Palestinian] right of return? This honored court is asked to totally reject the petitioner's attempt to apparently erect a legal platform for the right of return and the movement of the refugees and displaced persons into the state's borders.

Demonization of Palestinian Arabs lurks even in public debates in which they are not directly involved.

SPACES OF JOINT CITIZENSHIP?

The aggravation of ethnocratic politics in Israel is not an independent intra-Jewish process. It feeds on Jewish concerns about Palestinian terrorism, on the hardened anti-Jewish discourse heard daily in Middle Eastern media, and on the growing defiance of Palestinian citizens. Within this combative atmosphere, a gradual shift in the discourse of Palestinian citizens is clearly discernible. Issues of citizenship and equality have been partially replaced by matters of national identity, the embrace of Palestinian and regional Arab struggle against Israeli occupation, and support for the Palestinian right of return. Also discernible is growing support for anti-state strategies, ranging from Islamist agendas, to Arab separatism within Israel, to traditional Palestinian nationalist goals of establishing one secular state "between the river and the sea."

This shift has led to a partial withdrawal from Israeli political and civil life and a focus on building alternative Arab institutions. In the 2001 prime ministerial elections, only 18 percent of Arab citizens (mostly Druze) turned

out to vote. This boycott marks a new and alarming stage in Arab politics in Israel: Arab leaders may find it difficult to reverse the trend of political withdrawal, weakening their ability to operate in the political process, and further diminishing the value of their citizenship. The power of separatist forces is increasing, and their voices are commonly heard in the press.²⁷ Like most ethnocratic states, Israel is now facing an increasing challenge from an alienated and frustrated minority public, fueled by the illusions of "democracy" and "equal citizenship." The more militant Arab voices are covered (and often sensationalized) by the Hebrew media, drawing on long-term Jewish fears and suspicions and energizing calls to deepen control over the minority and delay state allocations to Arab localities.²⁸

The events documented above are inseparable from the protracted ethnonational conflicts in Palestine and beyond. The failed Oslo process, the violent second intifada, and—most acutely—Israel's renewed aggression and brutality toward the Palestinians in the Occupied Territories have cast a dark shadow over the joint future of the state's Palestinian and Jewish citizens. Given the ongoing occupation of the West Bank and the strengthening of Jewish settlement in these regions, the actual existence of an Israeli state (and hence citizenship) may be viewed as an illusion. Israel has ruptured the geography of statehood, and maintains a caste-like system of ethnic-religious-class stratification. Without an inclusive geography and universal citizenship, Israel has created a colonial setting, held through violent control and a softening illusion of a nation-state with democratic citizenship.

In the ethnocratic societies of Sri Lanka, Serbia, and apartheid South Africa, the states responded to crises of legitimacy by deepening majority domination. Inevitably, this led to intensive ethnic conflict, political instability, and economic decline. Other ex-ethnocratic states, such as Canada, Slovakia, and Northern Ireland, took an opposite approach, working to democratize and equalize relations. Will Israel learn from the painful and violent experience of other ethnocratic societies, and from its own bloody history? Will it listen to growing international and local pressures to end the occupation, re-divide Palestine into two independent states, and establish equal citizenship? The signs of the post-2000 era are ominous, showing further polarization and strengthening of ethnocratic forces driven by the militant nationalist Jewish camp.

Strong voices, institutions, and forces in Israeli society—Jewish and Arab alike—still struggle for equal citizenship and coexistence. These groups are

at the forefront of the fight to end Israeli occupation of Palestinian lands, to find a just solution for the Palestinian refugees and to create equality in participation in the public arenas, as well as in the allocation of state resources. A notable example of such activity was a report prepared in late 2000 by a group of twenty-six Jewish and Palestinian lecturers in Israeli universities, which sought to identify immediate and long-term actions to mend Arab-Jewish relations.²⁹ It was submitted to the government and received considerable coverage. The Report of the Twenty-Six, as it became known, charted a course for building a future democratic Israeli state based on a new democratic "contract" between minority and state along consociational lines. Key themes included civil equality, Arab autonomy in diverse fields, separation of state and religion(s), proportional power sharing in most policy arenas, and a new legal and geographical setting, ensuring individual and collective rights. Yet the reluctance of Israeli leaders to act on these recommendations, the apathetic and/or hostile reaction from the Jewish public, and criticism from Arab voices illustrated the difficulties of finding a meaningful space for a joint Arab-Jewish civil agenda.

The need for Israel to democratize, establish equal citizenship, and conform to its internationally recognized borders is more urgent than ever. But these concepts must move from scholarly textbooks and political speeches to state laws and government policies. It is unclear whether the democratic forces in Israel can generate enough strength to launch such an agenda. Without it, Israel is likely to sink into greater crisis and instability.

ACTS OF REFUSAL

Israeli Militarism, Gender, and the Politics of Dissent

Interview with Rela Mazali

Joel Beinin spoke with Rela Mazali, a founder of the New Profile, a feminist peace organization which addresses the gender implications of the militarization of Israeli society, in Herzliyya, Israel on January 6, 2004, and continued the conversation by e-mail in May 2004.

Your work with New Profile has focused on the relationship between gender and militarism in Israel in the context of the occupation. Can you begin by talking about the status of this relationship in the present moment, and the evolution of feminist anti-occupation activism over the course of the last few decades?

After over half a century of conflict, Israeli society is highly militarized. In my view, public consent to protracted warfare draws on a sharply gendered division of labor, where “boys must be boys,” and women and children are constructed as objects of protection. Decades of conscription have functioned to equate masculinity with soldierhood. For many years, combat experience was a prerequisite for being taken seriously or for being heard at all in the public sphere, especially on “the conflict” or “national security.”

In the late 1980s, Women in Black began weekly calls to “End the Occupation” at major intersections, claiming space and visibility for women marginalized in the militarized society. Later, the Four Mothers demanded the evacuation of southern Lebanon, also contesting the silencing of women in security debates, though pointedly rejecting feminist views. But women’s voices are still rarely heard in Israeli national politics. The feminist peace groups prominent in the anti-occupation movement, particularly since the start of the second intifada, have been mostly ignored by the Israeli media.

Meanwhile, over the past decade, feminist activism in Israel has increasingly addressed the intricate social practices underpinning the militarization that extends beyond the occupation. Feminist networking has uncovered a largely submerged, unorganized movement of draft resistance. While the publicly visible resisters are usually young men, the anti-militarization work of feminists has played a vital role in the evolution of this trend. Today, an unprecedented number of draft-age men and women are refusing to enlist in the Israeli armed forces. Only about half of every annual group of candidates for military service serve their full terms of mandatory military duty. [Palestinian citizens of Israel, except Druze, are not required to perform military service.] About 8 or 9 percent of candidates are automatically exempted as Orthodox Jews, another 25 percent obtain exemptions on grounds of what the army classifies as “unsuitability”—grounds of mental, emotional, or physical health. About 15 percent more enlist but leave the army early. At the tiny, but important, visible tip of this process, refusers openly declare their ideological opposition to the deeds of the military and/or the government policies it implements. The number of declared draft resisters was higher than ever before in 2003, as was the number of resisters serving prison sentences. Of the dozen or so draft resisters imprisoned during this period, some were exempted from military service after repeated short-term sentences. Two or three were recognized as conscientious objectors, narrowly defined by the Israeli military as pacifists, and exempted from service after consecutive short prison terms. Six resisters were court-martialed after repeated short-term sentences, and in January 2003 five of these—who claimed conscientious objection to the occupation—were sentenced to a second year in prison.

For Israeli peace forces, what is the significance of the fact that those five young men were sentenced to a year in prison for refusing to serve in the army—not just in the Occupied Territories, but anywhere?

Every movement needs symbols. The draft resisters symbolize a moral choice—a very consistent, well-constructed, well-grounded choice. They are very articulate and have a lot of experience. Not that kids can’t be thoughtful and knowledgeable, but these are very atypical 19-year-olds. So I think they are a very real, concrete indication of a loss of legitimacy of the government, not just one government, but a whole succession of governments. They demonstrate an accelerating loss of commitment on the part of people to serve the Israeli governments that deploy the military. In December 2003,

the maximum age of military service was reduced [by the army] by another five years, after a decade of being reduced a number of times, so that now the discharge age is down to 40. In the security service law, the age is 54. The reduction is a de facto acknowledgment by the army that the reserve system no longer exists. Less than 30 percent of the people who are called up actually show up for duty. Reservists can't be counted on anymore if there's any kind of controversy about the operation they're called up to. For instance, after the incursions into the West Bank towns in 2002, the government claimed there had been a 100 percent response to the call-up. But they didn't explain that [the scope of] the call-up was reduced in the first place, because there are a lot of "troublemakers" who don't get called up at all. Then, when the government wanted to go into Gaza, they refrained partly because they were having trouble with the reserves. It was obvious that controversy was growing about the incursions and in particular about the plans to reenter Gaza. There is a breakdown in compliance, in obedience, in legitimacy.

The whole issue of draft resistance needs to be mapped. During the Vietnam years in the US, a lot of young people were going to Canada or claiming mental unfitness. Only a small minority actually declared their resistance and went to prison. It's the same here. The vast majority of people who are resisting the draft are doing so by undeclared means. They're going to army psychologists, they're going abroad, they're blaming physical problems, they're becoming "troublemakers" and getting out because the army kicks them out. All of these are draft resisters. A small minority of them declare their resistance openly. Another minority are declared reserve resisters—they have done their term of mandatory service and are now openly refusing specific tasks as reservists, like the pilots who refused to carry out aerial assassinations, or refusing duty within the Occupied Territories, or refusing reserve duty altogether. The public is mostly aware of only two components of this movement. It knows that there are evaders, whom it doesn't necessarily see as draft resisters, and it knows that there is a small minority of declared resisters, who are seen as a marginal, possibly lunatic fringe. But the lunatic fringe label is getting weaker. The whole idea of not complying with the law of conscription is gradually becoming normalized. The public sees people making a personal decision and deciding to opt out, which was not legitimate fifteen or twenty years ago. [Update: the five were released in September 2004. Others, including one young woman, have since been jailed for refusal to enlist.]

What is the gender dynamic of the resistance movement?

First of all, resistance is not limited to young men. The twelfth-graders' letter, addressed to the prime minister in 2001 and again in 2002, announcing that these students would "refuse to serve the occupation and war crimes committed by the Israeli Occupation Forces in the territories," was written by both men and women. Some of the men are sitting in prison with long sentences. They've gone through courts martial, while the young women are all out, though recently a few young women have been imprisoned. Within the resistance movement there is a classic distribution of gender roles as they manifest in a sexist, militarized society, where the men are the visible ones, the ones who are considered brave and have become the heroes. The women are supposed to support the men and tend the home fires. The young women have actually started to question this process. Their questioning has generated a lot of anger from some of the young men and from some resisters' parents. The women have been told, "You want to be a hero? Go to jail." They also heard what most women's movements hear when they are intertwined with nationalist or other movements: "Now is not the time." This is an indication of how deeply the whole culture is predicated on the masculinity that keeps young men in the role of soldiers. Even if they are not soldiers, they become comparable to soldiers.

Some of the young women draft resisters see their resistance as a result of their feminist views. They object not only to the occupation, or to the war crimes committed by the army, or to organized violence, but also to the second-class citizenship assigned to women and other groups by militarization. They state this clearly in some of their letters to the military authorities. They believe it is futile to focus on the occupation or Israel's oppression of Palestinians, without recognizing how these things mesh with mechanisms of social stratification modeled on male domination.

These young women are themselves resisters, which older feminist activists were not. Formerly, refusal, with very few exceptions, was considered to mean men resisting call-ups to their annual terms of reserve duty. Women were exempted from the reserves from the time of their marriage (on the sexist assumption that they should stay at home to care for children), or from well before men's age of discharge if unmarried (on another gendered assumption that they were not "real" soldiers and weren't needed by the military). Meanwhile, men were obliged to do annual reserve duty well into their forties.

Due to underlying sexist assumptions and the history of coalition politics,

women's right to refuse to enlist on grounds of conscience is recognized by Israeli law, while men's is not. For many years now, a trickle of women have gone before the so-called conscience committees and exercised that right. Most of these women did so as individuals, often (though not always) as pacifists, without public support and without recognition from the only visible refusal movement of the 1980s and 1990s, Yesh Gvul [There is a Border/Limit]. As late as 1998, a leading member of Yesh Gvul told me he didn't consider these to be acts of refusal, saying, "Pacifism is apolitical." Consequently, courageous acts of refusal performed by young women stayed virtually unknown, including the prolonged imprisonment of a young woman soldier who had refused to continue her research work at the biological institute at Nes Ziona, commonly claimed to be developing biological weapons. While tiny pacifist groups or individuals had formerly offered such women some support and counseling, New Profile has been the first group to succeed in offering women's refusal some degree of public visibility. Such recognition became possible within the context of a refusal movement increasingly including the draft resistance of 18-year-olds.

Are the younger feminists consciously adopting a more militant pose than the earlier generation?

As refusers, these young women can claim the right to criticize the refusers' movement in a way that older feminist activists had not allowed themselves. In addition, they can discuss the state's differential treatment of women's and men's refusal from personal experience. The high personal price of imprisonment functions not only as a deterrent to future resisters, but also as a means of division. Imprisonment is widely perceived, even in the refusal movement, as the distinctive mark of the "real" resisters, whom it sets apart from the many more "would-be" resisters who do not go to prison. Most of the women (as well as those male refusers who opt out via mental, emotional, or health clauses) find themselves voiceless, despite their act of refusal, and called on to fulfill the feminized role of supporting and amplifying other's voices and deeds.

Some of the young women have attempted to resist this process. To date, however, it has proven quite difficult to overcome the divisive effects. In any case, their ability to grasp the gender dynamic has been considerably enhanced by the existence of an alternative public space created by the feminist anti-militarist movement. While the young men on trial faced the public institutions of the military court and the media, using these components of

the public sphere to state their cases very eloquently, in full public view, with strong support from parents, from some of the best of Israel's human rights lawyers, from talented and sympathetic publicists and from the various refusers' groups, the young women made their statements within the modest but crucial space created by their older, feminist sisters and brothers. They also drew considerably on the view of militarization offered by these feminist activists, and acquired the feminist methodology of jointly collecting personal testimonies about the process of refusal.

The dialogue between younger and older feminist women and men in the refusal and anti-militarist movement in Israel has been extremely lively and productive. Most activist groups in Israel tend to be segregated by age, with some mainly comprised of seasoned activists and others mainly comprised of young people. The feminist peace movement, and New Profile in particular, is exceptional in its integration of a broad age spectrum with the active membership dispersed pretty evenly across the whole range. The interaction between age groups, though not always smooth, has generated a vibrant dynamic. All over the country, high-school student groups, operating under a New Profile umbrella and facilitated by young adults, generate discussion of conscription, within the context of occupation and militarization, from a feminist perspective.

How are you working with Palestinians?

In June 2002 we initiated a project called Women Refuse, which involved a very interesting week-long tent vigil on the beach, right on the border between Tel Aviv and Jaffa. Women were invited to come and talk about refusing to take part in whatever it was they objected to. We initiated this project after the invasion of the West Bank. The next to the last morning in the tent, over e-mail came the statement of a group of Palestinian intellectuals questioning suicide bombing. We read the statement aloud and sat in the tent formulating a media response. It was quite amazing. On the one hand, we were saying that we refused to take part in what our army was doing; on the other side, they were saying that this use of violence, this militarization and brutalization of ourselves, is something we really need to question. It is not true, as some say, that nothing came of that statement. No, it did not prevent suicide bombings on the spot. It did not succeed in organizing a nonviolent movement among Palestinians. But it was a very strong, brave voice that I cite very often. It is very important to me and to others to know that it is there. I know that there

are women on the Palestinian side who, as feminists, believe that the issue of nationality needs to be regarded with greater skepticism. At this moment, nationality is on their agenda, almost by force. Yet, even as they live through a moment when national identity is of paramount importance, they question the idea that the nation should be the paramount identity.

“WHY WE REFUSE TO SERVE IN THE ISRAEL DEFENSE FORCES”

Letters to Ariel Sharon by Israeli Students

The following letter, written by Israeli high school seniors, was sent to Israeli Prime Minister Ariel Sharon on September 3, 2001. The list of signers was updated on April 30, 2002.

To: Prime Minister Ariel Sharon

We the undersigned, youths who grew up and were brought up in Israel, are about to be called to serve in the IDF [Israel Defense Forces]. We protest before you against the aggressive and racist policy pursued by the Israeli government and its army, and to inform you that we do not intend to take part in the execution of this policy.

We strongly resist Israel's trampling of human rights. Land expropriation, arrests, executions without a trial, house demolition, closure, torture, and the prevention of health care are only some of the crimes the state of Israel carries out, in blunt violation of international conventions it has ratified.

These actions are not only illegitimate; they do not even achieve their stated goal—increasing the citizens' personal safety. Such safety will be achieved only through a just peace agreement between the Israeli government and the Palestinian people.

Therefore we will obey our conscience and refuse to take part in acts of oppression against the Palestinian people, acts that should properly be called terrorist actions. We call upon persons our age, conscripts, soldiers in the standing army, and reserve service soldiers to do the same.

Shir Alon	Shir Hizek	Guy Peled
Uri Amit	Maor Hoyman	Ya'el Polak
Iris Arielli	Gilad Itamar	Nadav Porat
Guy Arnon	Matan Kaminer	Ra'anana Porschner
Rotem Avgar	Francesca Katz	Gali Rabinovich
Nave Avimor	Re'ut Katz	Elisha Rahman
Yael Aydan	No'ah Kaufman	Tal Rahman
Littal Bar	Alon Kes	Temuna' Raz
Ofir Bar	Yoav Kojman	Ataliah Reznik
Michal Bar-Orr	Ziv Kraus	Yuri Ronen
Nimrod Barne'a	Gil Kremer	Yigal Rosenberg
Yosi Bartal	Asaf Kutzin	Lihi Rothschild
Uri Barahav	Dana Laor	Hadas Shalem
Yoni Ben-Dor	Tali Lerner	Shlomit Shalit
Carmel Ben-Tzur	Jacky Levi	Ori Shamgar
Re'ut Ben-Tzur	No'ah Levi	Asher Shechter
Itamar Ben-Zaken	Tia Levi	Moran Shemesh
Mel Bergman	Osnat Longman	Daniel Ya'ara Shenhav
Hadas Bick	Adam Maor	Nitzan Shlush
Dror Boymel	Ayelet Ma'oz	Asaf Shtul-Trauring
Asaf Bron	Efi Mas	Adi Sneider
Yoni Cohen	Tal Matalon	Amit Stark
Ra'am Cohen	Haggai Mattar	Hila Tal
Alon Elkin	Amir Melanki	Roi Tov
Yemima Fink	Yotam Menuhin	Shimri Tzameret
Hamutal Fleischer	Aya Michlin	Alon Tziv'oni
Daniella Freund	Liora Milo	Yonatan Tzvik
Sol Gelman	Mor Mindel	Shani Verner
Shira Gertner	Mor Mittelman	Li-Orr Vered
Asaf Gilam	Omer Nevo	Uri Ya'akobi
Daniel Gilboa	Tamar Nishri	Gal Ya'akobi
Maya Glutman	Noah Olchovski	Avi Ya'akov
Daniella Goel	Uriah Oren	Emily Ya'akov
Roi Golan	Noah Orgad	Maya Yaniv
Hadas Goldman	Elad Orr	Rotem Yaniv
Hillel Goral	Naomi Safran-Hod	Guy Yarimi
Itay Grinstein	Tamar Setter	Yoni Yehezkel
Hen Guttman	Yael Skilevski	Alma Yitzhaki
Misha Hadar	May Omer Spiltzki	Neta Zalmanson
Idan Hadash	Almog Pa'il	Amir Zemer
Yoav Hertz	Layl Patishi	
Yair Hilo	Tal Paz	

Second Letter to Ariel Sharon

17 September 2002,

To Prime Minister, Mr. Ariel Sharon,

It has been a year now since we, 62 young people raised in Israel, sent you a letter announcing that we will not take part in the continuing oppression of the Palestinian people. Today, as the situation in Israel and in the Territories deteriorates, we say it again, together with many who have joined us: we refuse to be soldiers of the occupation.

The state of Israel commits war crimes and tramples over human rights, destroying Palestinian cities, towns and villages; expropriating land, detaining and executing without trial, conducting mass demolitions of houses, businesses, and public institutions; looting, closure, curfew, torture, prevention of medical care, construction and expansion of settlements—all these actions are opposed to human morality, and violate international treaties ratified by Israel. In these and other actions Israel systematically prevents Palestinians from carrying on their day-to-day lives. This reality leads to suffering, fear, and despair, which yield terror attacks. Therefore, the occupation is not only immoral; but it also damages the security of Israel's citizens and residents. Such security will be achieved only through a just peace between Israelis and Palestinians.

When the elected government tramples over democratic values and the chances for a just peace in the region, we have no choice but to obey our conscience and refuse to take part in the attack on the Palestinian people. As youth about to be called to serve in the military we pledge to do all that we see fit so as not to serve the occupation. Some of us will refuse to enlist; others will refuse to serve beyond the green line, and others yet will avoid military service in other ways—we view all these means as legitimate and necessary, and we call on other youth, conscripts, soldiers in the standing army, and reserve service soldiers to do the same.

Copies:

Minister of Defense, Benjamin Ben-Eliezer

Minister of Education, Limor Livnat

Chief of Staff, Lieutenant General Moshe Ya'alon

Signatories:

Rotem Avgar	Daniel Gilboa	Amit Stark
Galya Amdo	Yaniv Geler	Daniel Regev
Matan Ben More	Amilli Yaakov	Maor Hoyman
Liel Gavison	Efi Mass	Romm Levkovich
Nave Avimor	Yael Kunda	Daniel Sivan
Gil Angalshtain	Ifat Gross	Smadar Agmon
Carmel Ben Zur	Gal Yaakobi	Yaara Herling
Chen Gutman	Tal Maskama	Jecki Levi
Moran Avni	Tali Kushnir	Yael Skidlesky
Iris Arieli	Yonatan Grinberg	Eran Rodstein
Noam Bakner	Yariv Yaari	Yoav Hertz
Noga Goldberg	Eilat Maoz	Tal Levi
Karin Avramson	Maor Keinan	Mai Omer Taplizki
Michal Buzaglo	Itai Grinshtain	Tomer Rozentel
Littal Bar	Alma Ishaki	Dan Valfish
Ron Goldnan	Ruth Makram	Noa Levi
Anat Avramchik	Carmel Kaminer	Ori Amit
Amir Bolzman	Hemdat Gertz	Itamar Ronel
Dana Bar	Yuval Yshaayahu	Gilad Vaaknin
Tal Golan	Neomi Mark	Eden Levi
Noa Orgad	Matan Kaminer	Ally Aromon
Hadas Bick	Nofar Dgani	Timna Raz
Ori Bar-Sinai	Reut Katz	Shani Werner
Yoav Golan	Noga Navo	Dorian Levin
Matan Oren	Inbal Kaplan	Alona Polnizer
Yrmi Blum	Oded Dogma	Tal Rachman
Mel Bergman	Or Cohen	Miryam Vailer
Gali Golan Agnon	Eldar Nir	Osnat Longman
Yael Aydan	Giora Kazin	Shaul Polak
Tali Ben-Ari	Michael Donyevsky	Asaf Riv
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Lily Ilan	Ziv Krouss	Raanan Forshner
Yoni Ben-Dor	Yael Danon	Nadav Ribak
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Maayan Ben-Harush	Aviv Deri	Nadin Shabili
Nimrod Barne'a	Asaf Katz	Oren Ziv
Asaf Gilam	Ofer Suprin	Dafni Leaf
Shir Alon	Michael Keren	Lil Patishi
Reut Ben-Zur	Mish Hadar	Omer Shvartsman
Efrat Barash	Dana Laor	Neta Zalmanson

Ayana Lekah	Bat-Or Shay	Laora Milo
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Noam Shuster	Hadar Mazor	Adi Shnaider
Aya Zamir	Yonatan Zvik	Tal Youngman
Adam Maor	Yuval Shilo	Matan Melinger
Almog Pail	Amir Talgam	Yarden Kedman
Guy Shaham	Haggai Matar	Amoz Shfrony
Amir Zemer	Alon Zivony	Ehud Yanhovsky
Barak Keiri	Asher Shecter	Amir Malemki
Dan Promer	Nill Yavor	Yuval Kugeman
Eliav Shtul-Trauring	Mor Mitelman	Roni Tadir
Pieter Charakov	Ortal Tzubari	Maya Yaniv
Yaron Meiri	Hadas Shalem	Roni Mendel
Moran Farhan	Reut Yahud	Matan Kuzman Gril
Aasf Shtul-Trauring	Aya Michlin	Iati Tamir
Idan Hadash	Alex Tzibbleast	Avi Yaakov
Daniel Mor	Yaheli Shamla	Yotam Menuhin
Dafna Pearlman	Yani Yuval	Yonatan Kunda

The following signatories have fulfilled their promise (as of mid-2003). Some have resisted the draft (of these, some sat or are sitting in jail), others refused to serve beyond the Green Line, and others avoided military service in other ways:

Gilad Itamar	Tal Paz	Ori Barhav
Danya Vaaknin	Leehee Rotshild	Yoni Cohen
Tamar Nishri	Avshalon Ben-Zvi	Hamutal Flaysher
Gil Kremer	Rotem Yaniv	Daniel Yaara Shenhav
Dror Boymel	Yemima Pink	Hadas Goldman
Yair Khilu	Neta Rotem	Francheska Katz
Neomi Safran Hod	Michal Bar-Or	Daniela Froind
Igal Rozenberg	Uri Yaakobi	Shira Gertner
Itamar Ben-Zaken	Guy Peled	Tal Matalon
Yoni Yehezkel	Inbal Shalom	Noa Kaufman

"LAND GRAB: ISRAEL'S SETTLEMENT POLICY IN THE WEST BANK"

B'Tselem: The Israeli Information Center for Human Rights in the Occupied Territories

(excerpted from a report of May 2002)

The establishment in July 1992 of a new government headed by Yitzhak Rabin seemed to offer the possibility of a real change in Israel's settlement policy. The Labor Party had fought the election on a promise to "change national priorities," including a substantial reduction in the allocation of resources for the settlements. The signing of the Declaration of Principles between Israel and the PLO in September 1993 also indicated the government's intention to change its policy, although the Declaration did not explicitly prohibit the establishment of new settlements. It was only in the Oslo II [the Taba Interim Accords], which were signed two years later, that the parties stated: "Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations."¹ However, within a short period time, it became clear that the change in policy was insignificant and that the new government intended to continue the development of settlements.

The government made a promise to the United States that it would not establish new settlements and would halt the expansion of the existing settlements, with the exception of construction to meet the "natural growth" of the local population.² This commitment was also included in the government's basic guidelines, with two significant exceptions that were remnants of the approach embodied in the Allon plan: "No new settlements will be established and existing settlements will not be expanded, with the exception of those situated within the Greater Jerusalem area and in the Jordan Valley."

The exceptions in the government guidelines effectively became the main tool permitting the continued building of settlements and growth of

the Israeli population in the settlements. According to the basic guidelines, "Greater Jerusalem area" included not only those areas annexed in 1967 and included in the municipal boundaries of the city, but also considerable areas beyond these limits. . . . In addition, during the period of office of the Rabin government, 9,850 new housing units were completed throughout the West Bank (not only in the government's priority areas). Construction of these units had begun under the previous government, though no mention is made in the government's basic guidelines.³

Moreover, the term "natural growth" was never precisely defined, and the vague nature of the term has allowed Israel to continue to expand the settlements while avoiding direct confrontation with the United States administration. Since the signing of the DOP, in 1993, all Israeli governments have interpreted this phrase as including not only the natural growth of the existing population (i.e., birth rates), but also the growth of the population by migration. At the same time, the governments themselves have strongly encouraged migration from Israel to the settlements by offering generous financial benefits and incentives. . . .

Under the banner of "natural growth," Israel has established new settlements under the guise of "new neighborhoods" of existing settlements. To this end, these new settlements have been included in the area of jurisdiction of the adjacent settlement, even in cases of no territorial contiguity between the two settlements.⁴ Exceptions to this approach included the settlements Modi'in Ilit (Qiryat Sefer) and Menorah, recognized as new settlements in 1996 and 1998, respectively.

Another method employed in order to expand the settlements was the seizure of a new location by a group of settlers who erected a number of caravans on the site. While this method was the settlers' initiative, without approval from the relevant authorities, the government generally refrained from evicting the settlers or demolishing the buildings they erected without permits. Some received retroactive approval.⁵

Overall, contrary to the expectations raised by the Oslo process, the Israeli governments have implemented a policy leading to the dramatic growth of the settlements. Between the September 1993 signing of the Declaration of Principles and September 2001 (the time of the outbreak of the al-Aqsa Intifada), the number of housing units in the settlements in the West Bank (excluding East Jerusalem) and Gaza Strip rose from 20,400 to 31,400—an increase of approximately 54 percent in just seven years. The sharpest increase during this period was recorded in 2000, under the government headed by Ehud Barak,

Table 3. Settlements and settlers in the West Bank

Year	Number of settlements ^a	Population (in thousands)
1967	1	unknown
1968	3	unknown
1969	8	unknown
1970	10	unknown
1971	12	unknown
1972	14	unknown
1973	14	unknown
1974	14	unknown
1975	19	unknown
1976	20	3.2
1977	31	4.4
1978	39	7.4
1979	43	10.0
1980	53	12.5
1981	68	16.2
1982	73	21.0
1983	76	22.8
1984	102	35.3
1985	105	44.2
1986	110	51.1
1987	110	57.9
1988	110	63.6
1989	115	69.8
1990	118	78.6
1991	119	90.3
1992	120	100.5
1993	120	110.9
1994	120	122.7
1995 ^b	120	127.9
1996 ^b	121	141.5
1997 ^b	122	154.4
1998 ^b	122	166.1
1999 ^b	122	177.5
2000 ^b	122	187.6
2001 ^b	123	201.3
2002 ^b	123	207.8

SOURCE: *Central Bureau of Statistics, Statistical Abstract* (Jerusalem: Central Bureau of Statistics, various years), not including the "Number of settlements" for the years 1967–81, which is taken from Meron Benvenisti and Shlomo Khayat, *The West Bank and Gaza Atlas* (Boulder, CO: Westview Press, 1988), 138–40.

NOTE: Figures for the table do not include East Jerusalem.

a These figures relate to the number of settlements recognized by the Ministry of the Interior.

b Data corrected and updated by JB and RLS.

Table 4. Settlers in East Jerusalem (in thousands)

Year	Number of residents
1992	141.0
1993	146.8
1994	152.7
1995	155.0
1996	160.4
1997	158.8
1998	162.9
1999	170.4
2000	172.3
2002	175.6

SOURCES: Maya Choshen, *'Al netunayikh yerushalayim: Matzav kayam u-megamot shinui* [On Your Statistics Jerusalem: The Current Situation and Directions of Change] (Jerusalem: Mekhon Yerushalayim le-Heker Yisra'el, 2000–2001); and, for the years 2000 and 2002, *Statistical Yearbook of Jerusalem* (Jerusalem: Central Statistics Bureau, 2003).

when the construction of almost 4,800 new housing units was commenced. At the end of 1993, the population of the West Bank settlements (excluding East Jerusalem) totaled 100,500. By the end of 2000, this figure increased to 191,600, representing a growth rate of some 90 percent. By contrast, the growth rate in the settlements in East Jerusalem was much slower: the population of these settlements totaled 146,800 in 1993 and 176,900 in 2001—an increase of just 20 percent.

The transfer of the Palestinians has begun. Piling their furniture and personal belongings into a truck, the last residents of Yanun abandoned their West Bank village on October 18, 2002. "Our life here is more bitter than hell," said one villager, lamenting years of attacks, recently intensified, from Israeli settlers living nearby. In the past months, rampaging bands had smashed windows, destroyed water tanks, burned the village's electric generator, stolen sheep, beaten villagers, and shot at workers in the fields.¹ The Israeli government implicitly endorsed the settlers' actions by failing to return the villagers to their homes or even condemn their plight. Moreover, in Yanun as elsewhere, the police and army openly sided with the marauding settlers. Five village men subsequently returned to their homes with the help of peace activists, but Yanun's fate remains unclear.²

"Transfer," the euphemism referring to expulsion of Palestinians from Israel-Palestine, enjoys more legitimacy today than it has at any point since 1948, the year of Israel's creation and the first Arab-Israeli war. For many decades, Israeli Jews did not speak publicly about Israel's role in creating 750,000 Palestinian refugees, who have been neither repatriated nor compensated. In the early 1980s, Rabbi Meir Kahane, the far-right leader of the Kach Party, broke the taboo by promoting the eviction of Palestinians from Israel and the Occupied Territories, but in 1988 his party was banned as racist and anti-democratic. The idea of expelling the Palestinians found new life in Rehavam Ze'evi's Moledet Party. Ze'evi, a product of the mainstream Labor Party, explicitly cited the war of 1948 as a precedent for his agenda. Ironically, Ze'evi's version of the Zionist past mirrored that advanced by Israel's "new historians."

Ze'evi celebrated the events of 1948 while the "new historians" offered a more critical appraisal, yet both found themselves accused by the Zionist establishment of distorting Israel's "authentic" history.

In the wake of the 1993 Oslo accords, however, concern over the fate of the Jewish state brought transfer into the Israeli mainstream. Especially since the outbreak of the second intifada, moments of Palestinian dispossession—1948 in particular—have been openly invoked as models for quelling Palestinian resistance. At no point since the establishment of the state has there been so pervasive an understanding of the Zionist movement's role in expelling Palestinians. Two years into the intifada, with the Israeli army unable to defeat the Palestinian uprising decisively, the call to "let the army win" morphed into the demand to "finish the job" begun fifty-five years ago. The eviction of the Palestinians is no longer a Zionist heresy but rather the truth of Zionism, the openly declared history and potential future of the state. To use a phrase coined by new historian Ilan Pappé, the "demons of the *nakba* [the Arabic word referring to the Palestinian dispossession of 1948] have returned to haunt Israel."

"MIRACLE SOLUTION"

As unapologetic awareness of transfer has increased, the notion of transfer itself has grown more expansive. When Rehavam Ze'evi first advanced the idea in the 1980s, he advocated the displacement of Palestinians in the West Bank and Gaza Strip. Today, the notion of transfer has ramified into a variety of forms, including those that target Palestinians with Israeli citizenship. Politicians on the Israeli left, center, and right agree that the "transfer of citizenship" offers a solution to the "demographic problem" within the pre-1967 borders of Israel. As Minister of Infrastructure Efi Eitam said, "As far as Arabs are concerned, if you don't give them the right to vote, you don't have a demographic problem."³

Yet focusing attention on outlandish statements by right-wing politicians distorts the extent to which a wide array of Israeli Jews support disenfranchising the Palestinians. A substantial portion of the Israeli public agrees that the very presence of Palestinians in Israel and the West Bank constitutes a threat to the future of the Jewish state. In a March 2002 poll administered by Tel Aviv University, 46 percent of Israeli Jews supported the transfer of Palestinians from the West Bank and 31 percent advocated the same treatment for Palestinian citizens of Israel; 60 percent said they supported "encouraging"

Palestinian citizens to leave Israel; and a full 80 percent objected to the inclusion of Israel's Palestinian citizens in decisions of national importance.⁴ Many believe that these numbers underestimate public support for transfer since many Israeli Jews are embarrassed to admit support for an unethical policy. "The results of the poll unfortunately reflect the reality I encounter almost every day," reports Knesset member Yuli Edelstein, "I hear it everywhere, and not just at funerals. The public is in a state of such distress and dread that any miracle solutions suggested are immediately welcomed warmly."⁵

Israel's war against the Palestinians already has made transfer a reality. Thousands of Palestinians in the West Bank have already been "silently transferred," as were the residents of Yanun. Within Israel itself, racial discrimination is effectively transferring Palestinians out of the public sphere. As bombing attacks have turned Israeli cities into a front in the fighting, urban space has become a frontier from which Palestinians are often excluded. On posters and billboards, in taxi cabs and living rooms, and on radio and television, "transfer" is promoted not only as way to suppress Palestinian resistance in the Occupied Territories, but to neutralize the calls of Palestinian citizens for equality. Even if mass deportations never occur, the discussion of transfer itself constitutes a weight on Palestinians, reminding them at every turn that they are considered but temporary residents in their own land.

UNDER COVER OF WAR

While force was always a prerequisite for Zionist settlement, regional wars were necessary for Zionists and Israelis to realize their fantasy of living in "a land without a people." The 1948 War was only the first step in the process. On the eve of the 1956 Sinai campaign, the Israeli army drafted plans for the expulsion of Palestinians from the area of north-central Israel known as the Little Triangle.⁶ In the 1960s, Ariel Sharon, then a colonel, ordered his subordinates to investigate how many buses would be required to transfer 300,000 Palestinians out of northern Israel in the event of war.⁷ Advance planning bore fruit during the 1967 war, when 200,000–300,000 Palestinians fled and were expelled from the West Bank, some transported in buses marked "Free Passage to Amman." Others, specifically those in the Latrun area, left on their own power after being threatened, according to Uzi Narkis, the head of Central Command in 1967: "We came in the morning and said, 'Everybody go to Ramallah'. . . . Afterward, we leveled the villages and today we have Canada Park there."⁸

During the second intifada, the Israeli government took advantage of Palestinian militancy to justify the displacement of Palestinians within the West Bank and Gaza. Home demolitions, missile strikes, individual deportations, and revocation of residency and citizenship on occasion gave way to the displacement of entire neighborhoods. The most infamous example is Jenin, where entire quarters were razed during Operation Defensive Shield in April 2002. In Hebron, Palestinian residents and merchants were removed from a quarter of the market in order to make room for Jewish settlers. According to Shlomo Leker, lawyer for the displaced residents, this has been done on the pretext of security needs, although the only incident to mar the tranquility of the quarter was an arson attack perpetrated by the same settlers that now occupy the area. The largest planned population transfer to date targets the hills of the Yatta region, south of Hebron, where the Israeli government is trying to expel 750 families from their homes. The state claims the land for military training zones, but Israeli negotiators' maps reveal that Israel plans to annex the hills of the Yatta region in a future settlement. The expulsions aim to create a stretch of "empty" land linking the settlement of Kiryat Arba to Israel at the southern tip of the West Bank.

The Yatta expulsions are still tied up in court, but the army reportedly is crafting plans for forced evacuations that will not be subject to judicial review. These will be justified by declaring entire areas to be "closed military zones," thereby permitting the immediate expulsion of the residents "for their own safety."⁹ A less elegant option proposes "creating waves of refugees inside the territories,"¹⁰ presumably by repeating the tactics employed during Operation Defensive Shield, when the army ordered Palestinians to leave their homes in Nablus and the Jenin and Balata refugee camps, then destroyed entire neighborhoods and sent thousands of Palestinians fleeing. Sharon could use this tactic to implement his "peace plan," which calls for concentrating Palestinians into separate enclaves comprising no more than 50 percent of the West Bank.

Heightened media attention to Israel and Palestine, in combination with international sensitivity to ethnic cleansing, seems to militate against such a drastic course. The events of the second intifada, however, belie the notion that documentation of Israeli war crimes is sufficient to provoke international intervention. Despite the unanimous agreement of human rights organizations that Israel has intentionally targeted civilians, Israel, with US support, successfully portrayed its actions as a regrettable but natural consequence of war. As Deputy Defense Minister Weizman Shiri said after an Israeli raid in

Gaza killed fourteen people in October 2002, "If damage was caused to innocent civilians, we can be sorry, but what can you do? This is war."¹¹ The Palestinians have demonstrated their ability to resist Israeli persecution, yet there can be no doubt about Israel's overwhelming military power.

WHERE IS THERE?

Shortly after the conclusion of the 1948 war, the new Israeli government briefly considered denying citizenship to Palestinians living within the state's borders. Although in the end the government decided not to risk international opprobrium by apportioning citizenship along ethnic lines, the Jewish state did not grant its Palestinian citizens full rights, instead subjecting them to nearly twenty years of military rule. Fifty years later, there are once again voices clamoring for a pure Jewish state without Arab citizens.

"Transfer" as an official political platform dates to 1986, when Rehavam Ze'evi began drafting plans for the founding of Moledet. Ze'evi took care to emphasize his distance from Meir Kahane's Kach Party, which sought the unilateral expulsion of all Palestinians west of the Jordan River. By contrast, Ze'evi specified that he sought "transfer by agreement," that is, the exodus of Palestinians within the framework of negotiations with Arab states. Of course, no Arab government ever agreed to such an idea, nor did any Arab state have the authority to terminate Palestinian claims to Palestine. But the rhetoric of "agreement" served for Ze'evi, as for previous generations of Zionists, as a convenient cover for the forcible ejection of Palestinians: "I am not proposing to sit around and wait until we reach transfer agreements in the framework of peace agreements," he explained. Meanwhile, the Israeli government ought to create "conditions of a negative magnet that will bring the Arab population to prefer to emigrate."¹²

The Oslo accords appeared to represent a defeat for Ze'evi and the extreme right, but less than ten years later many on the Israeli left accepted a version of his hawkish ideas. For a short period following the signing of the Declaration of Principles in 1993, Palestinians and Israelis seemed to be inching toward peace and reconciliation. Palestinian citizens of Israel were optimistic that the agreement would normalize their position within Israeli society. In 1994, Arab political parties for the first time played a crucial role in supporting an Israeli government, Palestinian towns were included for the first time in industrial planning, and budget gaps between Palestinian and Jewish municipalities began to decrease.

At the same time, however, Oslo forced Israeli Jews to confront the question of Israel's national identity. The permanent state of emergency that justified the co-presence of democracy and ethnocracy threatened to evaporate. The hope for peace, combined with Israel's neoliberal economic realignment, convinced Israeli Jews to grant Palestinians greater personal rights, yet Jews never relinquished their conception of Israel as a Jewish state. Labor's 1992 campaign slogan, "Us Here, Them There, Peace with Rabin," summed up the Israeli understanding of Oslo. The slogan bore a striking resemblance to that of Moledet in 1988, "We Are Here, They Are There and Peace in Israel." As Ze'evi himself commented at the time, "The only difference [between me and Rabin] is 'Where is there?'"

Exactly where Palestinian citizens fit into the Oslo landscape was at first unclear, but by the end of the 1990s, they had become a primary target of Israeli demographers. A Jewish state necessitated a Jewish majority, and since the West Bank and Gaza were slated to pass to some form of Palestinian self-rule, the "demographic debate" increasingly addresses Israel proper. A December 2000 report published by the Institute of Policy and Strategy at the Interdisciplinary Center in Herzliyya indicates that in the clash between demography and democracy, the former won out.³ The institute regularly brings together top figures in the security, academic, media, and business establishments to generate policy recommendations for Israel's political leadership; both Ehud Barak and Ariel Sharon have availed themselves of its expertise. The final report of the conference reflects the Israeli establishment's acceptance of transfer as a policy option, recommending that Israel's Palestinian citizens be given the choice either to confirm their second-class status in the Jewish state or abandon their Israeli citizenship. At the same time, the report recommended that "Israelis who permanently reside abroad should be allowed to participate in Israeli elections by absentee ballot." The comparison of Palestinian citizens residing in their own homes with Israeli Jews living in a foreign country further suggests how Palestinians are seen as strangers in their own land.

The report of the Herzliyya Conference closely mirrors Moledet's "peace plan." In the spring of 2002, Benny Elon—who took over as head of the party following Ze'evi's assassination by Palestinian militants—launched a campaign based on the "transfer of rights." According to the plan, Palestinian citizens of Israel who refused to declare their loyalty to Israel as a Jewish state would be stripped of their citizenship and issued citizenship in another coun-

try. Should Palestinian citizens rebel against these terms—for instance, by demanding equality with Jews in Israel—they would be expelled to “their” state. Unlike Elon, the Herzliyya participants endorsed a Palestinian state in the West Bank, yet both recommend that Palestinian citizens be given the choice to leave Israel or accept permanent second-class status.

On the supposedly opposite end of the political spectrum, the Zionist left has its own version of the “transfer of rights.” Ephraim Sneh, the Labor Party’s minister of transportation, presented a plan in March 2002 to incorporate the “Little Triangle” into a future Palestinian state. Sneh’s plan, like the Herzliyya and Elon plans, would effectively transfer Israel’s Palestinian citizens out of Israel without actually removing them from their homes. This suggests that while Israelis might differ on where to draw Israel’s final border, the Zionist right, center, and left agree on the need to rid Israel of Palestinian citizens. Sneh’s idea polls well among Israeli Jews, garnering 50–60 percent support. Palestinians, who were never consulted about the plan, evince less enthusiasm. In a recent poll, only 18 percent say they would agree to live in a future Palestinian state.¹⁴

Other members of the Knesset have put forward their own transfer plans. Avigdor Lieberman, head of the “Israel Is Our Home” Party, has proposed a “political arrangement” in which Palestinians—including citizens of Israel—would be confined to three small enclaves. Calls for “voluntary transfer” abound as well. MK Michael Kleiner, for instance, has proposed offering immigration incentives to anyone who moves to an Arab country and permanently relinquishes Israeli citizenship or residency. “My proposal, unlike transfer, is not a racist proposal,” claims Kleiner, “because it is not aimed only at Arabs. Any Jew who wants to move to Morocco would be eligible for the emigration incentive.”¹⁵ The Knesset legal adviser did not agree, dubbing Kleiner’s scheme racist and recommending its disqualification.¹⁶ Although Kleiner’s proposal was new, efforts to promote voluntary transfer are not. Moledet offers scholarships for study abroad to Palestinians who sign an agreement never to return to Israel. Some Palestinian citizens have reported receiving phone calls from mysterious organizations, each time with a different name, offering to facilitate immigration to the United States or elsewhere.

TRANSFER IN THE URBAN LANDSCAPE

Popular Jewish support for ridding Israel of its Palestinian citizens has altered the urban and national landscapes in Israel. The campaign launched by

Moledet in February 2002 greatly increased the public visibility of the party's message. Surfaces of all kinds have been drafted in the service of the campaign: walls, fences, traffic signs, dumpsters, and bus stops proclaim "Kahane was right" and "Expel the Arabs!" In summer 2002, tracks of posters declaring that "Transfer = Security and Peace" appeared throughout the country, even in cities such as Haifa that have a reputation for relative tolerance. A second wave of posters soon joined the first, announcing that "Jordan Is the Palestinian State." The government did nothing to remove them, leading Haifa city council member Ayman 'Awda to lodge a complaint with the mayor. Since the attorney general ruled illegal a previous set of posters that read "No Arabs, No Attacks," 'Awda hoped that the new posters might also be deemed outside the law. Yet since the attorney general earlier ruled that calls for "voluntary transfer" are not illegal,⁷ it is difficult to hold out hope that the government will intervene. Showing that opposition in Israel is not completely moribund, some posters have been defaced with "1941," thereby equating transfer with Hitler's Final Solution.⁸ Others have been creatively vandalized so as to make them read "Palestinian State = Security and Peace." The lack of any organized effort to eliminate the signs and graffiti, however, made Israeli public space even more inhospitable to Palestinians.

The articulation of racial concerns in the language of security is hardly a new phenomenon in Israel, but during the second intifada urban space was racialized to an unprecedented degree. Ambulances refused to enter Palestinian villages in Israel, forcing the sick to travel to the closest Jewish area. The Israeli Chief of Staff, Moshe Ya'alon, termed the Palestinian threat a "cancerous" one that requires "chemotherapy," a characterization subsequently endorsed by Ariel Sharon.⁹ Jews defiantly stated on the op-ed pages that, fearing a bombing attack, they leave restaurants rather than sit next to Arabs.²⁰ In Jerusalem's Old City, the *International Herald Tribune* delivers only to the Jewish Quarter. Residents of the city's other quarters, who comprise almost 90 percent of the Old City's population, do not have access to the paper because, as one *IHT* representative phrased it, "We do not control those areas." Arabs are not permitted to enter the Israeli Ministry of the Interior unless accompanied by a security escort.²¹ Discrimination and incitement against Arabs accelerated after the arrest of a number of East Jerusalem residents and Palestinian citizens on charges of planning and carrying out bombings in late July and early August: "This Is Not New" and "The Truth Is No Surprise" pronounced the two most popular Israeli dailies in the wake of the arrests.

The Hebrew media's judgment was echoed widely among Israeli Jews: "I used to think that Israeli Arabs were different than Palestinians," one taxi driver commented to me, "but they're all the same."

As the violence has grown more intense, Jewish racist sentiment has been dissociated from any pretense of concern with security. As a Palestinian resident of Ma'ilya remarked, "Transfer used to be the solution to a particular problem, like the demographic problem. Now, the Jews want transfer because they want a pure state. That's what they say on television: 'We want a clean state.' How is that supposed to make me feel? That makes me feel dirty." Instances of the "cleansing" of Palestinians from the Jewish urban fabric are popping up everywhere. Dozens of Israeli firms signed a pledge not to employ Arabs. Offices of Palestinian professionals practicing in Jewish towns were destroyed, in some cases repeatedly, by arson. Demonstrators in Safad, led by the city's chief rabbi, demanded the expulsion of Palestinian Israeli college students, claiming that they "endanger the city's residents not only in terms of security, but also morally."²² Flyers were distributed in Haifa calling on Jewish citizens to boycott Arab businesses. In Safad and Upper Nazareth, religious and city officials urged the Jewish population not to rent or sell apartments to Palestinians. An educator in Tel Aviv refused to administer a matriculation exam to Palestinian students.²³ The Arabic press carries regular reports about hate crimes against Israeli's Palestinian citizens; the Hebrew press, by contrast, addresses the issue only infrequently.

The exclusion of Palestinians from Jewish space sometimes reaches Jim Crow proportions, with Palestinians denied access to spaces and businesses on the basis of accent and name. Examples overheard in casual conversation: A Palestinian couple from the village of Tayba waited to enter a club in Tel Aviv. As they approached the door, the security guard engaged them in conversation. When the guard heard their Palestinian accents, he turned them away, claiming, "We're having a private party tonight, the club is closed." A Palestinian citizen of Israel, who speaks Hebrew with an Ashkenazi (European Jewish) accent, tried to make a reservation in a hotel in Tel Aviv. The receptionist at first told her there were plenty of rooms, but when she gave her name, the receptionist's response changed: "I'm sorry, I made a mistake. We have no rooms available that night." Another Palestinian citizen tried to rent a car, but was told there were none available. Suspecting discrimination, he called a radio station to complain. The Jewish radio host called the car company, broadcasting the conversation on the air. She had no problem reserving a car.

ON THE EDGE

The radio host's willingness to expose racial discrimination indicates that Israeli Jews do not uniformly favor segregation. The Knesset weighed in on this matter, passing a law in 2001 that explicitly criminalizes racial discrimination and mandates stiff financial penalties for violations. Several institutions have similar rules. The Egged bus company, for instance, prohibits its drivers from refusing to pick up Arabs. Yet enforcement of these regulations, at both the national and the institutional level, is virtually non-existent, despite court cases that have reaffirmed the illegality of discriminatory behavior. Pervasive, casual discrimination has become an accepted facet of daily life in Israel, no longer provoking outrage.

As a result, Palestinians feel as if they live, in the words of a civil engineer from Ramla, "*'ala kaff al-'afrit*" (on the edge). Despite their status as Israeli citizens, their presence seems temporary and unstable, like guests who have worn out the welcome of their Jewish hosts. No Palestinians are safe from the wrath of their Jewish compatriots; Palestinian Knesset members find themselves under the same pressure as their constituents. When MK 'Isam Makhul criticized the interior minister's decision to strip the citizenship of Palestinians accused of planning bombings, MK Uri Ariel replied: "If you continue like this, you [Palestinians] will wind up with things much worse than the revocation of citizenship, you will wind up with mass expulsions. If you don't stop this way of yours, the Jewish majority will simply scatter you to the winds."²⁴ Several Palestinian MKs were indicted for their outspoken support for the intifada and their uncompromising calls for equality with Jews in Israel. In addition, the Islamic Movement in Israel, which represents about 20 percent of Palestinian citizens, was targeted by Jewish lawmakers. If any of the major Arab parties or politicians are declared illegal, Palestinians may boycott the next elections en masse. This decision would amount to "political transfer," leaving no avenue except mass action for political expression. With Palestinian politicians under fire, rampant calls for transfer, and the increasing segregation of urban space, it is small wonder that many Palestinians perceive transfer as an ongoing reality, rather than a mere possibility.

ISRAEL'S GLASS WALL

The Or Commission

Jonathan Cook

Justice Theodor Or took two and a half years to sift the evidence and reach his conclusions concerning five days of violent clashes inside Israel between the Israeli security forces and its Palestinian minority at the start of the al-Aqsa Intifada. Twelve unarmed Arab citizens and one Palestinian from Gaza were killed in the Galilee in events that closely mirrored the Israeli army's lethal suppression of the earliest phases of the intifada in the Occupied Territories.

For a document so long in preparation and, at eight hundred pages, equally long on analysis, Justice Or's report made little effort to reconstruct in detail what actually happened in October 2000, when Palestinians inside Israel briefly joined those of the West Bank and Gaza in protesting against then Likud leader Ariel Sharon's incendiary visit to the Haram al-Sharif (the Noble Sanctuary, known in Jewish tradition as the Temple Mount). The families of the dead are now resigned to never learning the identity of the police officers who pulled the triggers.

Until the outbreak of the intifada, the plight and political significance of a large Palestinian minority living as citizens in a Jewish state had been overlooked by many foreign observers. Israeli officials, on the other hand, have been considering for more than five decades what to do with an unwanted and ever growing Palestinian population.

Israel's Palestinian citizens—a one-million-strong group comprising about 19 percent of the population and usually known disparagingly as "Israeli Arabs"—are an uncomfortable legacy of the 1948 war that established the Israeli state. Although some 750,000 Palestinians fled or were terrorized from

their homes and into exile or refugee camps during the war, another 150,000 managed to remain on their land. Although they were nominally given Israeli citizenship, they have suffered from years of discrimination in state resource allocation and enforcement of their political and social rights.

Even more significantly, they are the object of persistent Israeli concerns that a significant Palestinian minority will one day threaten the Jewish majority's "demographic superiority." The state has successfully sought to contain its Palestinian citizens in geographic ghettos, a policy officially known as "Judaizing" the Galilee and Negev, the minority's two heartlands. Less successfully, however, Israel has tried to limit the growth of the Arab population through the withholding of economic resources, medical care, and land and housing provision.

In his report Justice Or recognized the central importance of relations between the two ethnic groups, commenting that it was "the most sensitive and important domestic issue facing Israel today."

That may explain why during the long months of his hearings he allowed the disturbing information that came to light to emerge piecemeal and incidentally. Or made it his first priority to contain explosive tensions between Arabs and Jews, both inside and outside the Jerusalem courtroom over which he presided.

In the Hebrew media, and at government level, the one-million-strong Palestinian minority was repeatedly referred to as a fifth column and as traitors—a trend that has continued and intensified during the course of the intifada. The bereaved families also expressed anger at hearing the often casual testimony of the police officers who shot at their kin. After scuffles early on in the hearings, Justice Or insisted on a glass wall partition being built to separate the mainly Arab audience from the mainly Jewish inquiry officials and witnesses.

The picture that emerged was of a gross police overreaction, at least in the Galilee, to a general strike inside Israel called by the Arab leadership in the wake of Palestinian deaths following Sharon's visit on September 28. Police in the north entered Arab communities to fire tear gas, rubber bullets, and later live ammunition at demonstrators. When the clashes intensified into stone-throwing by Arab youths, the police brought in an anti-terror sniper squad armed with high-caliber ammunition to two towns, Nazareth and Umm al-Fahm, where a total of six people died.

The commission broke new, if limited, ground by conceding in its report that the Palestinian minority had suffered years of official neglect and sys-

tematic discrimination. The report implied that this legacy of mistreatment was among the reasons they took to the streets. Justice Or blamed the state for failing to “create equality for its Arab citizens or to uproot discriminatory or unjust phenomena.” He also accused the police of treating the Palestinian minority as an enemy.

Forensically, however, the inquiry reached a dead end. When the commission was set up in November 2000, the police investigations unit, known as Mahash, froze its own inquiries, leaving it to Or to call some 350 witnesses to testify. But despite the lengthy hearings, Or made little effort to hold individual police officers or government officials to account.

After the Or report was issued in early September 2003, the commission urged Mahash to reopen its investigations. However, the justice minister, Tommy Lapid, quickly lowered expectations, warning, “The bodies have long since been buried. There are no bullets, no scraps of evidence, and no witnesses.”

On the contrary, there is a wealth of evidence available, not least because the seriously injured are still able to bear witness. In Nazareth alone, Mahash could shed light on several incidents. How, for example, was Marlene Ramadan shot four times with live rounds by police snipers while in her car? Who shot fifty-seven-year-old Ibrahim Sulayman from close range with a rubber-coated steel bullet in the chest, narrowly missing his heart? Why was fifty-one-year-old Basim Abu Ahmad’s back, still deeply scarred, sprayed with rubber bullets as he fled armed police?

Events a few days later, on October 8, 2000, should also be possible to piece together. That night, a mob of several hundred Jews from Upper Nazareth, many of them armed, descended on the neighboring Arab city of Nazareth seeking retribution for what had been portrayed in the Hebrew media as “riots” in the Arab sector. When Palestinian citizens came out to defend their homes, the police stood between the two groups, their guns trained on the Arab crowd. Under police pressure, the Arab leadership eventually persuaded the inhabitants of Nazareth to leave first. But as they retreated, they were sprayed with a burst of automatic gunfire. A handful of Arab youths were shot in the back, including Wisam Yazbak, who was killed by a bullet in the back of his skull. Hundreds of people witnessed the shooting, and the bullet that killed Yazbak lies in a drawer somewhere in Israel’s state laboratories.

The continuing failure to investigate these attacks and many others, months after the Or report itself fudged the issue, suggests that the problem is not a lack of evidence but a lack of political—and judicial—will to reveal

in any concrete manner the deep-seated racism underpinning the behavior of Israel's state institutions, particularly the security services. Instead, the Or Commission adopted a safer position of critical distance, identifying only a culture of lying and racism within the police force. (This echoed the equally confused Israeli tendency to admit discrimination against the country's Palestinian citizens but then balk at citing specific examples.)

Or's delaying tactics in reaching his verdict on the events of October 2000, and the non-specific nature of the allegations against the police he substantiated, appear to have been guided by one central motive: to avoid tearing open the still raw ethnic wounds in Israeli society—between the Jewish majority and the Palestinian minority—and unleashing yet more violence. He saw it as his primary duty to protect the Israeli state from its own internal contradictions—the idea that it can be both Jewish and democratic at the same time—over the duty to reach a just outcome.

No one was blamed for the actual killings, or for promoting and perpetuating the culture in which they could occur. Instead, Or attributed technical and leadership failings: on the “Jewish” side, to the two politicians in charge, the former prime minister Ehud Barak and his police minister Shlomo Ben Ami, and to a handful of senior policemen who implemented policy; and on the “Arab” side, to the political leaders who he believed had done most to shape the consciousness of the Palestinian minority.

Punishment of the police officers was mostly confined to recommending that individuals be barred from holding the same office again and that middle-ranking officers be blocked temporarily from promotion. The two most senior commanders—the national commissioner, Yehuda Wilk, and the northern commander, Alik Ron, who led forces in the Galilee—were unaffected by these “penalties” as they both retired shortly after the October killings.

Ben Ami was designated sacrificial victim for the government and harshly criticized for his management failings, even though there was evidence that he had tried single-handedly to curb police excesses. He was barred from being police minister again. Barak got off with a relatively mild rebuke for his hands-off approach to the October 2000 clashes.

Or's report was widely praised for its “balance.” But in reality the framework for his conclusions was created by his mandate, which itself was crafted by Barak, the man who oversaw the state violence directed at Palestinians inside Israel and in the Occupied Territories and who had most to gain from a redistribution of blame.

Although there has been almost no independent judicial scrutiny of Israeli abuses in the Occupied Territories during the intifada, the police's harsh crack-down on unarmed Arab citizens required a different response from Barak. The October 2000 events had to be investigated, and more importantly, as a Labor prime minister hoping for Arab votes to win re-election five months later, Barak had to be sure they were seen to be investigated.

First, he offered a toothless clarification committee, but when it was clear that this would not be adequate, he reluctantly upgraded it to a full-blown commission of inquiry in November 2000. The dangers of this strategy, however, were all too apparent: a powerful, unhampered commission would be potentially capable of dragging many uncomfortable facts into the light.

So Barak skewed the mandate to include an examination of the "conduct of inciters and organizers." At the time, Arab lawyers objected to basing the inquiry on the presumption of incitement before any evidence had been gathered. It was clear that the phrase meant "Arab" incitement, and not the "Jewish" incitement of Ariel Sharon's stroll around the Haram al-Sharif that ignited the intifada, or of the Israeli politicians and commentators who had denounced the Arab protesters as traitors, possibly provoking the subsequent attacks by Jews on Arab citizens in Tiberias, Acre, and Nazareth.

Or accepted the mandate in the spirit it was meant. He refused to accept the argument of Adalah (<http://www.adalah.org>), a legal center for Israel's Palestinian minority, that by examining the role of the Arab leadership his commission was breaking with all precedent. It is usually the duty of such commissions to scrutinize the behavior of the executive arm of the state, not elected representatives or ordinary citizens.

At the end of the first round of hearings, in February 2002, Or issued his interim judgment, sending letters to fourteen individuals warning them that they were to be investigated further. They included Barak and Ben Ami, as well as nine policemen.

But Or also warned three Arab leaders: the secular nationalist Azmi Beshara, and two Islamic Movement leaders, 'Abd al-Malik Dahamsha and the widely respected spiritual leader Shaykh Ra'd Salah. Beshara and Dahamsha are also members of the Knesset. In the final report all three were censured for creating an ideological atmosphere that incited the crowds. Or, however, suggested that no action be taken against them.

This choice was probably justifiable caution on Or's part: sanctions against the Arab community over the October 2000 killings would have been

extremely provocative, and would have vindicated the critics who said the commission was designed “to blame the victims.”

It would also have exposed the central flaw in the commission’s mandate: the double jeopardy to which it exposed the Arab leadership. Beshara was mired throughout the hearings in a court case over his statements in support of resistance to occupation, and Salah, under secret investigation by the SHABAK (internal security services) for two years, was arrested a few months before the report’s publication on so far unsubstantiated charges of “assisting terror.” The legal proceedings against both men overlapped with the activities for which Or reprimanded them.

Adalah lawyer Marwan Dallal, who represented the three Arab leaders, gives a taste of the commission’s reasoning. “They [the Arab leaders] were asked about their political agendas,” said Dallal. “No other politicians before the inquiry faced these kind of questions. For example, Beshara was asked questions like ‘Aren’t you the most nationalist politician among the Israeli Arabs?’ even though this had no obvious relevance to investigation of the events of October 2000. It was also suggested that his party’s platform concerning Israel becoming a state of all its citizens had contributed to the tension.”

Sheikh Ra’d Salah was asked similar questions about his “al-Aqsa is in danger” campaign, Dallal added, referring to the annual rally in northern Israel at which Salah warned of Israeli intentions to regain sovereignty of the Haram al-Sharif/Temple Mount complex.

The commission’s eventual verdict—blaming the Arab leaders without imposing sanctions on them—allowed most Israeli Jews to continue assuming that the intifada had unmasked the Palestinian minority as a fifth column. By artificially creating an equivalence between the “Arab” and “Jewish” leaderships, even though only the latter implemented policy, the commission made its failure to impose serious punishments on either “side” seem more reasonable and even-handed.

It therefore did not strike many observers as strange that, despite shocking revelations during the hearings, Or made no recommendations that legal action be taken against police commanders for their negligence in failing to implement basic crowd-control measures, for violating procedures on the use of rubber bullets, or for the decision to use an anti-terror sniper squad against citizens.

Nor was there concern that Or did no more than rap Barak over the knuckles for his failure to ban the use of live ammunition against unarmed civilians and for his refusal to meet the Arab leaders for the first three days of unrest, during

which time several protesters died. In Or's earlier warning letter to Barak it was revealed that the former prime minister declined the meeting "despite an assessment by intelligence officials, given to him at his own request, that such a meeting, if held quickly, could significantly calm the situation."

Other damaging evidence emerged against Barak that should also have been pursued. The most glaring example concerned a meeting on October 2 with police commanders. According to the letter of warning issued to Barak, after the meeting he "ordered the police to use every means to keep the roads open, with special reference to the Wadi Ara road [the main route into the Galilee, which passes by the town of Umm al-Fahm], thus ignoring the many casualties, including fatalities, that could have, and should have, been anticipated as a result of the order."

This criticism was prompted by a radio interview brought to Or's attention by Adalah lawyers. On the morning before the majority of deaths occurred in the Galilee, the former prime minister said he had given the police the "green light" to take whatever action was necessary to keep the roads open and preserve the rule of law.

This meeting possibly held the key to explaining why the northern police commander, Alik Ron, brought an anti-terror sniper unit, using live rounds, to Umm al-Fahm and Nazareth to quell the protests. Barak's evasive replies to the commission and missing tape recordings of the original meeting allowed this episode to remain murky.

Interestingly, the commission failed to make a link between Alik Ron's decision to use a sniper unit on October 2 to keep the Wadi 'Ara road open and the decision taken by Barak and Ben Ami three days earlier to deploy the same squad at the Haram al-Sharif. The snipers were responsible for some of the Palestinian deaths in Jerusalem, which directly sparked the second intifada.

If, as Barak and Ben Ami contend, they delegated responsibility to the police for keeping the Wadi Ara road open, could Ron not reasonably defend his decision to use snipers on the grounds that he simply followed the example set by Barak and Ben Ami in Jerusalem? Maybe it was too uncomfortable a parallel for Barak, Justice Or, or Israeli society to draw.

In failing to identify the culprits who carried out patently illegal orders by shooting unarmed demonstrators or to punish the senior officials who approved, or turned a blind eye to, a massacre, Or's inquiry followed an ignoble tradition. The October 2000 killings are the third major atrocity committed against the country's Palestinian citizens since Israel's founding.

The first notorious act occurred in 1956, when soldiers gunned down some forty-nine Arab citizens, many at close range, as the villagers tried to return to Kafr Qasim, close to the Green Line, the pre-1967 border separating Israel from the West Bank, then under Jordanian control. Unknown to the villagers, the army had imposed a curfew on Kafr Qasim announced only hours before it was implemented. Workers returning to the village from their jobs did not know of the curfew and were shot in cold blood for violating it.

Although eleven soldiers were put on trial for the deaths, all were given a pay rise during the hearings. The commander, Brigadier Isakhar Shadmi, was found guilty of a "technical error" and fined the symbolic figure of one piaster. The officer in the field, Lieutenant Gavriel Dahan, served less than a year in jail and was then put forward for the post of officer in charge of Arab affairs in the town of Ramle.

In 1976 six Palestinian citizens were shot dead by soldiers and policemen in the Galilean town of Sakhnin when the local population held a general strike, its first ever, against a wave of land expropriations. The government of Yitzhak Rabin refused to set up an inquiry and no one was ever held accountable.

The establishment of a civilian commission of inquiry represents an advance over these earlier cases in terms of bureaucratic procedures. But there has been little change in the substance of the unwillingness of Israeli Jewish political leaders to confront the Jewish state's structural discrimination against and periodic deadly assaults on its Palestinian citizens. The families of those killed in October 2000, and many in the wider Arab community, now agree that it is small consolation that they ever won a commission of inquiry. Most call it a "whitewash," believing that the Barak government successfully sabotaged the investigation, that Or submitted too willingly to an unbalanced mandate, and that the Sharon government is determined to undermine what little force is left in Or's recommendations.

For example, among the policemen severely criticized was Benzy Sau, the officer in charge of the border police in the Umm al-Fahm region in October 2000, whom Or recommended should be blocked from promotion. Evidence heard by the commission showed he was responsible along with Ron for bringing in the sniper squad. Four youths were killed by his officers. But in April 2001, two months after the inquiry began, the new Sharon government promoted Sau to the rank of brigadier general and gave him the high-level post of commander of the Jerusalem district. The decision was challenged by Adalah, but backed by the Supreme Court.

Justice Or's decision not to make an example of Barak, or to recommend severe punishment of police commanders, doubtless took into account the fact that the court system (of which he was a senior member until his retirement in March 2004) is under relentless attack from an ever more buoyant right wing in Israel. An outspoken report, holding senior officials responsible while not blaming the Arab leadership, would have been certain to make the judiciary even more embattled.

The pressures on Or were hinted at the day after he issued his initial warnings, on February 27, 2002, when the then police minister Uzi Landau declared that the government would not be bound by the inquiry's conclusions. In a swipe at the entire judiciary, seen by the right as a bastion of leftism and secularism, Landau added: "The legal system has become increasingly involved in managing what is happening in the country, and that which is under the authority of the government. This needs to be stopped."

In a similar vein, immediately after Justice Or issued his conclusions, Sharon set up a cabinet committee to report on the implementation of the commission's findings. Although he promised it would issue its decisions within two months, seven months later no word had been heard from it.

Part 4

Figure 8. "Where We Come From."

Emily Jacir poignantly distills the Palestinian experience of displacement into politically astute conceptual art. Living and working in both New York and Ramallah, she constructs paths to lost or inaccessible places and memories with words, rough materials (such as newspaper, thread, and tent canvas), and photographs. In "Where We Come From" (2001–2003) Jacir asked Palestinians around the world and in the Occupied Territories: "If I could do anything for you anywhere in Palestine what would it be?" As in the example reproduced on the facing page, "Omayma," she documented the requests and her attempts to fulfill them in texts and photographs. Here, as in much of her work, Jacir traces the intricate Palestinian web of severed relationships, lost property, and remembered experiences that crisscrosses Israel, the West Bank, and Gaza. © Photographs and text by Emily Jacir

THE CULTURAL POLITICS OF CONFLICT

Drink the water in my parent's village.

I have never been to Palestine because I have a Syrian Refugee passport and am forbidden entry.

- Omayma

Born in Kuwait City, living in San Jose, CA
Syrian refugee document
Father from al-Mujaydil, Mother from Raine
(both exiled in 1948)

إشربي الماء من قرية عائلتي.

لم أتمكن من الذهاب إلى فلسطين حتى الآن
لأنني أحمل وثيقة سفر سورية للاجئين
و محظور علي الدخول.

- أميمة

من مواليد مدينة الكويت، تعيش في سان خوزيه بكاليفورنيا
وثيقة لاجئين سورية
الاب من الموجيدل و الام من الرينة
(نفيًا عام ١٩٤٨)





Figure 9. "Chic Point." © Sharif Waked

"CHIC POINT"

Fashion for Israeli Checkpoints

Sharif Waked

One of the most salient features of contemporary Palestinian life is the Israeli-imposed closure. Through hundreds of checkpoints, the Israeli occupation curtails people's movement and subjects them to humiliating surveillance. Today, Israelis regard the individual Palestinian body as the most dangerous weapon. In order to pass through checkpoints, Palestinians are forced to lift their clothes and reveal their abdomens to prove that they are not carrying explosives, that they are not walking human bombs.

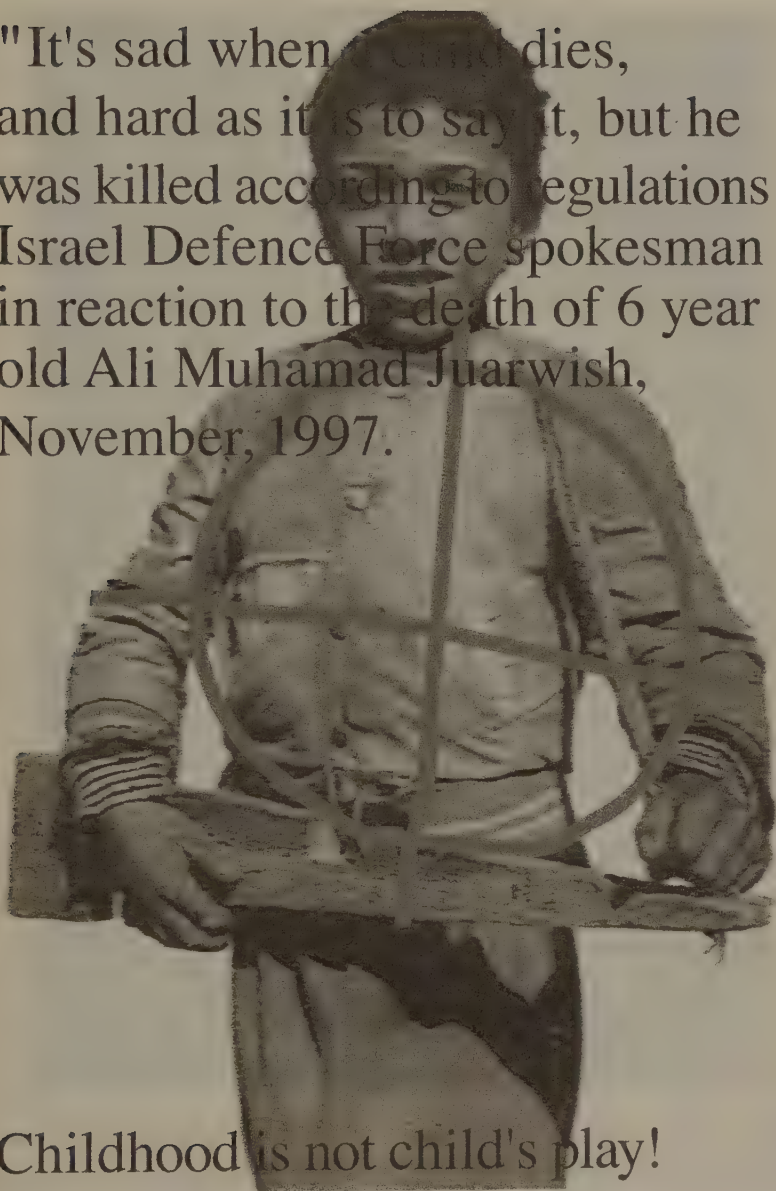
"Chic point" (a play on the word "checkpoint") is a seven-minute video shot in a fictional location: the occupation catwalk. Employing all the conventional codes of a fashion show, models reveal their abdomens in outfits designed especially for that purpose. Since its production in 2003, this video has been screened in Palestine and internationally. The image on the facing page is a set of stills from this video.

The artist, Sharif Waked, was born in Haifa in 1964 and currently lives and works in Canada. His works have been widely exhibited in Spain, France, the United Kingdom, Germany, Poland, Italy, Lebanon, the United Arab Emirates, and in Palestine.

David Tartakover

The political poster has played an important role in Israeli political culture since the early years of Zionist settlement and state-formation. In the last few decades, with increasing intensity in the wake of the 1982 Lebanon War, such posters were rallied as critical tools of internal dissent and critique. The work of David Tartakover has been central to this culture of dissent. For the last thirty years, David Tartakover's political art has boldly challenged the Israeli occupation and Israeli popular cultures of militarism. His political posters have addressed such issues as the massacres of Palestinian refugees at Sabra and Shatila in 1982; Israeli policies of torture, administrative detention, and house demolitions in the West Bank and the Gaza Strip; the incarceration of Mordecai Vannunu, imprisoned for revealing Israel's nuclear weapon's program; and the Israeli occupation of Lebanon. Judges who conferred the 2002 Israel Prize said of Tartakover: "His unique work creates a synthesis between popular and high culture, between the written text and visual imagery, and between personal statements and collective representations of local cultural values. As a creator, teacher, and active member of the community for over thirty years, he has influenced the language of visual representation in Israel."

"It's sad when a child dies,
and hard as it is to say it, but he
was killed according to regulations"
Israel Defence Force spokesman
in reaction to the death of 6 year
old Ali Muhamad Juarwish,
November, 1997.



Childhood is not child's play!

Figure 10. "Childhood Is Not Child's Play!" 1998.

This image addresses the large numbers of Palestinian children killed by the Israeli army during the course of the occupation and the army's callous response to such killings. © David Tartakover

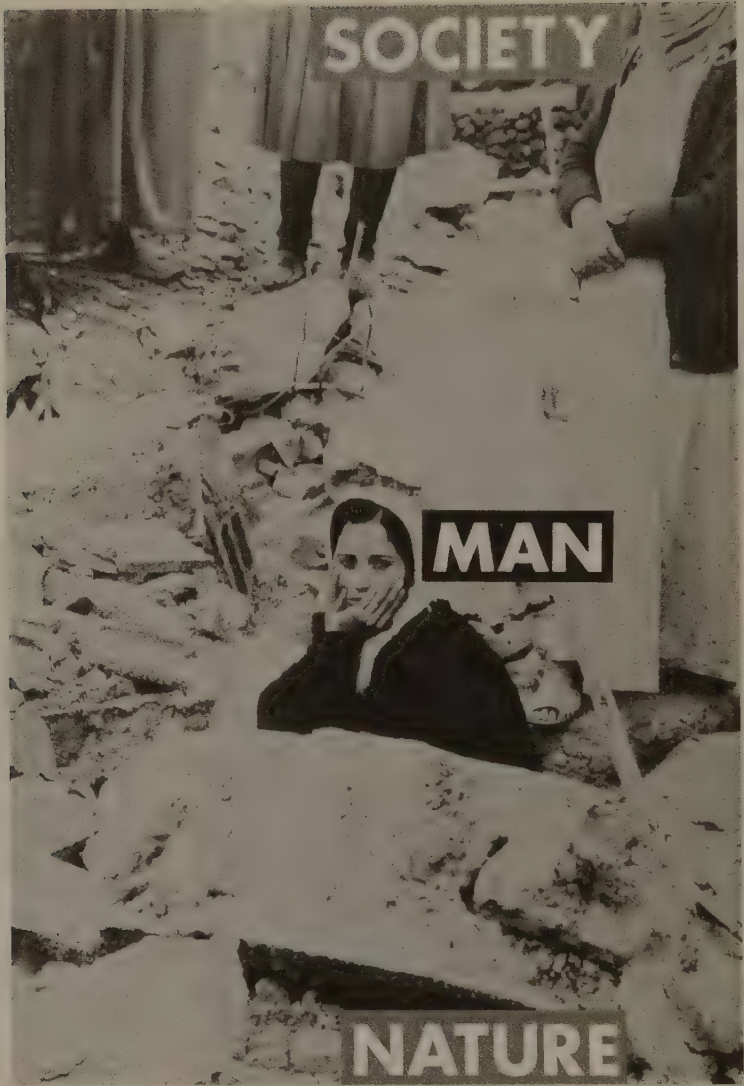


Figure 11. "Society—Man—Nature," 1992.

Throughout the occupation, the Israeli Army has used home demolitions as a punitive strategy against the civilian Palestinian population in the West Bank and the Gaza Strip.¹ The coupling of image and text suggests that the violence of house demolitions has become a naturalized feature of the occupation. Photograph by Alex Levac. © David Tartakover

S T A I N

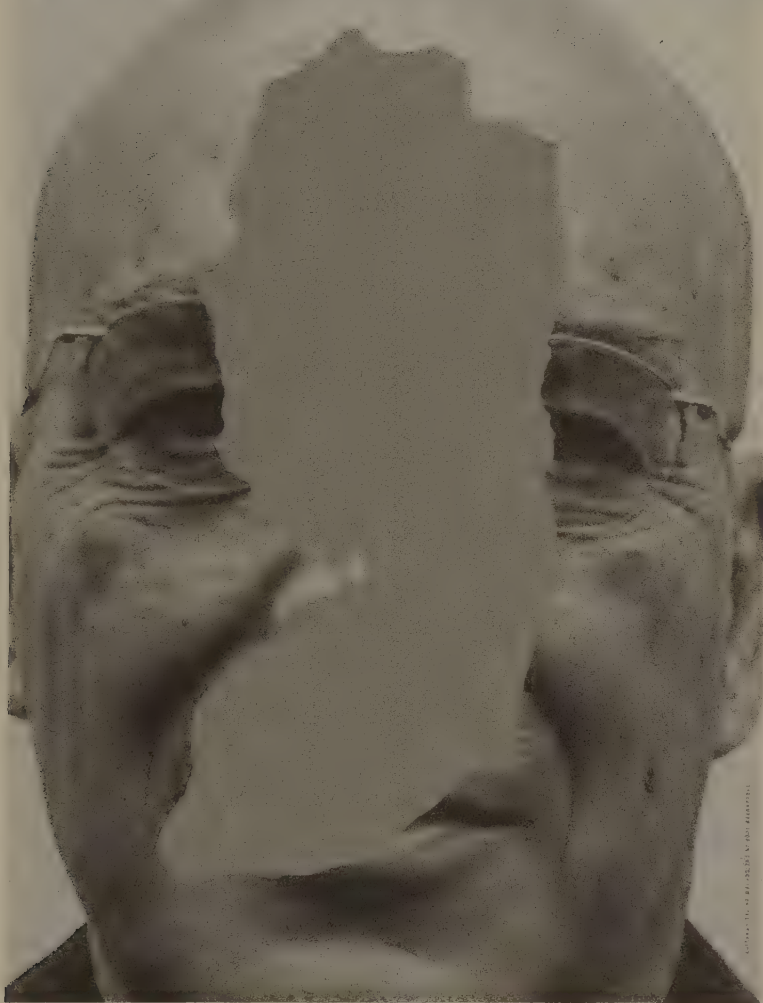


Figure 12. "Self-Portrait with Stain," 2003.

This map of the West Bank (colored red in the original poster), superimposed on the face of the artist, suggests the highly personal ways in which Israeli lives and psyches have been impacted by the occupation. Photograph by Lorne Carl Liesenfeld. © David Tartakover

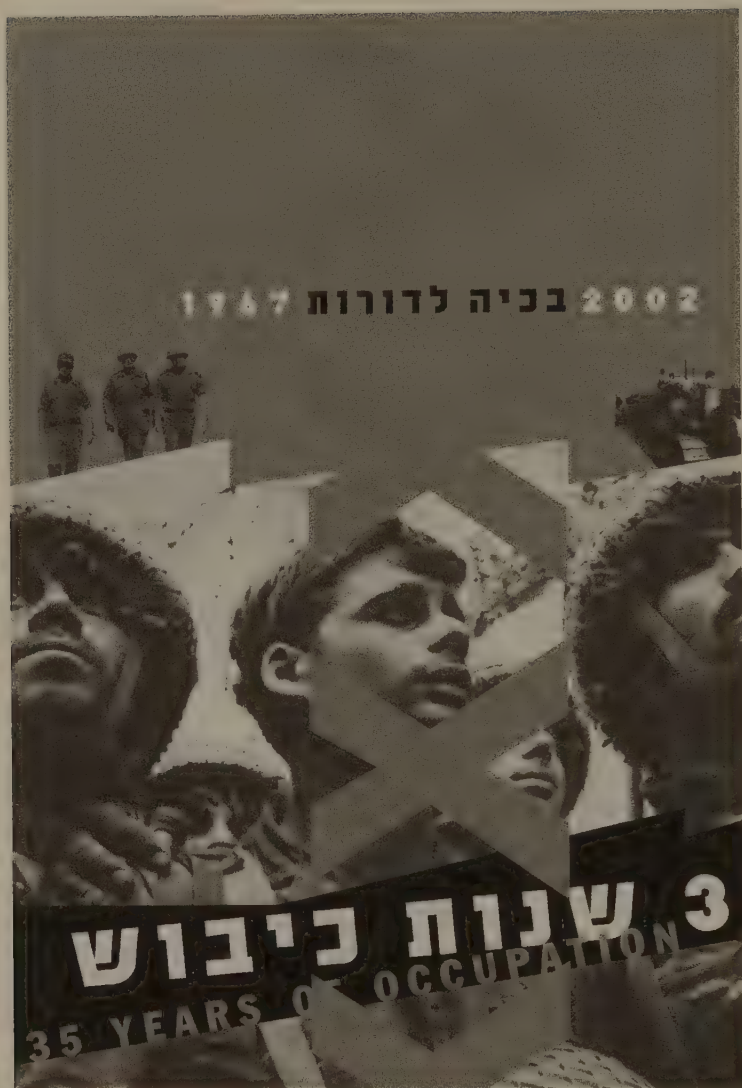


Figure 13. “Thirty-five Years of Occupation,” 2002.

This image is a reworking of a famous photograph of the capture of the Old City of Jerusalem by Israeli forces in the 1967 war (original photograph by David Rubinger)—a photograph with iconic stature within the Zionist visual archive. In Tartakover’s revision, this once heroic image is recast as a mournful protest against the occupation. Hebrew text on the poster reads: “Weeping for generations: 1967–2002.” This classic Hebrew phrase carries religious connotations, referring to an error or sin of historic proportions. © David Tartakover

A LOVE STORY BETWEEN AN ARAB POET AND HIS LAND

Interview with Mahmud Darwish

In November 2001, Mahmud Darwish, the “poetic voice of Palestine” and a leading cultural icon throughout the Arab Middle East, was awarded the prestigious Lannan Foundation Prize for Cultural Freedom. On the occasion of the award, Adam Shatz interviewed Darwish for the New York Times in Paris. Shatz’s profile of Darwish appeared on December 22, 2001. The full text of this interview, conducted on December 1, 2001, was originally published in the Journal of Palestine Studies 31, no. 3 (Spring 2002) and appears excerpted here with the permission of JPS and Adam Shatz.

Where do you live now, in Ramallah or Amman?

I live mainly in Ramallah. But we are under siege now, so Amman is my port, my gate to the world since I can’t fly from Tel Aviv. We live in cages in Ramallah. The situation is really tragic. So from time to time, I go to Amman to breathe. And each time I go, I need special permission from the Israelis. We are surrounded by borders, but these borders are flexible. The main difficulty now is we don’t see any light at the end of the tunnel. The lack of hope is terrible, and the economic situation is getting worse and worse. We don’t see an end to the bloody cycle.

You were in Beirut during the Israeli invasion of 1982, so in a sense this is the second time you have lived under the rule of Ariel Sharon.

You might say that, yes. Sharon has ruled us twice. I think he’s continuing his invasion of Beirut, and he wants revenge. But the question is not personal, finally. He wants to continue building settlements. He doesn’t want to give any com-

mitment to withdraw from territory or to our right of return. And at the same time he asks us for peace. When things are quiet, he provokes us to react.

You've said in many interviews that you find it difficult to write poetry in extreme situations. What's it like writing poetry in Ramallah today, amid the second intifada?

I ask myself this question every day. Writing poetry requires a margin, a siesta. It needs time for thought, for pondering, for seeing beyond the present. So I try to continue my project as if I weren't there. But the situation doesn't give me this luxury. There is a tension between my aesthetic demands and my conscience as a citizen. I don't know what the outcome will be, though I think that poetry is always the product of a certain tension. By that I don't mean occupation; I am speaking about other tensions. To be under occupation, to be under fire every day, to see the same murders, is not a good inspiration for poetry. Still, I can't choose my reality. And this is the whole question of Palestinian literature, that we can't free ourselves of the historical moment.

You first rose to prominence in the mid-1960s with a poem called "Identity Card." Arab critics and readers hailed you as the founder of resistance poetry. Since then, your work has evolved, growing more elusive and complex, less directly political. Have you faced resistance from Palestinian readers?

The relationship between me and my reader is very interesting. My readers always complain that my new work is not as clear, not easily understood. When I move closer to what one could call pure poetry, they want me to go back to what I was. But I have learned from experience that I can take my readers with me if they trust me. I feel I'm very lucky to have that trust. I can make my modernity, I can play games if I am sincere, because if I am sincere my readers will follow me. And who is the reader, anyway? Every day you lose an old reader and gain a new one.

You are often described as the national poet of Palestine. Do you find this to be a burden?

It is a burden, yes. What we call the Palestinian cause has lasted for years, and it becomes a burden if the poet doesn't know how to develop its meaning, how to see its humanitarian meaning. There are really only two subjects in literature: the human being and freedom. So if you know how to break through the present moment to a sort of absolute, to fuse reality with the imagination, you can prevent your poem from falling into mere actuality. The hardest thing of

all is to avoid being a captive of the present, because the present is very quick. As soon as you say present, it's already past.

You have often remarked that readers, especially Palestinians, are too quick to interpret your work in allegorical terms. I'm thinking of the poem you wrote about your mother bringing you coffee and bread in prison. Your mother in the poem is your mother, you were relating a true story, and yet many readers assumed that the mother was a symbol for Palestine.

I suffer from such interpretation. Sometimes I feel as if I am read before I write. My readers expect something from me, but I write as a poet, and in my poetry a woman is a woman, a mother is a mother, and the sea is the sea. But many readers have made this link, as if everything I write is symbolic. So when I write love poetry, they think it's about Palestine. That's nice, but it's just one aspect of my work.

You write about the sea a great deal in your poetry, and it seems to refer to various things: the voyage of Palestinians in the diaspora, the painful sense of separation from home, exile, death, the passage of time. And yet you write that in your work, the sea is the sea.

Yes, it's not a metaphor. I was astonished to meet young people in Lebanon who asked me what the sea means in my poetry. I told them, the sea is the sea. As you may know, the word in Arabic for poetic rhythm is the same as the word for sea. The French poet Saint John Perse once said that rhythm in poetry comes from the sound of the sea, from the sound of the waves. But yes, the sea also stands for the voyage, the continuation of Ulysses's voyage, the sense that we have no shore, no port, that we travel from one place to another without being allowed to stay in any one place for long. The story I tell is about wandering, about the experience of exile.

Your poetry has sparked two major controversies in Israel. The first was in 1988, when you wrote a poem called "Passing through Fleeting Words" that many Israelis interpreted as a call for them to pack up and leave. The second happened last year, when Yossi Sarid [Israeli Member of Parliament]¹ proposed the inclusion of some of your poems in the Israeli curriculum and [then Prime Minister Ehud] Barak said Israel wasn't ready for your poems. Why do you think Israelis react so emotionally to your work?

The Israelis are extremely sensitive about giving any room to the Other. They want to maintain a monopoly over the memory of the land. This is how I

explain the storm when Yossi Sarid tried to include some of my poems. The Israelis don't want to teach students that there is a love story between an Arab poet and this land. They are afraid that when pupils realize there's another people with deep roots, they will discover that the whole story of Zionism is false, and that [Israel] Zangwill's slogan "a land without a people for a people without a land" simply isn't correct.² But I am well translated into Hebrew, and my books are read by Israelis. Israeli society is not monolithic. There are many tendencies. But this moment is very bad. I just wish they'd read me to enjoy my poetry, not as a representative of the enemy.

You wrote "Fleeting Words" in 1988, at the beginning of the first intifada.

Yes. And I said what any human being living under occupation would say: Get out of my land. I was living in Paris at the time, and I was horrified by the images of Israeli soldiers breaking the bones of young Palestinians. The poem was an expression of protest and anger. I don't consider it a good poem, and I have never included it in my collections for that reason. It was a sort of stone thrown at Israeli soldiers. But you know, sometimes a poet has concerns other than poetry. Many poets have written political poetry.

Let's talk about the life of Mahmud Darwish. You were born in a Galilee village called Birweh, which was destroyed in the war of 1948.

It was a small village, close to Acre. There was a small hill in front, and there were open fields with olive trees. It was a very quiet place. I was born there in 1942. My father was a farmer, with a small plot of land, very petit bourgeois, middle class.

What were the circumstances of your flight into Lebanon?

We were sleeping, and my parents awoke me. They were very panicked. We left through the forest. I didn't understand anything. I'll never forget the moon that night. It was a full moon, and it showed the path of the mountains and the valleys. We left everything in our home, because we expected to come back. The other villagers staged a counter-attack and liberated the village. We were told that the village drank the tea of the Israeli soldiers. The village was then bombarded and destroyed completely. When we returned the next year, we found that it had been razed, and replaced by two colonies, one for Yemenite Jews, the other for Europeans. We were in Lebanon for a year. We had gone as tourists—my grandfather thought it was for a short trip. When we came back, it was in clandestine fashion, to another village in Galilee.

What was it like for you, growing up in a Jewish state after the war?

The first shock was realizing I was a refugee. The boys in Lebanon called me a refugee and made fun of me. So did the boys in Galilee. We were defined and rejected as refugees. This gave me a very strong bitterness, and I don't know that I'm free of it today. The second shock was realizing I was a stranger in my homeland. We lived under the military government with its emergency regulations, and this only stopped in 1965. We weren't able to travel from our village without military permission. I felt as if I was living in a prison. So we realized we were not real citizens, we were residents. There is democracy in Israel, but for Jews only.

You were jailed on several occasions and placed under house arrest before you fled Israel. What were you charged with?

They never told me why I was jailed. They had the right to put me in jail without giving any reasons. I was given a reason only once. I was invited to speak at Hebrew University in Jerusalem, and I applied for permission. I never received a reply, so I assumed that meant I could go. I went. The next day, I was arrested in Haifa and sent to prison for two months.

You joined the Communist Party at a young age. What was the attraction of Communism for you?

It wasn't an ideological choice. The Communist Party was the only party that defended the rights of the Arabs and called for coexistence between Arabs and Jews.

Did you know Emile Habiby [a renowned Palestinian novelist and Communist, author of *The Pessoptimist*, and the only Palestinian citizen of Israel to receive the Jerusalem Prize]?

Yes, of course. And thanks to Emile Habiby, I was able to visit Galilee five years ago for the first time since I left Israel. There's an interesting story here. An Israeli filmmaker was preparing a film, and Habiby wanted to interview me to discuss our differences and common points. He suggested that we have our conversation in the house where I had lived in Haifa. Some artists were living there at the time. So we set the date, and I got permission to be there for three days. When I arrived, I was overwhelmed with emotion. And then I was told that Emile Habiby had died the night before. His family asked me to give the eulogy. I could barely hold on to my feelings. I wept. I went to the funeral in Nazareth, and I said maybe history is very ironic, maybe there's no place for

both of us. I said his absence gave me the possibility to be present. But I don't know who is absent now, me or him. Emile was very sarcastic, so I said he was leaving the stage and cracking his last joke.

In school, you read Neruda, Lorca, Nazim Hikmet, and also a number of Israeli poets. You have spoken very highly of Yehuda Amichai [influential Jewish-Israeli poet], and of his influence on your work.³

I think Yehuda Amichai is the greatest Hebrew poet. I met him twice, once in Tel Aviv in 1969, and once in New York at a PEN conference in 1985. In 1969, a group of Israeli poets came to meet a group of Arab poets in Haifa, and then they called to meet us again in Tel Aviv. With [then prime minister of Israel] Moshe Dayan's permission, I was able to go. Mr. Amichai was very polite, very human. He behaved as a friend. He didn't tell me what he thought of my work directly, but in interviews he said kind things about me, which enraged other Israeli poets, who were very jealous. Amichai is greatly admired among the Palestinian elite, and among the Arab elite. They read him in English, though there are some Arabic translations. Once I said in Paris that I liked the conflict between me and Amichai. We compete over who is more in love with this country, who writes about it more beautifully. I hope the conflict will continue in this manner. When I read him, I read myself. I love the way he explores the everyday, the ordinary.

In "A Soldier Dreams of White Lilies," you write of an Israeli soldier who was apparently a friend of yours. He had grown tired of his country, disillusioned by politics, and he was preparing to leave.

His first name was Yossi, his last name I don't recall. I knew him from the Communist Party. This is what was so positive about the Communist Party: Arabs and Jews mixed with one another, they knew one another. A few months after the war, he came to my apartment in Haifa and told me about the war. He said he had decided to leave the country. Last year in Paris, a friend of mine told me he had greetings for me from the soldier who dreams of white lilies. He's a professor of history in Israel now. At the time the poem set off a debate in the politburo of the Israeli Communist Party. The secretary general asked: How come Darwish wrote such a poem—is he asking us to leave the country to become peace lovers? Meanwhile, Arabs said: How dare you humanize the Israeli soldier? You asked me earlier why my life is a scandal. This is the scandal of my life. Just now, we found the answer.

You left Israel in 1970, first to go to the Soviet Union and later to settle in Cairo. Why did you leave?

I decided to study political economy in the Soviet Union. I knew I was leaving the country for good, though I told nobody about it. I was harshly criticized when I left: Look! the poet of resistance leaves his homeland. Because by that time I was already a symbol. My decision to leave wasn't really a free choice. I had been placed under conditions that were no longer bearable. I had not been allowed to leave Haifa for eight years, and I had been under house arrest for three years without being told why. I felt my horizons were narrow, and I was very ambitious. I wanted to fly. I didn't want to be in jail, and I didn't want to write about being in jail. There was a new world outside. I learned about the realities of the Arab world, which wasn't so rosy. We had thought that because everything was black here, everything would be white there. That wasn't the case. My big shock was in Lebanon. I arrived there in 1973. Two years later the civil war started. In Lebanon, I realized exile exists everywhere.

You joined the PLO in Lebanon. What were your responsibilities?

I worked as an expert in Israeli affairs at the Palestine Research Center, and edited the journal *Palestinian Affairs*. But I had my independence. I wasn't engaged in the bad sense of the term. I could write what I wanted to write. There was democracy in the PLO.

When did you first meet Arafat?

I met Arafat in Cairo in 1971, when I was invited to speak at the PNC [Palestine National Council]. He embraced me. He was very warm. He said, "I can smell the fragrance of the homeland on you." We became close friends in Beirut.

Beirut was a meeting place, in those years, for poets and writers throughout the Arab world. What was the ambiance like at the time?

Beirut was the capital of Arabic modernity. It was a platform for debates, for democracy, all cultures met there. It was extremely dynamic. I played backgammon with Khalil Hawi [a Lebanese poet who shot himself during the Israeli invasion of Beirut]. I met Iraqis and Syrians, I became friends with Faiz Ahmed Faiz [one of Pakistan's greatest poets, who died in 1984]. Lebanon was also a bridge between East and West. . . . Everyone could create their own Beirut, which was part of the problem. Beirut gives every visitor the impression that it is his. Culturally speaking, it was the center of things. . . . But because

of the civil war it was difficult for me to write. I wrote less, and I wrote worse. I'm not satisfied with the writing I did in Beirut.

Did you know Ghassan Kanafani [novelist and spokesman for the Popular Front for the Liberation of Palestine, assassinated by Israel in 1972]?

Yes, I knew Kanafani. He was very dynamic, very anxious, very fluent in his writing. I remember sitting at a meeting with him where he took out sheets of paper and wrote an article in a half hour. His body was too narrow for his spirit. I was waiting for him at my office at the Research Center the day he was killed. We were supposed to have lunch at 2 p.m. He was late. We thought, that's Ghassan, he's always late. Then we found out he had been killed. He was bombed in his car with the daughter of his sister.

Did you ever fear, during the Israeli invasion of June 1982, that this might be the end for the Palestinian movement?

Yes, my feeling was this might be the end. The siege was so intense, death was so strong and so clear. The place became very narrow. We lived in two streets. I couldn't see any future. The planes and the tanks didn't allow me to. It was summer, and it was very hot. The end was clear from the beginning, and we agreed to leave. Mr. Arafat was asked by Uri Avnery [veteran Israeli peace activist and journalist], "Where will you go now?" Arafat gave a very strange answer. He said, "I'm going to Palestine." When the ships left, I stayed in Beirut. After maybe a week, I went to buy bread and saw a huge tank. I realized it was an Israeli tank, that they had occupied Beirut. Then came the massacre of Sabra and Shatila. I looked for a way out. With the help of the Libyan ambassador, who made arrangements with the Phalangists, I was able to get to Syria by car. When I arrived there, a cousin of mine threw a party for me. The Syrian ambassador to Washington was there. When I mentioned that I had gotten out with the help of the Libyan ambassador, he told me that Mr. Draper, the assistant to the US mediator Philip Habib, had had a plan for me to leave. An American car was supposed to come to my house with a driver and an American flag. I would open the left door, and I shouldn't say good morning because the United States and the PLO didn't have a relationship. I would then be driven to Jounieh, north of Beirut, and a helicopter would be waiting to fly me to Cyprus. All expenses would be paid by the United States, except for the helicopter flight, which I would have to pay. But I didn't know about this plan, and they never found me. I wasn't living in my house, because the Israelis were looking for me.

You wrote in your Beirut book, *Memory for Forgetfulness*, that a Palestinian defeat in Lebanon was the lesser evil and that victory would have been a catastrophe. Can you elaborate?

If we had won we would have been occupying Lebanon, and this victory would have been worse than defeat. We're not supposed to be occupiers. I think we should have put more effort into avoiding involvement in this dirty civil war. The Palestinian leaders say they didn't choose to intervene, that they were attacked by the Phalangists. Still, we crossed the red line by going to the mountains, the sacred place of the Phalangists.

You said that during the invasion the Arab world was more interested in soccer than in Lebanon.

There was no Arab demonstration against the invasion. The only demonstration, a demonstration of 100,000, was in Tel Aviv [many observers say the number was closer to 400,000].

Any thoughts on why there were no Arab demonstrations?

Paralysis. And there is no democracy in the Arab world.

You authored the 1988 Algiers Declaration announcing a Palestinian state and implying the PLO's recognition of Israel.

Yes. It was a shift in PLO policy away from the total liberation of all of Palestine. From the beginning, I believed a two-state solution was the only solution, because I knew the situation in Israel. I was always among the doves in the PLO.

In 1993, you resigned from the PLO Executive Committee, on which you had served since 1987, to protest the Oslo accords. What were your objections?

My conclusion was that I couldn't vote for the agreement. I couldn't vote against it, but I couldn't vote for it either. I thought it wouldn't lead to real peace. It was too ambiguous. There was no clear link between the interim period and the final status, and there was no clear commitment to withdraw from the Occupied Territories. And the word "occupation" wasn't even in the text. I felt Oslo would pave the way for escalation. I hoped I was wrong. And now I'm very sad that I was right.

Is it true that Arafat asked you to be the Palestinian minister of culture?

He did, but I refused.

It's reported that he said you could be Malraux to his De Gaulle, and that you replied that he wasn't De Gaulle, and that even if Palestine one day achieved the grandeur of France, you'd prefer to be Sartre.

Yes, something like that.

You belong to a generation of Arab intellectuals who dedicated themselves to various forms of secular nationalism. More and more, young Palestinians are drawn to radical Islam, to groups like HAMAS and Islamic Jihad. Does the Islamicization of Palestinian civil society concern you?

Yes, it concerns me, because I believe in pluralism. I believe there is room for all religions in Palestine. I am against Zionism. At the same time, I think that if there is hope, the secularists will be stronger than the fundamentalists. In fact, the secular forces are stronger than the fundamentalists now. But I think they will be even stronger when there is hope, and this is true for Israel, too.

You returned to Palestine six years ago, after a quarter century in exile. You said upon returning, "I returned and I didn't return." What did you mean?

I wasn't born in the West Bank. I had never been there before. It's not my private homeland. If I were able to go back to Galilee, I'd feel as if I had returned. Home is a place where you have a memory; without memories you have no real relationship to a place. Also, it is impossible to return. Nobody crosses the same river twice. If I return, I will not find my childhood. There is no return, because history goes on. Return is just a visit to a place of memory, or to the memory of the place.

You have suggested that Palestinian literature, which has been nourished by exile, might enter a crisis once the dream of statehood is realized.

There is no guarantee about the future of the text, though I do not wish to put freedom and the text in conflict. The importance of poetry is not measured, finally, by what the poet says, but by how he says it. The value of a poem is not measured by its theme, but by its aesthetic form. We still read Homer even though he wrote about a specific war in a specific time and a specific place. If CNN had existed during the Trojan War, could Homer have written the same poem? I doubt it. He describes details the camera would tell. The role of the poet as witness, as objective witness, has declined, because the camera is more accurate than the writer. I believe the poet today must write the unseen.

Do you still regard yourself as an exile?

Exile is a part of my inner being. Exile exists not only in geographical terms. You can be an exile in your homeland, in your own house, in a room. Can I say I'm addicted to exile? Maybe. Exile is multicultural. It's a major theme in literature, not simply a Palestinian question.

When do you think exile will come to an end for you?

I think in death. And maybe after death I'll face a new exile. For there is something even more difficult, and that is eternity. I can't imagine anything more frightening than eternity, can you?

Have you ever regretted your decision to leave?

I always criticize myself about this decision. Was I right or wrong? I am nothing but my poetry. Did exile help my poetry? Maybe. My horizons became wider when I left as a young man, and I'm much better now as a poet. Whether this is because of exile or just the nature of things, I cannot say. But sometimes I feel shy and ashamed because I left. On a human level, I have regrets. I can't look at my fellow Palestinians without feeling a sense of shame. But my nature is solitary. I prefer to be far from crowds. I like isolation. I don't socialize much.

Days after the attacks of September 11, you denounced terrorism in a Palestinian newspaper. What do you make of the American war in Afghanistan?

My sympathies were with the victims of September 11. I understand the American wound. But this doesn't justify the war, and I can't accept Mr. Bush's idea that you must either be with the United States or with terror. I am against US foreign policy and against terror. I am against dividing the world into two camps, that of absolute good and absolute evil. This is not a clash of cultures, it's a political war. And it is time for America to ponder why it is hated. It's not because of envy of the American way of life. It's because of American double standards.

In her lifetime, Fadwa Tuqan (1917–2003) was considered the grande dame of Palestinian letters. Born in Nablus, she began writing poetry in traditional forms and became a leader in the use of free verse in Arabic poetry at a young age. Her early works explored themes of love and womanhood. After Israel's occupation of the West Bank in 1967 she turned to more patriotic poems, a shift in subject matter reflected in the work of many Palestinian poets, artists, and novelists. In 1985 she published her autobiography, *A Mountainous Journey*, since translated into English.

Enough For Me

Fadwa Tuqan

Enough for me to die on her earth
be buried in her
to melt and vanish into her soil
then sprout forth as a flower
played with by a child from my country
Enough for me to remain
in my country's embrace
to be in her close as a handful of dust
a sprig of grass
a flower.

Translated by Naomi Shihab Nye, with Salma Khadra Jayyusi

THE OSLO PROCESS, ISRAELI POPULAR CULTURE, AND THE REMAKING OF NATIONAL SPACE

Rebecca L. Stein

The Oslo process had much to recommend it to many Jewish Israelis during the 1990s. In addition to the political security it offered, the so-called peace process designed by the Rabin/Peres Labor administration (1992–96) promised Israel an abundance of new regional and global economic opportunities, and thus was heavily supported by the Jewish private sector. Yet the prospect of “peace” also generated widespread anxiety within dominant Israeli culture about the country’s ability to preserve its Jewishness in the face of political shifts in the region and newly porous borders between Israel and its Arab neighbors. Israeli popular culture worked to quell that anxiety through its highly selective renderings of Israeli social space. In part, anxiety was quelled through acts of erasure, through the symbolic removal of Palestinians, and thereby their threat, from popular cultural representations of the Israeli social landscape. Such acts of erasure had characterized dominant Israeli popular culture for decades, but they took new forms in the Oslo era.

Consider, by way of an introductory example, Amos Gitai’s 1999 film *Sacred* (*Kadosh*). Rivke is the film’s tragic protagonist: young, married, Ultra-Orthodox, and unable to bear a child. Her anxiety is acute, as the Ultra-Orthodox community of Me’ah She’arim in West Jerusalem, in which Rivka lives with her husband Me’ir, is known to ostracize its barren women. Seeking spiritual guidance, she leaves their home one evening to pray. The camera follows Rivka as she walks through the darkened streets of Me’ah She’arim, then cuts to her arrival in the spacious, well-lit courtyard of the Western Wall. Hands pressed against the stones, she seeks salvation. In this and other scenes, Gitai presents viewers with a Jerusalem peopled only with Jews, in which

internal differences within the city turn primarily on the religious–secular axis. Rivka’s pilgrimage from Me’ah She’arim to the Old City’s Jewish quarter is presented as an uninterrupted journey through Jewish spaces. Palestinians are missing, as are scenes of contact between the city’s Jewish populations and its Arab ones.¹

As a story of Israeli and Palestinian space during the 1990s, Gitai’s account was fictional. Contrary to his telling, the fastest route to the Western Wall from most Me’ah She’arim neighborhoods passed through the Damascus gate into the Old City’s Muslim quarter. In the late 1990s, when the film was made, this gateway was a place of dense contact in the intermingling of Ultra-Orthodox Jews, Palestinian residents and merchants, Jewish Israeli soldiers, and Western tourists. Such scenes of intercultural contact were not unusual during this period. They recurred on city buses that traversed the invisible Green Line, in the lobbies of public hospitals, and in the crowded market-places of the West Jerusalem open market. Even in the western city, where Palestinian movement was actively policed by the state, contact was virtually unavoidable. Dominant Israeli popular culture, in films such as Gitai’s, did what right-wing politicians could only hope to achieve: they removed Palestinians from the Israeli landscape.

REMAAPPING TEL AVIV

Eitan Fox’s *Florentin*, produced for Israeli television’s Channel 2, also participated in this remapping of Israeli space. This weekly drama premiered in the fall of 1997 and ran for several consecutive seasons to rave reviews in Israel and abroad.² At the time of its airing on Israeli television, Fox had already achieved prominence with *Time Off* (1990), hailed as the first film to explore gay life in the Israeli army, and the box-office hit *Song of the Siren* (1992), a melodramatic comedy about upper-middle-class Ashkenazi Tel Aviv during the Gulf War. In 2002, building on the success of his television serial, Fox released *Yossi and Jagger*, another romantic tragedy about gay army life that reached wide Israeli and international audiences. *Florentin* offered its viewers a portrait of bohemian Tel Aviv in the 1990s. The series took its name from a Jewish neighborhood south of downtown, bordering Neve Tzedek to the west just north of the Jaffa port. Florentin was established by Zionist developers in 1929 on land purchased from Palestinian Arabs. At the time of its founding, Ashkenazi craft workers comprised the majority of its new inhabitants.³ As Tel Aviv began to expand in the decades following state-formation, Florentin’s property values declined and working-class North African and Middle East-

ern Jews began to inhabit the neighborhood. In the 1990s, following a gentrification campaign sponsored by the municipality, Florentin was rediscovered by twenty-something Ashkenazi artists, yuppies, and hipsters, attracted by its inexpensive lofts and Bauhaus architecture.⁴ During the course of the 1990s, they shared Florentin's residential blocks with poor Mizrahi Jews, workers from Africa and Eastern Europe, and occasional Palestinian Israeli families. At the end of the decade, discotheques and cafés began to compete for space with carpentry workshops and small factories. Even as gentrification continued apace during this period, residents attempting to transform this light-industrial district into an artist's colony complained of ongoing municipal neglect: broken streets and sidewalks, irregular garbage collection, and insufficient police presence.⁵

Like Fox's previous films, *Florentin* explored the relationship between private Israeli lives and broader Jewish Israeli political concerns and social processes, both in Tel Aviv and nationally. Perpetual use of documentary footage staged the serial as a realist chronicle of daily Israeli life. Its opening sequence was particularly pointed in this regard. Rapid camera movement showcased Florentin's largely non-Ashkenazi, urban, working class, with images of Ethiopian children at play, Mizrahi grandmothers stooped over shopping bags, and men conversing in synagogue doorways. These sequences also featured highly aestheticized images of labor: the buzz of a drill, trucks in transit, boxed fruit delivered to the corner store. Viewers met the central cast of characters in these working-class spaces, posed against Florentin's familiar cement apartment blocks and crowded corner stores now interrupted with the brightly painted walls of gentrification.

Florentin also sought to chronicle the recent history of the nation-state. Many episodes took place against the backdrop of the central political moments of the 1990s (the bus bombings of 1995, the Rabin assassination, and the 1996 national elections). Early episodes on the Rabin era, which portrayed a cosmopolitan Jewish world celebrating internal Jewish difference and embracing peace, aired on Israeli television during the fall of 1997, as the Netanyahu-led Likud administration entered its second year. The serial's nostalgic portrait of the Rabin era was an implicit critique of the Likud government and its failure to advance a regional settlement with the Palestinians.

THE QUEER METROPOLIS AND ITS ABSENCES

Like Gitai's Jerusalem, Fox's Tel Aviv was virtually stripped of Palestinian Arabs. Little or no mention was made of the neighborhood's proximity to

Jaffa—a drive of several minutes by car. Instead, Arabness came into visibility largely in the form of Arab cultural commodities and aesthetics, disassociated from the histories and politics of particular Arab communities. Save the snapshots of ethnic difference presented in the serial's introduction, the city as portrayed was overwhelmingly middle class and Ashkenazi. It was also a place in which sexuality was the privileged site of difference. In Fox's rendering, Tel Aviv of the 1990s was exploding with gay-male culture.⁶ (In keeping with the uneven landscape and politics of gay visibility in Israel, lesbians and lesbian culture were largely ignored.) The gayness that interested Fox was not at odds with the state. Instead, *Florentin* was interested in the relationship between foundational Zionist institutions and practices and their gay practitioners. The same has been true of Fox's films, particularly his early work. *Gotta Have Heart* (1997), a campy melodrama about sexuality in rural Ashkenazi Israeli society, ends with a triumphant gay fantasy in which boys fall in love and join the Israeli army. In Fox's work, as in the discourse and ideology of much gay-male culture in 1990s Israel, these dual initiations (into an out-gay world and into a normalizing state institution) are mutually constitutive and enabling.

Consider the case of Tomer, one of *Florentin*'s central characters. In episode six, which aired in Israel in the fall of 1997, Tomer has just concluded the middle-class Israeli ritual of post-army travel to India, and dreams of a film career inspired by the Hollywood classics. Shortly after his return to Israel, he has come out to his high-school friends. This episode dramatizes his attempts to come out to his parents in the living room of their comfortable Jerusalem home—a painful process before a phobic family. The scene takes place on November 6, 1995, the day after the assassination of Israeli Prime Minister Yitzhak Rabin. Tomer presents his story of self as his family gathers in sorrow around the television, joining the hundreds of thousands of Israeli who watched Rabin's funeral on a live broadcast.

This episode juxtaposes private and public mourning, coupling the nation's sorrow over a fallen leader and the shattered myth of Jewish unity (violated by Rabin's Jewish assassin) with a father's lament over his son's perversions and a son's grief over homophobic parents. In conjoining these stories of mourning, pairing the public rituals of nationalism with the private stories of queer sexuality, Fox quite powerfully rewrote the dominant hetero-normative story of the Israeli nation-state. Yet this episode left other national myths intact. Fox's portrait of the Rabin funeral and culture of memorial, illustrated with

documentary footage, depicted the nation mourning as a united front, save the rupture between the Jewish secular left and the Jewish religious right. Fox offered no alternative to the celebratory narrative of Rabin as fallen peace-maker that captivated even the Zionist left in the wake of the assassination—a narrative that hinged on the fiction of the nation-state united in patriotism across the lines of ethnicity, class, gender, and sexuality.

The intersections of queerness and Zionism were also staged through the character of Ma'or, *Florentin's* straight male sex symbol. In episode eight, Ma'or is called up by the army for his annual reserve service. The timing is terrible—he has just opened a café in the heart of *Florentin* to take his mind off a painful breakup, and fears that the six-week leave will severely damage his business. In an effort to skirt his national obligations, he is persuaded by friends to “play gay,” to increase the likelihood of an army exemption.⁷ When called before the army board to explain his request for exemption, Ma'or's schooling in queer affect falters. As his performance collapses, the army boardroom becomes a confessional, with army personnel as confessors. Yet, in this space, Ma'or speaks not of his desire for an army exemption but of the pain of his breakup.

In this episode, gay identity functions as an alibi, a means of securing exemption from the army if performed successfully. In turn, the episode's emphasis on the army boardroom as a site of queer performance and heterosexual melancholy, effectively stands in for a serious interrogation of the army and the work of its soldiers. The triangle of army service, gay performance, and heterosexual sorrow entirely occludes mention of army violence and its largely Palestinian victims. The only violence and pain thematized in this episode are those of love lost, enacted *on*, but not *by*, the body of the reservist.

The absence of Palestinians and the Israeli occupation in this episode are cast in relief by its selective attention to Arab culture. Ma'or's education in queer identity is staged against the background of Egyptian diva Umm Kulthum's haunting voice played on CD by our central characters in their Tel Aviv apartment. The presence of Umm Kulthum in an Israeli television serial of the 1990s was made possible by broader cultural and political trends in Israel during this decade. The Oslo process of the 1990s had effectively enabled Jewish Israelis of European descent to consume and enjoy regional Arab culture in new ways and forms, providing state sanction for its consumption.⁸ During this period, Mizrahi pop star Zehava Ben began to sing the songs of Umm Kulthum to packed Israeli audiences in Jerusalem and Tel Aviv.⁹ Both

Jewish Arab and Muslim Arab culture was being domesticated, rendered both safe and attractive by advances in regional diplomacy.¹⁰

In *Florentin*, the spectral figure of Umm Kulthum functioned as a surrogate, doing the work of representing Arabs in a series predicated on their absence. Her music elicited no comment from the characters in this episode. Stripped of political context and history, it functioned largely as the background for the performance of gay affect and identity. Arabness, both in this scene and the series more generally, primarily came into visibility when it was rendered queer.

ALTERNATIVE CARTOGRAPHIES

Palestinians were not the only subjects excluded from much Israeli popular culture of the 1990s. Also missing from many such works were portraits of working-class Mizrahi communities, of the Russian immigrant population that had come to Israel during the course of the previous decade, and of the growing population of foreign workers, a particularly striking presence in the working-class outskirts of Tel Aviv.¹¹ All these absences can be understood as a response to the radical reconfiguration of Israeli society and national identity that was occurring during the course of the 1990s. For although the Oslo process was celebrated by the Labor Party for its promise of new markets, labor pools, and opportunities for multinational investment, it also carried considerable threat for dominant Jewish Israeli culture—the threat of greater cultural integration into the Arab Middle East. The spatial fantasies of popular Israeli culture worked to forestall such threats, to preserve the myth of Israel as a Euro-Jewish space. The more complicated stories of Israeli space—in which Thai foreign workers, Palestinians with Israeli citizenship, working-class Mizrahi communities, and upper middle-class Ashkenazi bohemians negotiated a single city—remained to be televised.

Two months ago, my hairdresser confessed to me that he was a sniper. During his last trip to downtown Jerusalem, Jake told me, he had seen sharpshooters on top of all the buildings.

"I had never noticed them," I admitted. "How did you know they were there?"

"Well, if you really want to know," he said haltingly, "I was a sniper during the first intifada. They used to put me on top of a building and say, 'See that guy in the yellow shirt? Take him out.' Now the Palestinians are doing the same thing in our cities, only using live bullets instead of rubber-coated ones."

Jake's observation notwithstanding, the snipers positioned atop apartments in Ramallah, Bethlehem, and elsewhere during the reoccupation of the West Bank this March were overwhelmingly Israeli. His remarkable elision of this fact is symptomatic of everyday Jewish Israeli narrations of the second intifada. The conversations that circulate in taxis, on the streets, and in private homes tend to recycle the same storyline: their violence is more deadly than ours, the army has to stop the terror, and there is nothing we can do but wait until this nightmare ends.

This widespread public refusal to see the violent reality of the occupation and Israel's responsibility for ending it is not a new phenomenon, but in the course of the last few months it has assumed new forms. Now that thirty-five years of colonial violence in Palestine have boomeranged—emerging with a vengeance on Israeli buses and in city streets—it is no longer so simple for most Israelis to turn a blind eye.

"I heard something on television the other day," a thirty-four-year-old reservist serving in reoccupied Bethlehem told the *Observer* on April 7. "Someone was saying that the Oslo peace agreement meant we should be able to have a cup of coffee in Baghdad. Instead it has turned out that we cannot even have a cup of coffee in Tel Aviv."¹ A more poetic lament appeared on the front page of the liberal daily *ha-Aretz* the morning after the March 9 suicide bombing in a trendy West Jerusalem café: "Let's not deceive ourselves . . . this is a war over the morning coffee and croissant. Over the evening beer. Over our very lives."² In the weeks leading up to Operation Defensive Shield, the defense of leisure became a prominent theme in popular representations of the uprising. The threat to a cosmopolitan lifestyle came to be seen as an existential threat to the state itself, something to be quelled at all costs. Sections of the urban middle class declared their determination not to "give up," and their decision to socialize in cafes and restaurants despite their fear was depicted as a defiant act of patriotism. In one yuppie Jerusalem neighborhood, the *Jerusalem Post* reported, local citizens initiated a campaign to "take back the cafés."³

On television, alongside real-time footage of soldiers on their nightly "anti-terrorist" raids in the Gaza Strip, newsmagazines featured the dilemmas of teenagers who can no longer safely go bar-hopping. Another program documented the national surge in weekend sing-alongs, where young and old gather in restaurants to recall the heady days of Zionist "pioneering." Rather than a collective reappraisal of what they are fighting for, the mainstream cultural response to the grinding war of attrition has been the search for alternate paths to recreation and the assertion of a refusal to be "beaten down." As a ninth-grader from a north Jerusalem settlement explained to a *ha-Aretz* reporter, "The Arabs want us to be afraid, but we won't give them that pleasure."⁴

Posing Israel's security concerns in terms of citizens' access to leisure has become a powerful means of depoliticizing the occupation and ignoring the reasons for Palestinian resistance. But the growing militarization of Israeli society rests on more than an ethos of defense. A chilling revival of the 1950s rhetoric of "no choice" and "existential danger" is driving Israeli Jews to embrace a more aggressive stance toward not only the largely civilian population they occupy but also the dissenters within Israel itself. Popular support for expelling Palestinians and "Israeli Arabs" soared in March to 46 and 31 percent, respectively;⁵ soldiers who refuse to serve in the Occupied Territories continue to receive death threats; six out of the nine Arab Knesset members

in non-Zionist parties are under criminal investigation for their criticism of Israel's suppression of the al-Aqsa Intifada; and police brutality against anti-occupation activists is becoming the norm.

On April 12, the national student union called for a ban of all Arab political activity on Israeli campuses. According to the union, the Arab students' humanitarian aid drives for Palestinians under siege and their commemoration of the hundreds killed in Israeli attacks constituted "terror-supporting acts." Similar fundraising drives led partly or exclusively by Jewish students were not included in the ban. On May 15, this blanket assault on the freedom of expression for Palestinian citizens of Israel was stepped up with the passing of two new anti-incitement laws that target the political criticism of Arab parliament members. Increasing attacks on Palestinian citizens in the street, the growing acceptability of public discussions of "transfer," and graffiti throughout Israel calling for the death and expulsion of all Arabs have provided a ripe social climate for this legislative assault.

Countless media interviews with schoolchildren, soldiers, and citizens reproduce the sentiment that Israelis have "no choice" but to continue to arm themselves and crush the Palestinians. As a *ha-Aretz* interview with one man who joined the growing number of gun owners suggests, the resort to bearing arms is tied to a sensibility that rejects the possibility of working for a political solution: "I hate this moment. I really regret that I'm buying a gun. . . . [It] isn't so much for self-defense as for a sense of security. . . . I don't believe that, in a one-on-one confrontation with a terrorist, I'll be better than him. . . . It's just that I'm not prepared to walk down the street feeling helpless anymore."⁶ Others are more confident about the rewards of using force. Hours after a fatal Tel Aviv restaurant shooting in early March, a taxi I was taking passed the site of the attack. Suddenly the middle-aged woman in the back began to speak: "The only way to stop them is simply to turn off the faucet in the territories: cut their gas, their electricity and their water. Only that will convince Palestinian mothers—who are just like us, who just want to raise their kids in peace and quiet—to tell their leader to stop spending American tax dollars on weapons."

The "solution" casually proposed by my fellow passenger testifies to the success of Sharon's ideological campaign to dismiss the Palestinian national struggle by demonizing Yasser Arafat. In elevating motherhood to a supreme national value, she uses the language of humanism to render savage collective punishment acceptable and Palestinian political freedom "irrelevant." Given

that the Israeli army has adopted even more deadly tactics during its recent invasions of Palestinian self-rule areas, it is impossible to dismiss this woman as an extremist. Her selective understanding of US aid aside, the widespread acceptance of her logic among Jewish citizens helps to explain their silence in the face of Israel's war crimes in the West Bank.

The fear of anyone walking in Israeli streets these days is, to be sure, real and legitimate. This personal existential threat, though, has been manipulated and distorted by the political establishment, which has managed to convince the large majority of the population of the illusion that it is facing a national existential threat. Tracing the impact of this illusion in Israeli Jewish society helps to illustrate how the repressive practices of occupation are simultaneously translated into—and fueled by—a culture of militarism at home.

Jake the hairdresser-sniper concurs that Israel has “no choice” but to crush Palestinian resistance with force. “What about the reservists refusing to serve in the territories?” I probed. “They have no right to shirk their duty,” he retorted angrily. “There’s a democracy in Israel, and the only way to change things is through the vote. Just like you have to pay taxes, I have to go to the army.” But what if some citizens believe that the democracy here isn’t strong enough to register their opposition through elections, I suggested. What if they feel that their participation in the system would force them to act immorally? Jake disagreed: “If all the soldiers woke up tomorrow and refused to serve in the territories, Israel as a state would be wiped out in months.”

Our conversation trailed off. A few minutes later, he broke the awkward silence: “I guess hairstyling and militarism don’t go well together,” he said with a nervous smile. But the uncomfortable doubt in his voice spoke louder than his words.

Jerusalem

Spring 2002

Choosing a handful of poems that might represent the experiences, aspirations, and emotions of Palestinian Arabs and Israeli Jews over a disappointing and destructive decade has been a daunting task. Finding that we couldn't possibly cover the full range of poetry written in this period, we decided to follow two emerging trends.

On the Israeli Jewish side, there is an urge to confront the reader with names, faces, incidents, and images that might flash across a headline but not haunt one's dreams or fundamentally call into question certain basic assumptions about language, identity, history, and political affiliation. There is, as well, a relentless interrogation of the Hebrew language and the uses it has been put to by militarization and the brutality of occupation. Such poems can herald the courage of an individual or strip away the layers encasing sacred cows.

The Palestinian poetry we have chosen reveals a very different face of the political, turning less toward the public. Most of the Palestinian poems are from *Permanent Guests of Fire*, a 1999 anthology sponsored by the Palestinian House of Poetry, an initiative of the Palestinian National Authority established by the Oslo accords.¹ The turn toward the prosaic, toward the autonomy of memory and personal life, marks a significant departure from earlier poetry of nationalist bravado that made "resistance poetry" a synonym of Palestinian poetry. As al-Mutawakkil Taha, the director of the House of Poetry, put it, "Before Oslo, we were charmed by oration and rhythm. After the revelations in light of Oslo, one became more mature, more reasonable, and more deeply angry. The quiet voice could be more influential than screaming." The accords, presented as the means to end the deferral of a homeland, appeared to

defer the homeland to the point of oblivion. It is as if poets realized at last that poetry had also been a casualty of that deferral. Exasperated by the debacles of foreign occupation and national corruption, poets now realize that, as poets, what needs their attention first is poetry, not the homeland. Securing a space for the marginal and the silent is one way these poets talk back to occupation or beyond it. Grand narratives, rejected in academic theorizing, now appear unattainable in poetic practice as well. What was once denounced as luxury is now embraced as necessity; the high rhetoric of poetry composed to be recited before huge crowds gives way to poetry intended for a silent readership.

Both of these poetries insist on autonomy: for the Israeli Jewish poets, this means standing apart from the language as it has been abused and manipulated; for the Palestinian Arab poets, it means preserving any last bastion of unoccupied space, even if it be just the size of a page.

AHMAD DAHBUR

Ahmad Dahbur was born in Haifa in 1945. Forced to flee with his family in 1948, he was raised in Syria. His books include *Mixing Night and Day* (1979), *Twenty-One Seas* (1980), and *Such* (1990). He now works as a director in the Palestinian Ministry of Culture.

The Seamstress's Needle²

*To my Mother's needle . . . and to what,
in her absence, has been made of her dreams*

Two gazelles graze
on the sewing needle
and the prison cell
is hemmed in by
a river of wishes
the expanse unfurls its carpet
for the hymn of humility

Tomorrow the little ones grow bigger
I have tomorrow, and a time of my own,
Tomorrow, a wall leaves

On the sewing needle
I see, from here, my place

and behind me, there, fire,
 and sleep on the stone tiles
 there, in front of me, a dwelling
 and no sense
 and no knowing
 there sorrow fills me
 there the doves flew off

A cloth two tears
 and a lifetime of dust
 on the sewing needle

October 4, 1996

ANAS AL-'AILAH

Anas al-'Ailah, born in 1975 in Qalqilya, is a graduate in Arabic and Journalism from Birzeit University and works with the periodical *al-Shu'ara* (*The Poets*), published by the Palestinian House of Poetry.

Plants

I am my house and my distance
 I reside in my soul
 And there I die
 My roots are sails in the earth
 And my severed trunk a seat for the wind
 Creatures rest in
 The land beats within me
 And I beat in the void
 Traveling in my boughs
 Breathing the sunny horizon
 And kneading water children delivered without birth
 I am my house and my distance
 I reside in my soul
 And there I die

MAHMUD ABU HASHHASH

Mahmud Abu Hashhash, poet and short story writer, was born in 1971 in al-Fawwar Refugee Camp near Hebron. A graduate in English from Birzeit University, he works at the Al-Qattan Foundation.

The Millstone

My mother grinds the air
 ladling it out scoop by scoop from an ancient vessel
 her hand flows into the earthenware plate
 spinning the millstone
 —(I grind the sheaves of wheat while I'm sitting at home)
 the millstone's jaw grinds her tears
 —(and I stay up with you till morning unaware of it)
 the millstone's jaw grinds her heart
 —(and if I singe a wound I'll be patient with the fire)
 the jaw of the millstone goes on grinding
 our lives in the camp

*Translations by Ammiel Alcalay, Khaled Furani,
 Mohammed Saddick, and Manel Saddique*

GHADA AL-SHAFI'I

Ghada al-Shafi'i, born in 1977 in Acre, studied Philosophy and Comparative Literature at the Hebrew University of Jerusalem. She has published one book, and her work has appeared in the journals *al-Masharif* and *al-Karmil*.

From: My Apostles to the Desert

My apostles to the Desert
 Are many and strange
 Without names to document their seasons
 Without eulogies in the revelry of forgetfulness

 No kin for them
 But palm trees
 And the crescent fixed between night's own fronds

 My apostles to the desert are forgotten like their epistles
 Abstaining from all silence or speech
 Roaming the uncountable air

Proliferating in migrations
 That take the steps
 From loss
 To loss

And so . . .
 From a day going away in the ring of gold
 To another day roaming in the clouds
 They march
 Inheriting the longing
 And storing it in jars made for drinking water

My apostles to the desert
 Strangers
 Permanent guests of fire
 For fire has its guests
 Guarded by the angels from God
 Hovering around it every night
 Every night
 Adding to it their bodies in prayer
 Like smoke scurrying to the ceiling of darkness
 The soul rises from the heap of flames

My apostles to the desert
 Are many
 And they have no single abode
 They compose a hymn and house it in the cacophony of their dreams
 Then depart, leaving in it windows that won't undo the darkness of things

He who contemplates them
 Envisions their specter
 He who dreams
 Beholds them
 A scene fixed upon them comes into his sleep
 While they shine the copper of their solitude
 And he who silently ponders their absence
 Hears the echoes of their flutes
 (They wrap themselves with silk, covering the solitude of their sleep
 And point their souls like arrows
 Rising

Without
Ladders
Stars at their footsteps)

Translated by Khaled Furani, with Ammiel Alcalay

SAMI SHALOM CHETRIT

Sami Shalom Chetrit, born in Morocco in 1960, is a poet, scholar, filmmaker, and activist. He has published three books of poetry and a major scholarly work, *The Mizrahi Struggle in Israel, 1948–2003* (in Hebrew).

Song of Ascent for Mordechai³

A song of ascent for Mordechai
in his ascension over truth's pavilion
crying out a vision for the end of all flesh
sounding the alarm over the evil to come
ringing bells of fire.

A song of ascent for Mordechai
for whose tidings
he was pitched into the cistern
as befits a prophet of truth.

A song of ascent for Mordechai,
my brother my brother Mordechai
your outcry is too heavy to bear,
but behold, your light wings
carry me
over the mountains of pitch,
where the Prince's vile hand
can't touch us.

A song of ascent for Mordechai,
May God Bless You and Keep You
and the Lord Shine the Light of His Face Upon
You and Bestow Peace Unto You.

*1995, Eight Years since the Kidnapping and Imprisonment of
Mordechai Vanunu*

Translated by Ammiel Alcalay

The Land Has Revealed Its Bloodshed⁴

And what's the point anymore of covering
 For the land has already revealed its bloodshed
 Its entrails
 Bloodstained
 We and our fathers and our sons
 With our own revived hands did we spill
 Our soul has been revealed in its nakedness
 Let hawks swoop down from the heavens
 For there is nothing left to cover

Translated by Yehoshua Shay Sayar

YITSHAK LAOR

Yitshak Laor, poet, novelist, and activist, was born in 1948. An early voice for soldiers refusing to serve during the 1982 invasion of Lebanon, Laor's recent novel, *Ecce Homo*, is a brilliant satire of intellectual collusion in the militarization of Israeli society.

STILL-LIFE⁵

Go and divide Jerusalem, yes, like a slice
 of the pomegranate peel
 her skin to the mucous, or maggots, to pull apart
 to strip off bandages, and secula-religious lies.
 If I forget Thee Oh Jerusalem, I will forget our lives
 here, God of fear, the air filled
 with shrieks. I'll be a soldier smiling like a slut
 at the tourists sticking notes in the Wailing Wall, a dollar
 for the God of this earth, history's
 regurgitation, her names lost like blood
 of the dead, layers of oblivion.
 If I forget Thee, I'll forget the police
 pummeling a bleeding boy, the Security Services
 torturing their victims, our lives fertilized
 in the same ashes from which they came, if I forget Thee
 I'll write still-life poems.

1997

Translated by Gabriel Levin

Take Care, Soldier⁶

Soldier, don't die, wear a helmet, a flak vest, surround
 the village with a ditch of crocodiles, starve
 it if necessary, eat Mom's goodies, don't
 die, shoot sharp, take care of the armored
 Jeep, the bulldozer, the land, one day it will be
 yours, little David, sweetie, don't die, please.

Watch out for Goliath the peasant, he's trying to sell his
 pumpkin at the nearby market, to buy a gift
 for his grandson is what he's plotting, erase the bleeding of Eva Braun
 when you checked if she was faking her labor pains, silence
 her screams, that's how every delivery room sounds, it's not easy
 with your humane values, be strong, take care, forget
 your deeds, forget the forgetting.

That thy days may be long, that the days of thy children
 may be long, that one day they shall hear of thy deeds
 and they shall stick their fingers in their ears and they shall scream
 with fear and thy son's/daughter's scream shall never fade. Be strong, sweet
 David, live long, and see thy children's eyes, their backs shall hasten to flee
 from thee, stay in touch with thy comrades at arms, after thy sons deny thee,
 a covenant of the
 shunned. Take care, soldier boy.

2001

Translated by Vivian Eden

SOLIDARITY IN THE TIME OF ANTI-NORMALIZATION

Elliott Colla

The 1979 Camp David Accords may have brought an end to formal hostilities between Egypt and Israel, but their peace is a cold one. Moreover, there has always been a wide gap between Egyptian foreign policy shaped by this treaty, and popular Egyptian sentiment toward Israel. Since Camp David, Egyptian academics, artists, and professionals have expressed their opposition primarily through a policy of “anti-normalization,” whose logic is simple. While Egyptian citizens cannot erase President Anwar Sadat’s signature from the accord, they can ensure—by refusing to travel to Israel, by blocking the kind of cultural and professional ties expected of neighbors at peace—that relations between the two countries will remain distinctly abnormal. At its most articulate, anti-normalization insists that until Israel begins to deal fairly with the Palestinians, Egyptians will withhold from Israel the sort of recognition that legitimate states deserve.

Anti-normalization has always been a form of activism in solidarity with the Palestinians. But paradoxically, the boycott strategy has also cut off links between Egyptians and the very Palestinians whose cause they champion, ensuring that most Egyptians have little firsthand access to Palestinian experience and history beyond what they see on Egyptian state TV. Confusing matters somewhat, the banner of anti-normalization is often waved to mobilize opposition to the globalization of Egypt’s economy, much of which has no direct tie to the Arab-Israeli conflict. At its least articulate, anti-normalization has served to express a kind of xenophobia.

For most of its history, anti-normalization has put forth a clear set of dissident political principles. But in recent years, it has become more like an

inchoate “common sense” position, a default setting for the representation of Palestine-Israel in Egyptian popular culture. Given the exaggerated and sometimes ironic quality of contemporary pop culture representations of the Palestinian struggle and Egyptian anti-normalization, it remains difficult to argue that there is an unambiguous message to be found there. Likewise, as anti-normalization has moved into the mainstream, it has become newly useful to the Egyptian regime, which has learned how to manage the discourse in order to contain popular protest. These factors—the now weak and clichéd quality of anti-normalization and the increasing state management of protest—illustrate some of the challenges confronting Egyptian activists as they begin to experiment with new, “post-anti-normalization” forms of solidarity.

ANTI-NORMALIZATION AND ITS DISCONTENTS

Egyptian left-nationalists have always criticized the 1979 Camp David Accords for ceding Egyptian sovereignty over foreign and economic policies and, in so doing, enhancing Israeli and US power in the region. Camp David reoriented Egypt’s foreign policy away from military confrontation and made continuing US aid conditional upon Egyptian support for a US-sponsored regional “peace process.” As desirable as demilitarization could have been, leftists say, Camp David means that Egyptian foreign policy cannot stray far from the Washington–Tel Aviv axis. As a reward for having made peace with Israel, Egyptian diplomats not only faced the sanction of Arab countries, but found that the peace treaty gave them little leverage to contest even the most egregious acts of Israeli aggression, such as the 1982 invasion of Lebanon. This leftist critique in Cairo—which became known as anti-normalization—was a faithful echo of wider Arab condemnation of Camp David, especially as it became clear that Israel had no intention of implementing the treaty’s articles which pertained to resolving the Israeli-Palestinian conflict.

If Camp David rendered Egyptian diplomats impotent to confront Israel, Egyptian intellectuals working in cultural sectors could refuse to cooperate with aspects of the peace accords not directly in the hands of diplomats or politicians: cultural exchange and professional cooperation, or the so-called “normalization of relations” between the two countries.¹ Beginning in the late 1970s, literary critics, writers, and filmmakers in Egypt—led by the Committee for Defense of National Culture and the journal it produced in the 1980s, *al-Muwajaha* (*Confrontation*)—sustained a boycott of cultural activities organized by the Israeli and US Embassies in Cairo.² Similarly, activists

within the professional associations worked to bar exchanges with their Israeli counterparts. Not surprisingly, the anti-normalization strategy has been limited mostly to the elite institutions in which these professional and intellectuals move, and to the realm of non-participation. Most of anti-normalization's successes are counted negatively, in the numbers of Israelis barred from the annual Egyptian Book Fair, film festivals, and academic conferences, or in the numbers of invitations to international conferences declined by Egyptians because of Israeli and American funding or participation.

Though Sadat's rollback of the nationalist economic policies of the 1960s predated Camp David, the Egyptian left soon placed its opposition to the *infitah* (the opening of Egypt to multinational capital) under the banner of anti-normalization as well. This strategy was deliberate and useful, but also confusing. On the one hand, Egyptian intellectuals were able to disguise otherwise risky opposition to Sadat's domestic initiatives in a moral discourse over which there could be no quarrel: solidarity with Palestinians living under Israeli rule. On the other hand, by widening the scope of anti-normalization activism, Egyptian intellectuals blurred the definition of normalization and undermined their ability to mobilize effectively against it. The fuzzy definition of what individual and institutional acts constitute "normalization" has been at the heart of countless skirmishes in Cairo, as Egyptian intellectuals have sought to police and punish others whom they accused of being engaged in normalizing activities.

During the 1970s and 1980s, the positions of anti-normalization were inarguably activist and dissident. By the late 1990s, however, the Egyptian regime had come to tolerate these positions since it was sympathetic to, but unable to act upon, the anti-normalizers' strategy of non-participation and boycott. As Amr Shalakany has pointed out, what was initially a creative activist response to the policies of the state had become calcified:

[From] demonstrations, strikes and critical publications, anti-normalization had transformed by the early 1990s into a discursive phenomenon, expressed primarily in the writings and conference speeches of intellectuals, journalists and politicians. . . . At their hands, anti-normalization activism is reduced to a series of reflexive positions in which not doing something becomes the epitome of pro-Palestinian solidarity: not traveling to Israel, not inviting Israelis to political, economic or cultural gatherings in Egypt, not talking to Israelis at any such gatherings abroad and finally not talking to any Egyptian who breaks this stance.³

The anti-normalization strategy contains other ironies. The boycott of Israelis has also extended to Palestinians—both those with Israeli citizenship and those living under Israeli occupation. Egyptian intellectuals have been reluctant to travel to the Occupied Territories, or to invite Palestinians to cultural events in Egypt, since to accomplish either would necessitate “collaboration” with Israel, in the form of a passport stamp or a visa application. (For others, the decision not to travel has not been a choice: the Egyptian government has always been suspicious about Egyptians seeking visas for Israel and the Palestinian territories.) Because of the boycott, in the last twenty years, Egyptian intellectuals have had little more contact with Palestinian comrades living in the Occupied Territories than they have had with Israelis.

This lack of contact is surely one source of the anti-Jewish rhetoric of Egyptian universities and media. Of the many works on Zionism and Judaism composed by Egyptian writers, most are purely polemical and do little to hide their racism, and few, if any, are based on primary source materials. Additionally, surprisingly few scholarly books on Palestinian history are found in Cairo’s bookstores. Azmi Beshara regularly publishes columns in the English-language *Al-Ahram Weekly*, as did the late Edward Said. But Palestinian voices appear in Arabic-language Egyptian papers about as often as they do in the *New York Times*. Few, if any, Palestinian (let alone oppositional Israeli) authors will find their books on sale in Arabic in Egypt.

The anti-normalization lobby has been able to enforce compliance with its terms. Throughout the 1990s, Egyptian intellectuals who attempted to break with the anti-normalization stance—by meeting with the Israeli left or Palestinian citizens of Israel—found themselves publicly attacked. Nine Egyptians traveled to the January 1997 Copenhagen meeting of Jordanians, Palestinians, and Israelis. Despite issuing a declaration based in part on UN Resolution 242 and Israeli recognition of a Palestinian state, Egyptian participants were viciously condemned in the Cairo press and disciplined by their professional and political associations. While much of the attack was personal, there were others who used the crisis to rethink and develop the political anti-normalization strategy along more flexible lines. The prominent leftist intellectual Mohamed Sid-Ahmed, who both opposed normalization and declined an invitation to Copenhagen, insisted that, under certain conditions, it was desirable to break the boycott to debate with Israeli counterparts:

Despite my opposition to the Copenhagen enterprise, I do not object in principle to meetings between Arab and Israel intellectuals, provided they

meet to perform what intellectuals are called upon to do [that is, debate, not negotiate]. In my opinion, such meetings are unavoidable because, once we accept the proposition that peace cannot be condemned in principle, it becomes imperative to distinguish what is legitimate and what is not in the demands put forward by the adversary. State agencies alone are not equipped to undertake this particularly delicate task, which entails dealing with the opponent as a subject, not object, of history. Only open and direct encounters between independent intellectuals on either side of the divide can defeat the temptation to demonize the opponent.⁴

RECENT ESCALATIONS

Though demonstrations remain banned under martial law, after September 2000 thousands of Egyptians—professionals, university students, high school students, and, for the first time in many decades, elementary school students—took to the streets of Cairo, Alexandria, and other major cities. The waves of popular Egyptian protest have largely employed the slogans of anti-normalization: “The first demand of the masses: close the [Israeli] Embassy, and expel the ambassador!” The demonstrators protest the brutality of the Israeli occupation, but they also rail against American, Palestinian National Authority, and Egyptian complicity: “Husni Mubarak, Abu ‘Ammar [Yasser Arafat]: how many dollars did you get for selling Jerusalem?” Some slogans have resurrected analogies associated with an older sense of Arab solidarity: “Listen up, Bush, you son of a whore: Jerusalem and Cairo are one and the same!” “One, two: where is the Arab army?”

After the demonstrations slowed down, commercial boycotts began to pick up steam. The Pharmacists’ Syndicate urged its members to boycott drugs imported from the United States, replacing them with local generics whenever possible. The Pilots’ Union called upon Egypt Air to suspend all flights between Egypt and Israel. General boycotts proved more difficult to organize and sustain. A first attempt to boycott American commodities—from Coke to Pepsi, from laundry detergents to tampons—fizzled soon after it started during the early months of the intifada. In contrast, a new boycott, spurred on by Israel’s invasion of the West Bank in April 2002, took hold for a time. Many Cairo cafés stopped selling American soft drinks, just as many customers have stopped asking for them. Business at American fast-food chains was reportedly down by as much as 40 percent. One Muslim cleric, Yusuf al-Qaradawi, issued a *fatwa* (Islamic legal opinion) forbidding certain

purchases, since “each dollar we pay for a can of Coca-Cola . . . becomes a bullet in the American-Israeli war machine that is directed at us.”⁵ Though it was uncertain as of this writing if this boycott possessed long-term staying power, foreign companies clearly dread a repetition of the kind of attack that helped to drive the British Sainsbury’s supermarket chain out of Egypt in 2001 due to rumors that it was owned by Jews.

NEW SOLIDARITY

The recent protests and boycotts have mobilized large segments of the working class and professional middle classes, and have reinvented anti-normalization in a more activist, populist mode. Over the last two years, Egypt has witnessed an undeniable shift from mere rhetoric of anti-normalization toward concrete gestures of solidarity with the Palestinians. Feminist groups, human rights centers, labor unions, student groups, mosques, churches, and professional associations have lent their organizational strength to gather food and medical aid. Recently formed coalitions, such as the Egyptian Popular Committee for Solidarity with the Palestinian Intifada (EPCSPI) in Cairo and the Popular Committee in Solidarity with the Palestinian People (PCSPP) in Alexandria, have a wide range of members, from secular opposition parties to the Muslim Brotherhood. In addition to launching attacks on Israel in the press and in street slogans, these groups have also raised considerable amounts of money and attempted to send humanitarian aid across the border. Despite the martial law ban on collecting donations except by permission from the Ministry of Social Affairs, activists have gathered millions of Egyptian pounds, from the Chamber of Commerce, the tony American University in Cairo, and factories and villages throughout the Delta. Relief convoys moved across the Sinai Peninsula toward the Gaza Strip with increasing success and regularity.

In contrast, individual efforts to join the Palestinians in armed struggle ended tragically. In the early hours of April 16, 2002, Milad Himayda, twenty-three, tried to cross into the Gaza Strip at the Rafah checkpoint. Israeli snipers, warned by Egyptian border guards, shot Himayda, and he later died in an Egyptian hospital. Though the authorities initially stifled the story, Himayda’s family contacted the Al-Jazeera satellite TV network, and the young man is now hailed as Egypt’s first “martyr.” Following Himayda’s example, dozens of other Egyptian youths—students, workers, peasants, young women, boys as young as eleven—attempted to make the journey into Gaza. Many died, shot by either Egyptian or Israeli border guards.

STEREOTYPES OF STRUGGLE

Images of the low-level war in the Occupied Territories became a regular feature of Egyptian popular culture, but often in a caricatured way. Each night, Egyptian state TV coverage of the day's events presented Palestinians as innocent victims, passive recipients of unilateral Israeli barbarism. The Palestinians who did appear as active agents were usually the leaders of the Palestinian National Authority, especially Yasser Arafat, or perpetrators of armed attacks against Israelis. The everyday resistance of Palestinians to occupation and curfews was largely absent.

Recent Egyptian videos, films, and advertising also offer little other than mercenary stereotypes of Palestinian struggle. For the most part, the commercial purpose of these images undermined their intended dramatic effect. The picture of Muhammad al-Durra, a young boy killed in October 2000 by Israeli gunfire, has appeared in countless music videos and on T-shirts and boxes of Kleenex. Images of raised guns, the Dome of the Rock, and Palestinian flags incongruously adorn cassette tapes of pop stars who sing about love. Most famous are Abu 'Ammar corn snacks, featuring a cartoon of a confused-looking Yasser Arafat. By 2002 such images began to appear in the cinema as well. The film *Friends or Business* casually depicted a suicide bombing as if it were a mundane occurrence. Another film from the spring of that year, *Volcano of Rage*, attempts to tell a heroic story of Palestinian resistance, but never strays far from the realm of pure fantasy. The protagonist, a handsome Palestinian guerrilla, lives in a facile world of pan-Arab goodwill, dodges the Mossad, and converts a young, apolitical Egyptian police officer to the Palestinian cause by seducing his beautiful younger sister.

As earnest as these images and stories are, there is a hyperbolic quality to them that lends itself to parody. Because of this ambiguity, it's not always easy to say what such representations mean in the popular imagination. Following the outbreak of the second intifada, Egyptian pop music tributes to pan-Arabism and Palestine—such as 'Amr Diab's "Jerusalem" or Walid Tawfiq's "Cry of the Stone"—were produced and rebroadcast frequently, both on the radio and as slickly produced videos. A Live Aid-style recording called "The Arab Dream," produced some months before the second intifada began, quickly became an anthem to the Palestinian struggle. The original video, with its images of the first intifada and the 1991 Gulf War, was redone with footage of Muhammad al-Durra and others killed during the second uprising.

Featuring singers from Egypt and all over the Arab world, the song croons an uplifting, but ultimately vague pan-Arab message:

Generation after generation, we will live on our dream
 And what these generations say today will last our lifetime . . .
 That's our dream, for all our life
 An embrace that gathers all of us together . . .

The melodramatic quality of the song and video was not lost on Egyptian audiences, who have long been familiar with the genre. Though popular, the message of "The Arab Dream" was turned on its head in parody. One version, renamed "The Arab Hashish," equates the dream of pan-Arabism with drug use:

Toke after toke ruins our lungs
 And what we smoke today cuts our lives in half
 Perhaps a joint will get us stoned
 Or we'll get sky high with just a bit of hash . . .

Similarly, there is a cloud of ambiguity that hangs over the most infamous song of the last few years, Sha'ban 'Abd al-Rahim's "I Hate Israel," released in the fall of 2000, which featured such lines as:

I hate Israel, and will say so if asked
 God willing, I'll be killed for it or thrown in prison . . .
 I hate Israel, and I hate Ehud Barak
 Because he's got no sense of humor and everyone hates him . . .

Sha'ban's subsequent release, "Hate Is a Trivial Thing, Israel!" reproduces this rhetoric in uncreative ways, though his rebellious stance became more contrived. The lead song is followed by others which develop the theme of Palestinian martyrdom: one song, "They've Killed Me, Father!" channels the thoughts of Muhammad al-Durra's father as he witnessed his son killed by Israeli bullets. Another is addressed to a daughter, also killed by Israeli brutality. But it remains difficult to say what exactly is signified by the performer who likes to invoke his hashish use and the "vulgar" aura of his former life ironing clothes. Though Sha'ban's music hit a popular chord in Egypt, few would interpret his lyrics as unambiguously earnest—partly because of his professed self-image, but also because of his collaboration with the state censor.

STATE MANAGEMENT

The new popular movements have not escaped the Egyptian state's notice, especially since they prey upon one of its central weaknesses—its junior partnership with the United States. Though clearly oppositional, solidarity with Palestine on the street and in song has been useful for the weak, crisis-prone ruling clique. Mass street demonstrations expressed popular dissatisfaction with the Egyptian regime, yet the nature of their slogans—always mediated through discourse of Israel-Palestine—meant that their sharpest barbs were deflected. Likewise, the demonstrations undoubtedly strengthened President Husni Mubarak's hand when he complained to Washington that Israel's actions made Egypt unstable. The precarious usefulness of this situation depended on the state's ability to contain popular opposition, and the far more elusive role of Washington's sensitivity to Egyptian popular sentiment. To turn dissent to its own advantage, the Mubarak regime relied on a combination of repression and cooptation.

The state targeted the solidarity movement since its inception—harassing activists, disrupting demonstrations with plainclothes provocateurs, and arresting leaders. Demonstrations were prevented from approaching the Israeli Embassy, the US Embassy, and the Foreign Ministry, but allowed to attack other landmarks. Some of the largest demonstrations, such as those in early April 2002 during Israel's reoccupation of the Jenin refugee camp, repeatedly hit the McDonald's and Kentucky Fried Chicken outlets near Cairo University, which subsequently closed for a time.

Attempts to expand the scope of demonstrations, however, only showed how far the state was willing to go to contain them. In May 2002, during a demonstration to commemorate the fifty-fourth anniversary of the Palestinian *nakba*, protesters arrived in Cairo's main square to find an army of state security officers who had been deployed the night before. Demonstrators were photographed and escorted, by security agents dressed as civilians, into an area of "permitted protest." There, they were surrounded and greatly outnumbered by three rows of riot police. Demonstrations in Alexandria and elsewhere were similarly controlled. Many leaders of the May protests were arrested. One of the founders of the EPCSPI, pharmacist Gamal 'Abd al-Fattah, was arrested on trumped-up drug charges published in the state media. Though 'Abd al-Fattah was released after a massive demonstration at the police station, his business was irretrievably damaged. Four members of the PCSPP in Alexandria were even unluckier: members of the outlawed

Muslim Brotherhood, they were held even longer, accused of “possessing leaflets” inciting “public opinion against the government and friendly states.”⁶

State security officers sometimes disrupted efforts to collect donations and provide humanitarian aid. The former remains officially banned, while the second is greatly restricted by legislation limiting activities of NGOs. At the beginning of the second intifada, Egyptian officials at Rafah obstructed deliveries of humanitarian aid to Gaza. Eventually, it became harder to repress this kind of activism, given its popular and putatively non-political character. While some leaders were arrested, donations were collected and aid was allowed to move. No one was surprised when the state intruded further into this popular initiative in the spring of 2002, dispatching First Lady Suzanne Mubarak to accompany one televised relief convoy to the border.

Nowhere was the strategy of state management more apparent than in the media and popular culture. The once oppositional stance of anti-normalization was adopted by the Egyptian television news, which began to transmit broadcasts eastward, in Hebrew. While the host of the press review program *Editor-in-Chief* urged the audience to honor the boycott, contestants on the Egyptian version of *Who Wants to Be a Millionaire?* were asked trivia questions about the strife raging in the Occupied Territories. Although pieces critical of the Mubarak regime—its corruption, its torture of political activists—have always been routinely censored, critical views of Israel and Judaism—some racist, many slanderous—were allowed to proliferate in both the state and oppositional press.

OPPOSITION, MANAGEMENT, AND AMBIGUITY

State management of solidarity activism and cultural production did not follow an unambiguous strategy, nor did it succeed in containing these movements. Perhaps the best example of state equivocation lies in the hit song that made Sha‘ban famous. Sha‘ban’s lyricist originally titled the song, “I Don’t Like Israel,” but the state censor, Madkur Thabit, convinced him to change it to “I Hate Israel” in order to better reflect “the state of people’s feelings.”⁷ Likewise, Sha‘ban was reportedly encouraged to balance attacks on Israeli leaders by adding praise for the Mubarak regime. The song thus includes lines like:

I love Husni Mubarak because his heart is so big
He weighs every step he takes with his conscience . . .

I love 'Amr Musa, his thinking is judicious . . .

I love Yasser Arafat, he's the dearest one to me . . .

The cartoonish quality of Sha'ban's panegyrics begs the question: Does anyone believe he means what he says? Perhaps he does mean to convey his love for Mubarak's regime, or perhaps he's joking, as he was when he sang in another wildly popular song about his intention to give up cigarettes and carousing. Despite, or perhaps because of, his hyperbolic praise of the Mubarak regime, no one would argue that his music voices an official position. In fact, Sha'ban remains barred from state radio and television on grounds of his "vulgarity." As the chair of the parliamentary media committee put it, "Sha'ban does not represent any artistic or cultural value. In addition, his weird attire, which is far from good taste, affects our youth who are influenced by what they see on television."⁸ Other officials and artists have been even less polite in their attempts to curtail Sha'ban's popularity.

Sha'ban is excluded from state media, and his tapes circulate widely in popular quarters—but does this make him an oppositional figure? Again, the answer seems ambiguous. The influential literary journal *Akhbar al-Adab* debated whether to compare Sha'ban to Shaykh Imam, whose populist songs encouraged an earlier generation of leftist activists: "There is another culture that we don't know anything about, and that is the culture of the lower classes. . . . It is a culture marginalized by resentment and arrogance from the cultural elite."⁹ Yet, by no stretch of the imagination could one argue that Sha'ban himself adheres to any anti-normalization or solidarity line. As he makes clear in interviews, the motivation for his song has to do with business, not politics: "I'm really happy that our politicians feel it's so important to talk about a simple man like me. These people say that I'm a rough man. But who cares? Every time they talk about me, I sell more records."¹⁰ In 2001, he was hired by McDonald's to sing a jingle about their new McFalafel sandwiches, "If you eat one bite, you can't stop before finishing the whole roll."¹¹ What happened next was useful to both the singer and the state: Sha'ban was fired after the American Jewish Committee pressured the company to drop him.

Part 5

Figure 14. West Bank demonstration against the Separation Barrier, 2004. Children from the West Bank village of Budrus during a demonstration against the barrier being built alongside their village, January 2004. © Nir Kafri

OCCUPATION AND REBELLION



ANATOMY OF ANOTHER REBELLION

From Intifada to Interregnum

Rema Hammami and Salim Tamari

Anyone watching the widespread clashes that engulfed the Occupied Territories in October and November 2000 would have experienced a sense of *déjà vu*. The dramatic elements seemed like a restaging of events twelve years earlier. Young men armed with stones facing the mightiest army in the Middle East, mothers mourning, flurries of nationalist symbols at martyrs' funerals—all covered instantaneously by the international media. Even the parades of masked youth carrying guns recalled the chaotic ending of the first intifada. The language of the uprising quickly became the idiom of everyday existence. Speaking on November 2 to the Voice of Palestine on besieged Bethlehem's need for food, the city's parliamentary deputy said: "We have to adapt ourselves to intifada days and non-intifada days." Quotidian life was once again superseded by mass insurrection.

Despite the superficial similarities, the profoundly changed context for the second uprising has led to fundamentally different outcomes than its predecessor. This chapter traces the development of the second intifada in comparison to the first, analyzing the impact of the Oslo process and the formation of the Palestinian National Authority (PNA) in delimiting the nature of Palestinian resistance to Israeli occupation. Three years into the uprising, the very survival of the Palestinian national project and the future of Palestinian society, fragmented and entrapped within a draconian regime of Bantustanization, was in question.

The first intifada (1987–93) came at a time of total political stalemate defined by Israel's invasion and continuing occupation of Lebanon, the dispersal of the PLO, and intensified Jewish settlement throughout the West Bank and

Gaza Strip. The Israeli military was in full control of Palestinian population centers, and administered Palestinians' daily lives under conditions of direct colonialism. The uprising—a militant but essentially unarmed civil insurrection—put the Israeli military and society at large on notice that Palestinians could no longer be governed by colonial rule. It shifted the political balance to the internal forces inside the Occupied Territories and enhanced the role of civil society and its mass organization. It engaged a large sector of Jewish society in soul-searching and brought them to embrace the goal of decolonization of the West Bank and Gaza Strip. It also redirected the PLO leadership's strategic thinking in favor of a two-state solution based on Security Council Resolution 242 and the partition plan. Ten years ago, the Palestinians had a strong civil society, a colonial state, and an amorphous internal leadership, the United National Leadership of the Uprising (UNLU).

The main political outcome (if not achievement) of the first intifada was the Oslo Declaration of Principles (DOP). The DOP called for phased devolution of Israeli rule over the West Bank and Gaza Strip, followed by negotiation of the thorny issues of settlements, refugees, and Jerusalem as part of the final status agreements. Besides its original withdrawal from Jericho and Gaza, Israel would undertake three redeployments during the five-year transitional phase. While the Oslo process survived Israel's renegeing on both the size and number of redeployments and its continued settlement expansion, it finally imploded once it reached final status negotiations.

AN UNTENABLE SITUATION

The deeper backdrop to the current uprising is the Palestinian population's actual experience of the Oslo years. During Israeli Prime Minister Ehud Barak's tenure, several negative processes that began under his predecessor, Benjamin Netanyahu, deepened, rendering the situation untenable for most Palestinians. The spatial reconfiguration of the Occupied Territories brought about by the Oslo process was profound. The separation of the West Bank from the Gaza Strip continued. Movement between the two areas remained almost completely restricted to a few of the political elite and, to a lesser extent, large merchants. Even the long-awaited "safe passage" arrangements, finally implemented in 1999, turned out to be the hated travel permit system in a new guise.

Within the West Bank and Gaza Strip (and particularly in the former), urban and built-up village areas were segmented from each other and from the land surrounding them. These so-called autonomous zones (Area A) were



Figure 15. Israeli settlement “outposts” in the West Bank.

With the advent of the Netanyahu government in 1996, settlers began seizing hilltops (or “outposts”) in the West Bank without official government authorization. This activity intensified after Ariel Sharon became prime minister in 2001. Israel and the United States termed them “illegal settlements,” obscuring the fact that all the settlements are illegal under international law, as affirmed by the International Court of Justice (ruling excerpted in this volume). Source: Foundation for Middle East Peace (FMEP). © Jan de Jong

marked off by bypass roads for the use of Israeli settlers, and by Israeli controlled zones (Area C), allowing the army to cut off any area at will. For those who lived inside the municipal boundaries of villages (Area B) and outside municipal boundaries (Area C), occupation continued unabated. Strategic settlement expansion and bypass roads divided the West Bank into two major zones, north and south, and carved Jerusalem out from the Palestinian map. During 1998–2000, the West Bank and Gaza Strip witnessed a massive expansion of Jewish settlements. The most pernicious aspect of the configuration of the three zones was that the lightly populated Area C, comprising the majority of Palestinian land—most of it agricultural—became the target for settler grabs. Israeli security control of Area C, writes Amira Hass, “enabled Israel to double the number of settlers in 10 years, to enlarge the settlements, to continue its discriminatory policy of cutting back water quotas for three million Palestinians [and] to prevent Palestinian development in most of the area of the West Bank.” Land confiscations to expand settlements in Area C went hand in hand with stepped-up house demolitions to further depopulate it, while settler attacks against olive harvesters became a regular occurrence during the autumns of 1999 and 2000.¹

TWO INTIFADAS

The circumstances that led to the second uprising made it qualitatively different from the preceding one. The first intifada—widespread and difficult to control—involved confrontations between the civilian population at large and the Israeli army and border police *within* the urban centers. The second uprising (except in Jerusalem and early clashes inside the mixed cities in Israel) initially took place at military checkpoints (Netzarim crossing) or religious sites controlled by the Israeli army (Joseph’s Tomb, Rachel’s Tomb). The Israeli army could better confine the insurgency within specific locations and protect itself at secure strategic positions. This narrowed “battlefront” allowed the Israeli army immediately to turn the clashes into a military confrontation. According to *Ma’ariv*, the army used more than one million pieces of ammunition against unarmed demonstrators within only the first few days.²

Unlike the first intifada, there were also about 40,000 Palestinian police and security men under arms. Their presence provided justification of Israeli use of military force, despite the fact that official security forces were involved in clashes in only a very few cases. The much-touted Fatah *tanzim*—a murky designation that includes Fatah street cadres and elements of the Preventative

Security Force—undertook the majority of armed actions. Armed Palestinian action succeeded in clearing the Israeli military from only one site, Joseph's Tomb in Nablus. In most other cases where armed cadres got embroiled in clashes, demonstrators soon called them off since the main result of their gunfire was that Israeli sharpshooters could exact a higher toll among civilians.³

During November 2000, Palestinian military actions under the nominal direction of the *tanzim* took a new strategic turn, directing attacks at settlements, especially Psagot, Netzarim, and Gilo. During the first intifada, the unarmed population was fearful of incurring the wrath of the well-armed and state-supported settlers and largely left them alone. In the intervening twelve years, settlements expanded dramatically, many impinging onto the borders of Palestinian urban centers. With this expansion came the increased numbers of settlers and their attacks on Palestinians.

FROM NATIONAL TO CONFESSIONAL

While HAMAS emerged as a major force by the end of the first intifada, the religious character of that uprising was relatively muted. In comparison, religion has played a major mobilizing and symbolic role in the second uprising. The religious idiom was initially a reaction to Ariel Sharon's visit to the al-Aqsa mosque. It was also due to Israeli reactions. Following the damage to Joseph's Tomb after the expulsion of its Israeli garrison, Israelis burned mosques in Tiberias and Acre and attempted to burn one in Jaffa; Palestinians torched the Jericho synagogue. During the second week of the uprising, several imams used the Friday sermon to emphasize Muslim-Jewish antagonism; these sermons were broadcast widely on Palestinian TV. In Gaza and Nablus, HAMAS elements attacked several cafés and stores selling alcoholic beverages. The only official response to these sectarian attacks was a condemnation by the PNA minister of information, who called for national unity in the October 15 edition of *al-Ayyam*, the PNA daily. A large number of Palestinian intellectuals voiced their opposition to turning the national struggle into a communal conflict.⁴ But the confessional and sectarian dimensions at times engulfed the secular dimensions of the struggle. After remaining on the sidelines during the first six weeks, HAMAS inaugurated its entry to the intifada with the first suicide attack in December 2000. Because of the limited vision and organization of other political groups and the relentless Israeli violence, HAMAS was able to become a central player by the end of 2001. The movement sometimes steered the uprising toward its own goals, often putting the PNA leadership at risk.

The religious dimension is what initially galvanized Palestinians inside Israel and led to a wave of clashes within its borders. Unlike the first intifada, the intensity and extent of Palestinian mass protest inside Israel led to a major rupture between Arab and Jewish citizens, as the former were accused of attempting to “erase the Green Line,” or worse, being “a fifth column.”⁵ During the first week of the confrontations, fourteen Arab protesters were killed inside Israel. Pogrom-like attacks on Palestinian Israelis in the city of Nazareth followed, as well as major clashes between Arabs and Jews in Jaffa, Lydda, Acre, and Haifa. The intensity of these protests demonstrates the disappointments of the Oslo process for Palestinians inside the Green Line. Their exclusion from its framework refocused their political aspirations on full civic integration within Israel—a goal that was met with ongoing contempt by consecutive Israeli governments, despite some reforms during the Rabin era (1992–95).

THE UBIQUITOUS SATELLITE DISH

New forms of Arab news media played contradictory roles in the second intifada. In the first intifada, Palestinians only had access to Israeli and, to a lesser extent, Jordanian or Egyptian stations. Except for Sawt al-Quds (Voice of Jerusalem), the short-lived pirate radio station of Ahmad Jibril, Palestinians in the early 1990s had nothing but the heavily censored local newspapers through which to disseminate views and analysis. Hence the first intifada’s dependence on “guerrilla media”—leaflets and graffiti—to propagate political directives on the street. In the second uprising, Palestinian official media, as well as the myriad local independent TV and radio stations, have covered the events. The official media’s role has been predominantly mobilizational—providing a constant flow of reportage on events, interspersed with nationalist music and iconography. Israeli accusations that official Palestinian TV “incites” the uprising ignore the fact that during both intifadas, images on Israeli TV often “incited” the Palestinian street. Moreover, Palestine TV’s mediocrity and heavily censored reporting tends to make it the least popular of all stations.

More significant is the access of the majority of the population to Arab satellite stations. Cheap and readily available, locally produced satellite dishes have become a ubiquitous part of the landscape. Qatar’s Al-Jazeera channel, Beirut’s al-Mustaqbal and LBC, MBC from London, and ANN from Spain have all become household names. Arab satellite TV proffers almost constant and professional coverage of events on the ground. Just as importantly, these stations—particularly Al-Jazeera—provide a steady diet of commentary from

Palestinian and Arab analysts, political thinkers, and leaders, who helped define the meaning and goals of the second intifada. Satellite stations have also been crucial in regionalizing the intifada. By providing a type and degree of coverage far beyond what is allowed on state-run television, they have mobilized much more popular Arab protest and solidarity than was possible in the first uprising. At the same time, this powerful image of Arab solidarity is projected back into the West Bank and Gaza Strip via satellite. More negatively, the Arab media has sometimes contributed to the casting of the second uprising in religious rather than national terms.

WEAKENED CIVIL SOCIETY, ABSENT STATE

Neither the more militarized nature of the confrontations nor the new geography of resistance entirely explain the absence of a wider civil rebellion. Save for candlelight marches and funeral processions within the cities, the larger population assumed little role in the initial uprising. This was due to the disappearance of the political structures and movements that made popular, civil organizing the main thrust of the first intifada. Popular committees, neighborhood committees, mass organizations, and most of the political movements that sustained them began to collapse under the collective weight of Israeli anti-insurgency methods at the end of the first intifada. Their recovery was preempted by the Oslo accords and the state-formation process.⁶ The demobilization of the population and its deepening alienation from political action had been (until the second intifada) one salient outcome of PNA rule. Currently, the only structures remaining to organize civil resistance are the now "professionalized" NGOs (see Chapter 7) and what remains of the political factions outside of Fatah.

During the Oslo years, the PNA came to hold a virtual monopoly on public life. But with the outbreak of the second intifada, the leadership consciously relinquished its hold over the population. This was an attempt to maneuver between profoundly contending loyalties: on the one hand, to the resistance called for by the population in revolt; on the other, its continued commitment to the Oslo framework as the strategic means to achieve statehood. The PLO's return to the West Bank and Gaza Strip was part of a bargain in which they would assume a major role in "security." For Israel and the United States, this "security cooperation" with the PNA had been the crown jewel of the accords. As such, Israeli-US calls upon Arafat to "stop the violence" did not simply accuse him of starting it; they demanded that he continue to fulfill his security

duties according to the accords. Arafat did not start the second intifada, but he did provide passive support through non-intervention. Although the PNA did not formally “take charge” of the uprising, it remained involved through various “autonomous” bodies—most notably, the Fatah *tanzim* in the West Bank. The PNA’s strategy of rule, according to a number of critical analysts, is based on the model of the PLO in Lebanon, where the PLO conflated civil and political society into an all-encompassing movement.⁷ Nothing stood outside the PLO; and within it, the boundaries between military bodies, political decision-making bodies, and civil institutions were blurred. Over time, patronage became the main mechanism of power within the overall structure.⁸ Within the West Bank and Gaza Strip this model resulted in the elision of political and civil institutions, democratically elected bodies residing side by side with a myriad of appointed political committees, or military wings performing multiple and contradictory roles.⁹ While in the Lebanese context this strategy served purposes of mass mobilization, in the West Bank and Gaza Strip it functioned to co-opt and control.

The new political structure that entered the arena in 2000, the National and Islamic Higher Committee for the Follow-Up of the Intifada, was composed of all the political factions of the PLO plus the Islamic movements (HAMAS, Islamic Jihad, and the HAMAS-affiliated political party, Hizb al-Khalas). Significantly, the committee did not call itself the “united leadership” like the first intifada’s UNLU. Its initial suggestions for action bore a clear resemblance to the first intifada, such as the formation of neighborhood defense committees, a boycott of Israeli products, the promotion of national products, the inclusion of women in activities, and general calls for unity. However, most of the committee’s fifteen movements and parties had very limited mass bases. The exceptions were Fatah—which as the state party, with access to patronage and power, had expanded since Oslo—and HAMAS, the main opposition to Oslo.

LIMITS OF THE LEADERSHIP’S VISION

Near the end of October 2000, leading PNA figures finally began to address the public directly about the intifada at a range of forums sponsored by NGOs. The speakers included opposition intellectuals and political leaders who drew large crowds thirsty for information. At a November 5 mass rally in Ramallah, Minister of Information and Culture Yasser Abed Rabbo outlined what appeared to be the PNA agenda. He first declared that the intifada should confine itself to

peaceful protest and abandon the use of guns, which he believed was provoking disastrous Israeli retribution. He warned against a unilateral declaration of independence on November 15, arguing that this would simply provide an excuse for Israel to annex Area C and the settlement blocs. He advocated reconvening peace negotiations with Israel on the basis of withdrawal to the 1967 boundaries, called for including the European Union, Egypt, Jordan, and possibly Russia in negotiations to offset the pro-Israeli bias of the United States, and called for an international police presence to protect Palestinian civilians.

Abed Rabbo's calls for an international trusteeship and ending the US monopoly on negotiations resonated with public sentiments. However, his dismissal of armed resistance and his support for reconvening negotiations brought the PNA leadership into conflict with more militant elements in the leadership of the uprising. Soon after Abed Rabbo's speech, Marwan Barghouti, speaking on behalf of Fatah alongside representatives of four main opposition parties, came out strongly for a program of escalation. But while all of the left factions supported a unilateral declaration of independence, Barghouti did not. Barghouti argued that activists should focus on "how to sustain the uprising in order to ensure the end of occupation." No meaningful independence can be accomplished, he added, while the settlements fragment the Palestinian territories. If Abed Rabbo and Barghouti's statements could be taken at face value, the leadership had introduced strategic goals and methods for achieving them into the logic of the intifada. The immediate goal of bringing in a UN peacekeeping force and broadening the negotiating process to include other countries was to resituate negotiations firmly in the realm of international law. Under the Geneva Conventions and UN Resolution 242, the settlements are illegal, while the Oslo process rendered them simply final status issues to be negotiated. An international peacekeeping force, it was hoped, would publicize settlements' deleterious affects on the Palestinian population and harden international resolve to dismantle them.

These strategies outlined at the outset of the second intifada aimed to keep pressure up on a number of fronts. Civil unrest would be the means to deliver the message that the Oslo status quo had been untenable. The harsh Israeli military response it reaped helped justify an international peacekeeping force to protect the population. The *tanzim*'s limited armed actions against settlements would deliver the message that settlers could not continue to live on Palestinian land without Israel, as a whole, paying a high military and financial price. However, following this early period neither the leadership nor the

resistance groups were able to read the crucial change in the balance of forces in Israel and globally that would come to confront the uprising. First and foremost was the ascension to power of Ariel Sharon on the rubble of Barak's so-called "generous offers." This was followed a month later by the election of Bush, bequeathed by Clinton a US-brokered process in tatters. Finally, before the uprising's first year was out came September 11th and its far-reaching implications for the region as a whole.

DEFENSIVE SHIELD

From the outset, Ariel Sharon's response to the second intifada was to remake it into a war of attrition: first on the Oslo accords, then on the PNA, and finally on Palestinian statehood. To do this, Sharon stealthily exploited a chaotic Palestinian resistance strategy that came to be dominated by suicide attacks within Israel. He also strategically used the space offered him by the Bush administration, whose initial approach of simply neglecting the conflict, became, after September 11, increasingly united with his own views. Between September 11, 2001 and March 2002, Sharon's war of attrition on the PNA continued to move forward despite episodic interventions by the United States and a month of Palestinian resolve to maintain a cease-fire, followed by a phase of armed resistance focused solely on more legitimate targets within the Occupied Territories. To evade these obstacles, Sharon consistently provoked the increasingly vengeance-driven Palestinian resistance to provide him with a pretext to exit unwanted cease-fires and overcome diplomatic moves to protect Arafat and keep the PNA alive. He also strove to link his battle with the PNA to Bush's war on terrorism. Thus, he was able to make quantum leaps toward his goal of delegitimizing Arafat, acclimatizing the US to the necessity of employing greater military force to confront Palestinian resistance, and ultimately extending and deepening the mechanisms of occupation.¹⁰ In late March 2002, as the Saudi peace plan made headway among the Americans, Europeans, and UN delegates (in the form of Security Council Resolution 1397) and the Arab League, which adopted it at its Beirut summit, Sharon was once again momentarily cornered. On March 27, 2002, a revenge attack in the form of a HAMAS suicide bombing in Netanya killed twenty-eight Israelis at Passover celebrations. The pretext to undertake the military centerpiece for Sharon's strategic goals, Operation Defensive Shield, was finally in place.

In the largest call-up of Israeli reservists since 1967, from March 28 to April 4 all the major West Bank towns except Hebron and Jericho and a score of

villages were reoccupied. The ferocity and scale of the invasion was without precedent. Also distinctive about Defensive Shield was the nature of its targets. Three main towns, Ramallah, Nablus, and Jenin, suffered the greatest devastation. The latter two had experienced the army's wrath in early March, when the target was the resistance forces based in their refugee camps. But in Ramallah the target was the infrastructure of the PNA.

Prior to Defensive Shield, Israeli destruction of PNA institutions was limited to security installations, as well as infrastructure with the trappings of future sovereignty, such as the Gaza airport and seaport. In Defensive Shield, the PNA's civilian infrastructure was finally targeted. From the second week onward, the invasion saw daily rounds of blasting entrances followed by ransacking aimed at everything from the Legislative Council offices to the Ministries of Education, Finance, Agriculture, Trade, Industry, Education, and Higher Education, to municipal buildings and Chambers of Commerce. In some cases the attacks included "expert teams" brought in to find incriminating material—some of it likely destined for the vaunted "Arafat dossier" Sharon brought to his meeting with President Bush in early May. In addition to the confiscation of computer hard disks and paper files, there was wholesale destruction by sledgehammers or explosives of computers and other equipment, burning of files, and, more bizarrely, bathroom fixtures and upholstery. In a number of cases, feces were left in ministers' offices. The patterned nature of the destruction suggested both the existence of operational orders and an alarming degree of personal motivation on the part of soldiers.

The resistance in Ramallah was minimal, poorly organized, and over in two days. But the destruction was systematic and continued over a few weeks, encompassing searches and looting of private businesses and homes as well as NGOs. In Nablus, where the resistance continued for five days, the destruction was much more dramatic and concentrated. F-16's, followed by tanks and bulldozers, swiftly razed buildings and in some cases whole areas of the historic old town before ground troops moved in. Twenty-six people were killed in Ramallah over the three-week period; in Nablus, it was seventy-four in five days. The most devastating damage in human terms occurred in Jenin, where resistance fighters held out for more than a week in the refugee camp and dealt the army its most severe blow: twenty-two soldiers were killed, thirteen in one ambush alone. More than fifty Palestinians were killed as the camp was leveled.

By April 21, Israeli tanks pulled out of the cities they had occupied, save for two critical sites of standoff: Arafat's compound in Ramallah and the

Church of the Nativity in Bethlehem, where roughly thirty fighters had taken refuge along with scores of town residents. The siege on Arafat was a symbol of Sharon's power to impose house arrest in full view of the international community. This time, the invasion of the compound suggested that Sharon was going to capture his prey at last. In the most unexpected event of the whole uprising, a ragtag group of international solidarity activists walked past Israeli tanks to offer themselves as a voluntary protection force. The ostensible purpose of Sharon's siege on Arafat was to compel him to turn over six fugitives being held inside: four men implicated in the assassination of former Minister of Tourism Rehavam Ze'evi, plus Ahmad Sadat, secretary general of the Popular Front for the Liberation of Palestine, and Fu'ad Shubaki, the alleged paymaster for the Karine A weapons ship intercepted by Israel the previous January.

THE US BROKERS ANOTHER EXIT

When the United States intervened to forestall Sharon's escalating military attacks in the Occupied Territories, it was mostly motivated by overriding concerns elsewhere: Afghanistan and Iraq. The dilemma for the Bush administration was all too clear. On the one hand, after September 11 its main foreign policy doctrine called for an uncompromising war on terrorism, a project whose support depends on its powerful Christian Zionist right and neoconservative constituencies. On the other hand, the White House needed to rally various Arab regimes for the military campaign against Iraq. US policy toward the Israeli-Palestinian conflict, described by some observers as "zigzags," can best be understood as attempts to maneuver between these two profoundly contradictory agendas.

For the first three days of Defensive Shield, the State Department confined itself to statements supporting Israel's "right to self-defense." Finally, on April 4 Bush began to demand that Israel withdraw. The lack of conviction in Bush's demand was underlined by his comments that "it is essential for peace in the region and the world that we root out terrorist activities and condemn those activities [suicide bombings] in the name of religion as simple terror." More than a green light, the United States seemed to be giving Sharon its stamp of approval for rooting out the Palestinian "terrorist infrastructure." Regarding Arafat, Bush asserted, "the situation he finds himself in is largely of his own making." In an attempt at balance, he added, "Consistent with the Mitchell plan, Israeli settlement activity in the West Bank must stop and the occupation must end through withdrawal to secure and recognized boundar-

ies consistent with UN Resolution 242 and 338," and announced that he would be dispatching Secretary of State Colin Powell to the region.

Powell spent more than a week traveling throughout the Middle East and Europe on his way to Jerusalem in what appeared to be a ruse to allow Sharon to continue with his campaign undeterred. Concurrently, the United States pursued a more active approach through the UN Security Council. During Bush's first three days of silence, the Security Council passed Resolution 1402, which called for "the withdrawal of Israeli troops from Palestinian cities, including Ramallah." This was followed on April 12 by Kofi Annan's call for a peacekeeping force to go to the Occupied Territories, and finally the passage of Resolution 1405, which "welcomed Annan's initiative" to form a fact-finding commission to investigate the alleged war crimes that occurred during the Israeli invasion of the Jenin refugee camp. None of this could have happened without US approval. The use of the UN seemed to be an indirect means by which the Bush administration could embarrass Sharon internationally, imposing some "red lines" on his actions. Most importantly, with the formation of the fact-finding commission on Jenin, the US now had a clear means to pressure Sharon without having to take the domestic responsibility for having done so.

Sharon, with Arafat in his sights, was refusing to let him go. At first, it was feared that Sharon would try to physically capture Arafat and then imprison or deport him. A more frightening scenario was that, in the ensuing melee, Arafat would be "accidentally" killed or choose to go down as the Palestinian Allende rather than survive the humiliation Sharon had in store for him. Thus Powell's equivocation about meeting Arafat quickly switched to a commitment to do so—to make clear that the US once again had made Arafat's removal a red line. The standoff at the Ramallah compound was turned into the issue of the fugitives held there under protective custody. Sharon, ignoring an earlier US-brokered agreement that the fugitives should be tried in a Palestinian court, demanded their extradition—once again making a demand that he knew was impossible for Arafat to meet. It is no coincidence that Arafat was released from the compound on May 2, immediately following Kofi Annan's May 1 decision to disband the Jenin fact-finding team. In an attempt to assuage the anger of his right-wing coalition at Arafat's release, Sharon openly tried to sell the deal as victory in stopping the feared UN commission. Summing up what happened more bluntly, Amir Oren commented that "the Ramallah-for-Jenin deal proved that Israelis are stronger than Palestinians and Americans are more powerful than Israelis."¹¹

The last remaining problem was the siege at the Church of the Nativity. Domestic concerns made it difficult for Sharon to step down from the impasse at the church, even though in terms of international media coverage the situation had become an albatross. This time, the Palestinian leadership offered Sharon a face-saving exit that could be sold as a victory. Brokered on May 7 by Muhammad Rashid, the overseer of Arafat's "economic portfolios," the deal allowed Sharon to send into exile approximately thirty fighters who were at the core of the standoff. This bargain gave Sharon international legitimation for the right he claimed to "transfer" Palestinians whom he deemed enemies of the state.

ACHIEVEMENTS AND DISAPPOINTMENTS

Sharon did not remove Arafat through Defensive Shield, but his achievements were by any measure immense. He erased the last vestiges of the "sanctity" of Area A, the towns transferred to Palestinian control by the Oslo agreements. By mid-May, every one of the towns allegedly evacuated by the Israeli army after Defensive Shield had been reinvaded at least once, with scant comment from the United States and barely a mention in the international press. The repeated reinvasion of Area A carried a message—Israel is now solely in charge of "security" and does not count on PNA cooperation. As was made painfully clear throughout the interim period, without security cooperation there was no "peace process."

As important as the erasure of Area A was the radical but systematic reconfiguration of the geography of the Oslo era. Originally, the Oslo process isolated the Gaza Strip from the West Bank and split the latter in two, with the settlement blocs around East Jerusalem. Barak built on this geography a system of ad hoc sieges around Palestinian towns. Under Sharon that system was massively expanded. First the Israeli army tightened sieges around villages, cutting them off from their urban centers. Then the military created "buffer zones" around towns, villages, or camps considered too close to settlements, international borders, or the Green Line. Finally, following Defensive Shield, the West Bank was formally split into eight separate cantons, with movement from one canton to the next requiring Palestinians to obtain a permit from the quietly resurgent Civil Administration. In essence, Area C—comprising almost 60 percent of the West Bank surrounding Palestinian towns and villages—expanded and became akin to Israeli sovereign territory. Through this new geography, Palestinian communities became "the settlements" in an Israeli West Bank, and Palestinians lost the

right to move from one of their settlement blocs to another without Israeli permission. The enforcement of cantonization was rapid and draconian. The myriad rural tracks that Palestinians used during the intifada to get around the ever-expanding network of checkpoints were bulldozed and blocked. The implications of siege and separation for economic and political life had already been apparent. Now the aim was to consolidate this control into a regular system in which Palestinians' basic existence could be fully policed by the Israeli army and its civil bureaucracy.

On the political level, the local leaderships of the resistance forces in the West Bank—particularly Fatah's *tanzim*—were weakened and depleted, particularly with the arrest of Marwan Barghouti. Barghouti was both an intellectual of the resistance and one of the few figures able to negotiate between the secular and Islamist factions on the one hand, and with the PNA on the other. He represents the younger “democratic wave” within Fatah, which believed that a popular resistance strategy against the occupation was the only way to end the occupation and also create a dynamic for internal reform of the political system (for more details on Barghouti and the outcome of his trial, see Chapter 9). While Sharon targeted the very Fatah cadres who, given the right circumstances, could play a role in negotiating an exit from the intifada, he initially left the equivalent level of HAMAS leadership in the Gaza Strip intact. For many, this suggested that Sharon found the existence of an uncompromising Islamist leadership much less problematic than a pragmatic nationalist one which can continue to garner international support for a Palestinian state. Eighteen months later, however, HAMAS's political leadership became prime victims of Israel's targeted assassination campaigns.

Critical to Sharon's project of erasing the last vestiges of the Oslo era and reconfiguring the Occupied Territories in the direction of building “Greater Israel” was the ability to gather intelligence. The formation of the PNA (particularly the security services) and Area A as a safe haven from direct Israeli hegemony constrained Israel's ability to sustain its networks of informers. They had been pivotal to crushing the first intifada. Massive arrests and interrogations provided intelligence that enabled the military to make numerous arrests and assassinations. Until the first intifada, the control of Palestinians under occupation was built on the power of permits and collaborators and the synergy between the two. Thus, regained intelligence-gathering capacity not only had immediate effects in terms of destroying resistance. With the reinstatement of an even more restrictive permit system, it suggested a return to the previous mode of control over the population as whole.

POWER STRUGGLES AND PRESSURE FOR REFORM

Sharon's demand for PNA reform was fundamentally a ploy to buy time. The US call for PNA reform indicated that the Bush administration saw no functional alternative to Arafat, but their public criminalization of him did not allow them to advocate a simple return to his leadership. The Palestinian debate on reform encompassed an almost limitless range of agendas, both personal and political. On the one hand, it served as a surrogate for power struggles within the PNA elite. Various upper-level figures, such as Mahmoud Abbas (Abu Mazen) and Minister for Legislative Affairs Nabil 'Amr, exploited the reform issue, which appeared to be a win-win game. With reform, they could be both populist and squarely in the American camp. Additionally, they could propose a version of reform likely to give them more power. Finally, reform for such figures meant that they could strike an "oppositional" pose while attempting to recoup their lost ground in the PNA power structure. The problem, of course, was that such men had little or no popular political base and are viewed as anti-resistance figures who seek only US approval. The skirmishes among figures in the leadership played out very publicly, making the self-interested nature of their agendas more than obvious.

Even without US demands for reform, the PNA would have been compelled to respond to the groundswell of calls for change that followed the invasion. On the day that Arafat was released from his compound, the political factions called the first Popular Conference in a year in Ramallah. The invasion was a severe blow that called into question some of the basic modes of operation of both the factions and the leadership. During Operation Defensive Shield, the ad hoc approach of the PNA and the unaccountable and undisciplined resistance had almost led to catastrophe. While many participants condemned HAMAS for following its own agenda through suicide bombings, more thoughtful analysts laid the blame on a national unity that brought together a resistance composed of opposing and counterproductive strategies and aims. But the bulk of criticism was aimed at the PNA leadership.

The personal bravery Arafat exhibited under siege could not compensate for the chaos and negligence resulting from his one-man rule. Ironically, the same images that attested to his bravery (alone with trusted bodyguards in the remnants of his shelled headquarters surrounded by Israeli troops) also raised a crucial question. If the destiny of the entire nation was pinned on this one figure (who had come to embody both the PNA and the PLO), what would have happened if he had met his demise? The invasion brought into sharp relief

the fact that Arafat's whole method of rule—thwarting the development of institutional forms of representative decision making, as well as governance and law—had led to a severe mishandling of the national crisis. More ominously, if Sharon had succeeded in killing or exiling Arafat, the population and the national project could have been left without any institutions and systematic forms of leadership at a time when it was most critical to have both.

Consequently, the call for reform became more urgent and comprehensive than ever, and became the topic of a daily stream of editorials in the local papers and the subject of a plethora of meetings, conferences, and roundtables organized by independent political figures and academics. The Oslo interim period had seen attempts by various reformists to transform the system of rule into an accountable system of governance. Now, their arguments were bolstered by a long list of the PNA's failings during the second intifada, starting with the inability of government institutions to provide for the most basic needs and services of the population. It included the record of the security forces that had no operational strategy for dealing with the invasion and whose officers were in most cases nowhere to be found. Finally, it included the leadership's repeated discarding of political ethics when attempting to bargain itself out of a corner.

REFORM OR RESISTANCE

While united in the need for change, these oppositional voices fall into two camps: one focused on reform of government, and the other pushing for the reorganization and reformulation of a resistance strategy. The first camp focus their proposals on the implementation of a series of laws that have been around for some time—the constitution-like Basic Law, and legislation providing for an independent judiciary and the separation of powers. They see the rule of law as the main mechanism for change. Additionally, they focus on the consolidation of democratic decision making and oversight of the executive through empowerment of the Palestinian Legislative Council on the basis of new elections. They tend to be sharply critical of any continued armed resistance. While distancing themselves from the US agenda, their underlying assumption is that the legitimacy that comes from democracy will serve to keep the international community committed to finding a way forward for Palestinian statehood.

The second trend puts the main priority on continued resistance. Activists such as PLC member 'Azmi Shu'aybi suggest the PNA's role should be

minimized, so as to lend greatest weight to redemocratized PLO structures in advancing the national liberation strategy. Haidar Abdel Shafi is another voice within this stream. The respected independent elder statesman has called for a complete review of the strategies of the intifada, leading to a unified national vision and resistance strategy to end the occupation. 'Abd al-Shafi is critical of suicide attacks inside Israel's borders and the lack of a shared strategy among the resistance and leadership, but is simultaneously critical of calls for elections and return to negotiations. Each of these reform proposals suffers from the same lack of clear programmatic content, and just as important, neither assesses the scope of action still available to the resistance and the leadership during the current period.

The main components of reform of the PNA were originally clarified during the interim period when the formation of the PNA's institutions of governance went hand in hand with negotiations as the strategy to achieve liberation and statehood. It was then argued that internal reform would actualize the potential of these new institutions of rule through a democratic transition, which would confer greater power and legitimacy in the hands of the leadership in the negotiating process. But in the post-Oslo context, the reform of these institutions is inadequate to address the overwhelming challenge of the occupation's ever expanding hegemony. However, continued armed resistance can only lead to the demise of the PNA. To avert this problem, the formal structures of the PNA stood back and allowed the PLO structures (through the secular factions) to undertake armed resistance. But the factions, abetted by the new national unity with HAMAS, had neither a unified resistance strategy nor a unified political program. Fueled by valid rage at the scale and relentlessness of Israeli brutality against their cadres and the population, they confused their objectives. Instead of trying to galvanize the Israeli public against the occupation with attacks on soldiers and perhaps settlers, the resistance focused on defeating Sharon (by proving him incapable of delivering security to Israelis inside the Green Line), a strategy that profoundly backfired. Attacks on civilians inside Israel almost resulted in the destruction of the PNA and significantly undermined the legitimacy of Palestinians' cause among large sectors of Western public opinion, while uniting the Israeli public on the right. The only resistance strategy possible now is one that could seek to recapture lost legitimacy.

Arafat played a game of brinkmanship with Sharon over the existence of the PNA, but he massively miscalculated. He probably assumed that at some

point a grave event would impel some type of international intervention and never imagined that Sharon would come so close to destroying the Authority. As the grim scenario that would ensue from the PNA's full reversion to a national liberation movement in the Occupied Territories became painfully clear, this option was closed. Consequently, the leadership chose to go along with some version of the American agenda.

US policy following Defensive Shield languished in the rhetoric of the Quartet's Roadmap.¹² The congenitally flawed "Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict" spent more than six months in limbo, paralyzed by Sharon's objections, before finally making it to light as a face-saving gesture to Tony Blair following the invasion of Iraq. The main role of the Roadmap has been to ensure the symbolic existence of the PNA and the façade of its institutions within what remains of Area A.

However, its call for some form of Palestinian statehood by the end of 2005 seems to have been the catalyst for Sharon to have accelerated the construction of the separation wall first authorized in June 2002 (for more on the barrier, see Chapter 35). The contradiction between the Bush administration's support for the wall and its commitment to the Roadmap suggests the ongoing dissipation of US policy into Sharon's "facts on the ground." This was further confirmed when Bush declared Sharon's plan for "unilateral withdrawal" from the Gaza Strip was congruent with the Roadmap, despite the fact that the unilateral nature of Sharon's plan directly contradicted the requirement of resumed negotiations between Israel and the PNA.

For the Palestinian population, which has suffered immense losses and strains to survive without help or protection in the face of constant attacks, ever expanding restrictions on movement, and loss of land and livelihoods, the PNA's survival is no longer seen as the main issue. Rather, it is how to cope with the Israeli encirclement and annexation drive, as the United States seems to support any policy the Israeli government adopts in the guise of security. As of this writing, only the July 9, 2004 decision of the Hague International Court of Justice declaring the construction of the separation wall inside Palestinian territory illegal and calling for its dismantlement (see Chapter 36) seemed to offer a new international context for isolating and combating Israeli policy.

ECONOMIC SIEGE AND POLITICAL ISOLATION

The Gaza Strip in the Second Intifada

Sara Roy

The *Jerusalem Post* recently published an article by Ephraim Inbar, Professor of Political Studies at Bar-Ilan University, arguing that “following our withdrawal [from Gaza], the Palestinians in Gaza should suffer. This is the only way to dissuade them from viewing the Israeli withdrawal as capitulation. . . . Therefore, demonstrating that the Palestinians are even in worse shape after the Israelis leave Gaza is essential to discourage terror and maintain a modicum of deterrence.” Hence, “withdrawal accompanied by significant deprivation is not only what the Palestinians fully deserve for their incredible anti-Semitism and support for the terrorist campaign against Israel; it also makes strategic sense. . . . Considerable Palestinian suffering might lessen the pressure for additional withdrawals.”¹ Professor Inbar would no doubt be pleased to know that Israel’s May 2004 incursion into Rafah resulted in scores of Palestinians dead and at least \$5 million of infrastructural damage, primarily in Tel al-Sultan and western Rafah.² In fact, the infliction of “significant deprivation” has, in varying forms, been Israeli policy since the beginning of the Middle East “peace” process over ten years ago.

The effects of economic destruction and political isolation have been particularly acute in the Gaza Strip, now the topic of Ariel Sharon’s much touted “disengagement plan.” House demolitions have left at least 21,000 people homeless in Gaza since September 2000, 12,600 of them in Rafah alone.³ The number of settlers in Kfar Darom and Netzarim grew by 51 percent and 24 percent, respectively, since March 2001 when Sharon came to power. Underlying these policy measures is a contest over land and its control, which lies at the heart of the Palestinian-Israeli conflict. This contest, however, has assumed

altogether new and frightening dimensions since the start of the intifada. In the Gaza Strip, the Israeli response has been to lay siege to the Palestinian economy and dismantle physical infrastructure while continually increasing the physical and political isolation of the population, primarily through internal and external closures. The Sharon disengagement plan is simply another in a long series of attempts to retain control over Palestinian territory while separating from, and imposing isolation upon, the Palestinian people themselves.

THE DESTRUCTION OF THE PALESTINIAN ECONOMY: IMPACT IN GAZA

The tragic, ongoing violence between Palestinians and Israelis shields a far greater tragedy currently unfolding in the Gaza Strip and West Bank: the dismemberment of the Palestinian economy.⁴ The destruction is so pronounced that according to the World Bank it will take some twenty years to return the Palestinian economy to its state on the eve of the second intifada. A critical feature of this campaign is the intensification of Israeli closure policy and the wide-scale destruction and damaging of Palestine's physical resources (much of which had been financed by the international community during the Oslo period): homes, businesses, public and private buildings, workshops, factories, vehicles, roads, sidewalks, schools, clinics, agricultural land and crops, agricultural infrastructure, water supply networks, waste disposal and sanitation systems, electricity networks, transformers and street lighting, and telecommunications equipment. The damage and destruction of Palestine's capital stock coupled with the entrapment and immobilization of the population through closure have dramatically weakened the productive capacity of the economy. Put simply, people's access to work, food, housing, and other needed resources has been severely eroded. The destruction of agricultural assets—a critically important mainstay of the economy—is also stunning. During the first fifteen months of the uprising, the World Bank estimates that the Israeli army damaged or destroyed 454,874 productive trees valued at over \$107 million, and destroyed or otherwise alienated close to 13,000 acres of agricultural land in the West Bank and Gaza Strip.⁵

The effects of the long-standing Israeli tactic of house demolition provide a dramatic illustration of Palestine's contracting physical base. According to the United Nations, the destruction of Palestinian homes by Israel increased dramatically from year to year since 2000. For example, in the Gaza Strip Israel destroyed an average of 11 homes per month during the last three

months of 2000, an average which increased to 35 homes per month in 2001, 25 per month in 2002, and 65 per month in 2003. During the first four months of 2004—prior to the Israeli army incursion into Rafah in May—an average of 69 homes were demolished each month. And in the first fifteen days of May 2004, 191 homes were destroyed, displacing 2,200 people, half of them from Rafah. By May 30, 2004, approximately 21,142 people had lost their homes in the Gaza Strip.⁶ The Israeli army is also considering the demolition of 2,000 additional homes in Rafah in order to widen the Philadelphia Corridor, the no-man's-land between Gaza and Egypt.⁷

Widespread unemployment and poverty are the direct and perhaps most egregious outcomes of the destruction of the physical and economic base. Although unemployment and poverty levels rose steadily during the Oslo period, they have become acute during the current uprising. For example, unemployment levels (including discouraged workers) increased from an average of 10 percent to over 40 percent between September 2000 and May 2003. At different periods, unemployment rates in the Gaza Strip rose to and exceeded 50 percent, notably during the second and third quarters of 2002 (the period of Israel's invasion and reoccupation of the West Bank). By the end of 2003, the Gaza Strip and West Bank had unemployment rates of 37.2 percent and 27.8 percent, respectively.⁸ The World Bank also found that by September 2002, 58 percent of all Palestinian households in the West Bank and 53.6 percent in Gaza had lost over 50 percent of their income since before the uprising.⁹ Because of this, poverty levels have risen quickly and dramatically. Between September 2000 and December 2002, the number of people living in acute poverty increased from 21 percent to 60 percent of the population (75 percent of people in Gaza, and 50 percent in the West Bank). Today, some 80 percent of people living in certain areas of Gaza and the West Bank live in acute poverty.

A 2003 report by Jean Ziegler, UN special rapporteur on the right to food, stated that the Occupied Territories are on the "verge of a humanitarian catastrophe."¹⁰ Until recently, over 22 percent of Palestinian children below age 5 suffered from malnutrition, a 300 percent increase from 2000, levels equivalent to those in parts of sub-Saharan Africa. Massive donor intervention contributed to a significant decline in acute malnutrition levels, but overall levels remained worrisome. Food insecurity is a persistent problem in Gaza. At present, border closure is the primary cause impeding access to food.¹¹ The Dayr al-Balah and Khan Yunis governorates in Gaza reported food insecurity among 70 percent of households.

ISOLATION AND CONTROL IN GAZA

The separation wall currently under construction in the West Bank represents an extension of the policy of isolation directed at Gaza in previous years. The idea of a wall in the Occupied Territories was first implemented in the Gaza Strip in the mid-1990s. At that time, the Israeli government enclosed the strip with a 60-kilometer electrified perimeter fence, armed guard towers, and motion sensors. Given Gaza's far smaller size, the wall proved to be an effective barrier isolating Gazans from Israel. However, during the first two months of the uprising, Palestinians destroyed most of the Gaza Strip fence, representing a loss to Israel of \$25 million. In 2001, the Israeli army Southern Command reconstructed an "improved" fence:

At its core was a defined "security buffer zone" or one-kilometer fence perimeter. The terrain within this perimeter was bulldozed in order to enable better observation of the Palestinian side of the fence. In addition, the Israeli army established many important security features, including enhanced interception capabilities, a variety of high-tech sensors, a continuous monitoring and videotaping system, and overlapping observation posts (which enabled Israeli troops to see as far as five kilometers into Gaza during the day or at night). . . .

Indeed, hundreds of attempted infiltrations were thwarted inside the buffer zone before the terrorists ever reached the electronic fence. . . .

In order to replicate this kind of success in the West Bank, all of the essential elements of the Gaza defensive layout [*a suitable defensive strategy; strategic, operational, and tactical intelligence capabilities; an electronic fence; a bulldozed security buffer zone; "alarmed" high-tech sensors and sophisticated interception capabilities combined with "dumb" delaying obstacles such as walls, barbed wire, and ditches; a system of electronically enhanced observation posts; special rules of engagement; and professional motivated troops to carry out the mission*] must be implemented as a package, without any exceptions.¹²

Israeli Prime Minister Sharon's plan of unilateral separation from Gaza is also indicative of wider Israeli intentions toward a future Palestinian "state." Sharon's proposal would leave Israel with direct control over all of Gaza's borders, air space, and waters. The plan is simply the latest expression of long-standing Israeli policy objectives that would keep Gaza an imprisoned canton. Sharon's proposal, which is one part of his unilateral separation plan, would effectively complete the implementation of Oslo's "Gaza and Jericho First" plan, which similarly aimed to create a provisional Palestinian state in

the Gaza Strip, freeing Israel to pursue, in one form or another, the *de facto* annexation of the West Bank, which it did with stunning success during the seven years of the “peace” process.

The Gaza disengagement plan, while a reversal of Sharon’s policies, should be understood as part of the same political continuum created by the Oslo process (and indeed by Israeli settlement policies since 1967, beginning with the Allon plan). It serves the same goals: maintaining Israel’s full control—both direct and indirect—over all Palestinian lands and resources; consolidating and institutionalizing direct and permanent (military and political) control over a majority of the West Bank (primarily through continued settlement expansion, concentrating settlers in the main settlement blocs, controlling the Jordan Valley, and building the separation wall); securing, to the extent possible, demographic separation with the Palestinians, and thereby guaranteeing a Jewish majority within Israel with the possible transfer of some Arab citizens to a future Palestinian state); and insuring that if a Palestinian state is declared, it will be weak, diminished, and highly dependent on Israel. Thus, Sharon is clearly seeking to manage rather than end the conflict in a manner that will be accepted both internationally and domestically. Some observers argue that under such a scenario, Israeli control could extend to 50–60 percent of the West Bank, leaving Palestinians under permanent and worsening occupation, a state that Sharon believes Palestinians will have no choice but to accept.¹³

During the Oslo process, the contest over territory gave rise to a policy of separation with certain features that were altogether new; not only did Israel seek to insure the demographic and political separation of Palestinians and Israelis, but also sought to separate, and hence isolate, Palestinians from each other. And in this they were successful. Both the wall and the Gaza plan are the latest and most grotesque manifestations of separation policy.

CONCLUSION

The policies of the Sharon government—state expansion into Palestinian lands, the destruction of Palestine’s physical base, the continued division and isolation of Palestinian lands, and displacement of the indigenous population—are becoming the norm, having moved from the far limits of discourse and action into the center. Does the current Israeli government have in mind a fragmented Palestinian state on less than half of the West Bank and Gaza Strip, as Prime Minister Sharon has indicated, or will that state be confined to the Gaza Strip as the unilateral separation plan suggests?

The answer is unclear, but what appears increasingly unequivocal is the government's desire to control Arab land, relinquishing only small parts of it to create a diminished entity controlled by Israel. The Gaza disengagement plan, in the context of sustained Israeli attempts to destroy Gaza's physical and economic infrastructure, is a first step in this emerging strategy. To accomplish this goal the government needs to attenuate Palestinian demands—which it has attempted to do largely through economic deprivation. The image of Palestinians in Rafah on their hands and knees digging for vegetables plowed under by Israeli armored vehicles is just one painful expression of such deprivation.⁴ If it succeeds in its plan to deprive Palestinians and force their concession to a moribund entity termed a state, the Sharon government will argue that it has ended the occupation, but in a manner that will undeniably maintain it. The occupation will then be transformed from a political and legal issue with international legitimacy into a simple dispute over borders, insuring for both peoples a continued descent into violence and hopelessness.

PALESTINIANS DEBATE “POLITE” RESISTANCE TO OCCUPATION

**Lori A. Allen, with responses by Salim Tamari and
Issam Nassar**

When an August 2002 opinion poll released by Search for Common Ground, a US-based NGO, showed that a majority of Palestinians would support a nonviolent intifada, many residents of the ‘Aida refugee camp in Bethlehem greeted the results with suspicion. “They’re trying to make us be ‘polite,’” one leader of the Fatah youth movement laughed bitterly. The poll itself was dangerous, he suggested, possibly part of an insidious effort to convince Palestinians to give up resistance to the Israeli occupation. Another young man in ‘Aida stated that the poll should never have been published. This was not a blanket rejection of free speech. Rather, he objected to the publication’s subtle displacement of the core issue obstructing peace between Palestinians and Israel—the occupation—in favor of debating Palestinian resistance strategies. Palestinians’ goal, he said, should not be to find a gentle form of resistance that Israel and the world can tolerate. The goal is to end the occupation.

The widely distrusted poll appeared toward the end of a summer that witnessed a resurgence of public debate among Palestinians over how the intifada should proceed and the possibility of incorporating nonviolence into its methods. Suicide bombings, or, as they are more often called in local parlance, martyrdom operations, have been a central issue—but not the only one. Throughout the past two years of the uprising, intellectuals, academics, and aspiring leaders have stated repeatedly that what the intifada needs most is a clear, unified strategy. None of those public discussions has seemed to yield one. Privately, people have also been wondering who is leading the intifada, if anybody, and where it is taking them. But neither has the grumbling and collective confusion produced a tangible plan that might direct the mélange

of protest activities in more effective ways. The fact that some political leaders reject even the need for a strategy may be part of the problem.

Debates over the phenomenon of suicide bombers and over the future of the intifada itself are influenced by internal power struggles, conflicting political goals, and tensions within Palestinian society. Ultimately, calls to reconsider the use of violence in the intifada are met with severely eroded popular faith in the efficacy of nonviolent strategies.

PETITION OF THE FIFTY-FIVE

An early intervention in the public discussion of armed attacks on Israeli civilians was published by Professors Rema Hammami and Musa Budeiri on December 14, 2001 in the Arabic daily *al-Quds*. They argued that suicide operations, as a form of "resistance communication," are not effective in delivering the intended message because they are "isolated from a strategic reading of Israeli society's reaction to and understanding of the uprising and of Palestinian resistance in general."

The event that stirred up public debate most vigorously was publication of a petition printed in *al-Quds* on June 19, 2002 (see full text in the following chapter). It was initiated by Sari Nusseibeh, president of Al-Quds University in East Jerusalem, and originally signed by fifty-five academics and other public figures. Nusseibeh, already regarded by many as a turncoat because of his compromising position on Palestinian refugees' right of return, was condemned as a traitor in a Fatah youth communiqué after the petition appeared.

The appeal reappeared twice more on consecutive days, carrying new signatories. Prominent names such as Hanan Ashrawi and Khader Shkirat, former director of LAW, a major human rights organization, headed the list of what grew to be several hundred signatures. Unaffiliated individuals also added their names. Some did so for more prosaic reasons, including one man who signed it hoping that the suicide attacks would stop because he wanted his son to finish his high school exams unhindered by Israeli reprisals.

FIRST CAUSES

Several articles criticizing the petition appeared in *al-Ayyam*, another popular daily. Most of the editorials condemned it for not placing ultimate blame on the Israeli occupation. 'Isa 'Abd al-Hafiz asked "an innocent question: 'What is the difference between a pregnant woman delivering at a checkpoint and the infant who dies from lack of oxygen, and a martyrdom operation?' . . . The Palestinian

political leadership does not order the martyrdom operation. Rather, it is a reaction to the human crime of the death of a newborn child, which is caused by the decision of the Israeli central government. Can't those who signed the petition mention in their call the Israeli practices against the Palestinian people and land?"¹ Salim Tamari, a sociologist who signed the petition, agreed with this point, and regretted that the appeal was not worded in a way that more explicitly criticized Israeli policy.

Ahmad Muhaysin, a respected thinker from Dheisheh refugee camp, echoed these sentiments in somewhat different terms, placing the petition in a broader context of what he believes to be an effort to end the struggle against occupation altogether. He criticized Western-influenced intellectuals for supporting a position that was made possible by the 1993 Oslo accord: "When Oslo was signed and the historical reconciliation was achieved, they declared that the war ended and the negotiations started. At that moment, we stopped being a nation resisting the occupation and fighting for freedom." Expressing a commonly held opinion, Muhaysin argued that the Oslo agreement, and the Palestinian intellectuals who supported it, had reframed the conflict around negotiations, thereby robbing resistance to the occupation of its legitimacy. "If we return to the origins and show the world that there is occupation, and we are resisting occupation, then no one would say to us that we aren't allowed to do attacks. The first thing that needs to be said is that there is an occupation to be gotten rid of. It means that when you portray the issue correctly, no one can reject you. Even America itself can't say that it is with the occupation."

"SITTING AT THEIR DESKS"

Another major criticism of the petition stemmed from the European Union's sponsorship of the ad. The Popular Front for the Liberation of Palestine (PFLP), long a proponent of armed resistance to occupation and responsible for a number of guerilla operations during the current intifada, issued a stinging condemnation in a press release a few days after the petition appeared:

For a number of months, Palestinian resistance activity has been subjected to a fierce attack in the press and in the field aimed at stopping Palestinian resistance action in general, and martyrdom operations in particular. New elements have joined this campaign, the most recent of whom are a cocktail of "civilized intellectuals" who have nothing in common except opening the flow of funds from donor countries to their increasingly cramped pockets. . . . [The forms of resistance and the timing of attacks] is not the

prerogative of a group of intellectuals, known to our people as mouthpieces of the propaganda of the Western democracies that regard the struggle of our people and their resistance to the occupation as terrorism.

Individuals from a range of political camps also voiced suspicion that the signatories were motivated by something other than purely nationalist conviction. One historian who had signed the petition dismissed this criticism, claiming it stemmed from popular misunderstanding of the meaning of sponsorship: "They probably thought we each got \$3,000 for signing."

There is, however, more than a lack of worldliness inspiring the disapproval. Some Palestinians believe that what motivates many of the prominent proponents of nonviolence is their financial ties to Israel, their personal interests, or their academic careers. One student leader of the PFLP in Bethlehem hinted at a class analysis: "Those are people whose interests are connected with the existence of the occupation. During peacetime, they are living a good life and working well, but when there is resistance, it works against their interests, they gain nothing."

The fact that local theories emphasize the class factor points to a lack of trust between "the street" and some section of "the intellectuals." Negative reactions to the petition rarely singled out individual signers for scorn, aside from Sari Nusseibeh. Instead, they were general commentaries on particular social divisions. Those who are sacrificing themselves for "the struggle," often those who describe themselves as having little to lose, feel unsupported or even disrespected by the intellectuals and the well-heeled. The petition was read as a slap in the face of those Palestinians who have died for the national project and their families.

Sheikh 'Abd al-Majid, a member of HAMAS now wanted by the Israelis, concurred: "The intellectuals who signed the statement are those who want to have Palestinian institutions supported by the West and Israel itself. There are more intellectuals like them who are sitting at their desks. They have no sons who have been martyred, no demolished houses, and they can move freely. Most of them want to have a struggle without losses, carried out through peaceful marches and speeches." 'Abd al-Majid explained that Palestinians have tried these methods, and they did not work. "Nothing can be achieved through resisting the occupation in a polite way."

While a narrow definition of what counts as resistance, struggle, and sacrifice may have something to do with the popular denunciation of the petition, it also indicates a disconnect between the population and institutions of

civil society, including the universities and NGOs led by many of the petition's endorsers. Expectations that these organizations would provide substantial services, as well as social and political leadership, have been disappointed. Many NGOs are popularly regarded as self-serving, self-promoting, corrupt and corrupting "*dakakin*" (stores), which serve mainly to line their directors' pockets, offer opportunities for travel, and promote Western, defeatist attitudes harmful to the Palestinian cause.

MEMORIES OF 1987–1993

Despite occasional acrimony, these debates over strategy continue. They have now transcended the issue of suicide bombings to ask deeper questions about the armed nature of the uprising as the intifada enters its third year. Can Palestinians achieve an end to Israeli occupation through nonviolent resistance? Memories of the 1987–93 uprising—when nonviolent activism was more widespread and more successful—inform the present wave of public discussion.

Contrary to the claim that "the concept of 'non-violence' was totally foreign to the Palestinians," civil disobedience and other nonviolent methods of protest have been cornerstones of the resistance to occupation.² Mubarak Awad, a leading proponent of nonviolent protest during the first intifada, encouraged Palestinians to refuse work on Israeli settlements, boycott Israeli goods and meetings, withhold tax payments, violate curfews, and establish alternative institutions to supplant the Israeli administration. In response to his efforts, which helped popularize that intifada, Israel deported him. A more recent Israeli response to Palestinian advocates of nonviolence was the killing of fifty-year-old Shadin Abu Hajla in Nablus, by an Israeli soldier, while sitting in a park with her family. She had been involved with a Nablus women's organization that promoted nonviolent civil disobedience as a form of resistance to the occupation.³

There have been other efforts to encourage nonviolent protests against the occupation during the current uprising. Indeed, the majority of intifada activities have consisted of marches, rock-throwing demonstrations, sit-ins and the like, said C., a human rights activist from Ramallah. She pointed out that the armed actions carried out by Palestinians over the past two years have been minor compared to the many other mundane acts of resistance. "Marching to the checkpoint every Friday is not armed resistance; going to school under curfew is an act of peaceful resistance," she said. "It's the media, both

local and international, which has focused on the armed actions. But this is a misrepresentation of the situation."

The PFLP student leader who decried the "Petition of the Fifty-five" said he had tried to organize nonviolent demonstrations but they were not sustainable. "We marched peacefully and sat near Rachel's Tomb [where an Israeli checkpoint is located and which was recently annexed] to protest against the occupation. Suddenly, one person picked up a stone and threw it towards the soldiers. They responded with tear gas. Suddenly, there were a thousand people throwing stones. At that point, the idea of a peaceful demonstration was over." The experience did not encourage his fellow activists to try again, he lamented. "What we lack most is organization. When we reach the stage at which we can manage to wait in line in the bus station, I am sure that the Israelis will start being afraid of us."

Elias Rishmawi, a leader of the tax resistance movement during the first intifada, explained how nonviolence worked then, and why it probably could not now: "Palestinians were able to present the Palestinian nation to the world as being a civilized nation applying the human values determined by the international community, including the American community. As a result, there was clear international sympathy with the Palestinians on both the official and popular levels." Now, "the circumstances are driving every Palestinian into a corner. To be realistic, how can you think rationally in an irrational situation? How do you expect someone being treated worse than a dog to behave? Is he expected to send you a kiss?"

According to Rishmawi, Palestinians were able to accept the existence of Israel and use nonviolent resistance to occupation in 1988 because, "We started feeling that we had dignity and pride. We felt that we were at the same level with the Israelis, not beneath them. We accepted their existence when we started feeling that the relationship was no longer one of slave to master." But the situation has changed. He continued: "I think that many Palestinians believe now that if you do anything with the Israelis, then it indicates giving up, but not peace. This is because there is no balance between the two sides. In 1988, through nonviolence, we felt that we were equal, that we had will. But there were neither F-16s nor Merkava tanks then—weapons were not being used as they are now. Today, I think that Palestinians feel insulted. It isn't possible to make peace with people who feel insulted."

Moreover, the nature of the Palestinian and Israeli economies has changed such that tax resistance and boycotts of Israeli goods are not as feasible as they

once were. Palestinians no longer pay taxes directly to the occupation authorities, and as a result of years of de-development and agreements such as the 1995 Paris Protocol, there are virtually no alternatives to Israel as a source for imports to the West Bank and the Gaza Strip. In addition, the Israeli economy is less reliant upon Palestinian workers, who have been largely replaced by foreigners. During the seven years of the Oslo "peace process," Israel became much less economically dependent upon the Palestinians, but the reverse is not true. Palestinians have little economic leverage.

ERODED FAITH IN CONSCIENCE

Despite these obstacles, a few Palestinian groups have advocated nonviolent resistance throughout the second intifada. But it has been a strategy mostly promoted by intellectuals, expatriates, and internationals working in solidarity with Palestinians. This may in part be a result of these groups' wider awareness of, and heightened concern with, international public opinion. Attitudes toward nonviolence are largely related to perceptions of the importance of international pressure. While most people recognize that global solidarity is a good thing, and recall its importance during the first intifada, not everyone believes it is still so relevant. Indeed, there is much evidence to buttress the argument that international opinion cannot be swayed, and that the conscience of foreign governments and peoples would not be moved by Palestinian nonviolent demonstrations and the probably deadly Israeli response. Many point to the fact that at the beginning of the intifada tens of children and other unarmed civilians were shot dead by the Israeli army. Palestinian forces did not use weapons during the first month of the intifada. At the end of the first month, 107 Palestinians had been killed, approximately one-third of them children. In the first few days of the intifada, Israeli forces fired some 700,000 rounds in the West Bank, and another 300,000 in the Gaza Strip. An army officer later dubbed the project "a bullet for every child."⁴ While, according to the head of international relations for the Palestinian General Intelligence Service, there was never an order issued for Palestinians to use weapons, the fact that Israeli forces were killing so many people did not encourage the Palestinian National Authority to try to stop Palestinians from defending themselves with arms.

Sheikh 'Abd al-Majid said the killing of more than twenty Palestinians praying at the al-Aqsa mosque in 1990 was typical of Israel's response to non-violent resistance. "Muslims went, without weapons, to pray in the mosque,

in order to prove that this is an Islamic mosque. The Israeli military leader responded to the mosque director's efforts to calm the situation by saying he would speak to him with the gun only. Within minutes, a horrible massacre took place. Such massacres lead Palestinians to think about other resistance methods, not just stones and peaceful marches."

Yasser Arafat's Fatah has tried all kinds of methods, from marches and stones to guns and bombs. Its military wing, the al-Aqsa Martyrs' Brigades, has claimed responsibility for approximately one-third of the suicide bomb attacks, as well as many attacks against settlers and soldiers. Some in the party objected to the armed nature of the intifada, believing that random shooting at settlements from Palestinian residential neighborhoods caused more harm than good. In mid-2000 there was an effort to limit the use of weapons to the targeting of Israeli soldiers and settlers. Calls for reinvigorating the popular nature of the intifada also increased. Mass demonstrations held during the siege of Arafat's compound suggested this idea might have some popular appeal. Around midnight on September 25, 2002, thousands of Ramallah residents beat drums, honked horns, and made a general ruckus protesting the week-long Israeli-imposed curfew on the town. Not to be outdone, Fatah and other parties quickly gathered together a similar demonstration in Bethlehem, and a procession of honking cars also drew wide participation there a few days later. But media coverage of these nonviolent efforts was sparse. The siege of Arafat ended as a result of US pressure, not of nonviolent protest. The curfew on Ramallah returned to its normal schedule: from 6 PM until dawn every day, all day Fridays, and all day on other random days decided by the Israeli army. Strikes, sit-ins, and marches are organized regularly throughout the Palestinian territories. But the world has done nothing to stop Israelis from killing Palestinian civilians.

The events in Jenin refugee camp in April 2002 are another striking example of the international community's readiness to turn a blind eye to Israel's brutal excesses. People ask how nonviolent protest could awaken the world's conscience if what happened in Jenin did not. In addition to the complete or partial destruction of hundreds of buildings, tens of Palestinian civilians, including children, elderly, and the disabled, were killed during the Israeli incursion. Israel and the United States blocked a UN fact-finding committee from visiting the camp, leaving Secretary General Kofi Annan's office merely to issue a tepid report on July 30. While residents of the camp bitterly resented this turn of events, few were surprised by the outcome. No one has

faith in the UN any longer, nor in the international community's willingness to acknowledge, let alone put a stop to, their sufferings under occupation. Even if the UN committee had come, "it would have done nothing," said the sister of a fifty-two-year-old woman who was killed by an explosive that Israeli soldiers had placed at her front door as she went to open it for them. "The world knows what's going on even without the committee, and everyone knows that Palestinians are oppressed, but they do nothing to save us. Power rules, not justice."

RESPONSE BY SALIM TAMARI

Lori Allen is to be congratulated for tackling head-on the thorny issue of uses and abuses of violence in the Arab-Israeli conflict. But she has missed the mark in crucial areas.

One gets the impression from Allen that in Palestine today the debate about resistance strategies is divided along such lines as "the masses vs. the intellectuals," or "the street vs. the elite." She includes several animated quotations from representatives of the "street," while the few intellectuals quoted, by contrast, seem very apologetic about their attitudes. Allen concludes: "The fact that local theories [about why some Palestinians argue for nonviolent resistance] emphasize the class factor points to, first, a lack of trust between 'the street' and some section of 'the intellectuals.' . . . Those who are sacrificing themselves for 'the struggle,' often those who describe themselves as having little to lose, feel unsupported or even disrespected by the intellectuals and the well-heeled."

This argument is rather simplistic, and in some ways deceptive. It does not give the reader an indication of the scope and nature of the debate over violence and nonviolence, nor of the identity of the contestants. It tends to conflate opposition to suicide bombings among the quoted intellectuals with opposition to resistance in general, and armed resistance in particular. Allen's generous and extended quotations from "the street"—camp informants and militants of the PFLP—contrast with very selective excerpts from articles by intellectuals indicating that suicide bombing is bad for the Palestinian image.

Allen's article does not inform the reader that opposition to suicide bombing is far from an intellectual preoccupation. Such opposition is much more extensive than she suggests, and it precedes the "academic" interventions cited in her article. Above all, the call for nonviolence is only one component in the debate over resistance strategies. One major reason to oppose suicide

bombing is that this practice diffuses and renders impotent alternative forms of resistance, including civil disobedience and "legitimate" armed resistance.

Several months before the articles quoted by Allen appeared, the opinion pages of local newspapers like *al-Ayyam* and *al-Quds* were filled with editorials against both suicide bombings and the general militarization of the intifada. Much of this debate actually concerned what type of military strategy Palestinians should employ, rather than posing the choice between violent and nonviolent resistance, as she suggests. The call for nonviolent resistance emerged forcefully only after Israel's second large invasion of the West Bank in the spring of 2002, the so-called Operation Defensive Shield.

More importantly, a proper investigation would have found that the Palestinian street itself is divided on these issues—not only the intellectuals. Virtually all the major political forces, inside the Palestinian National Authority and in the opposition, Fatah, the Democratic Front, the People's Party and Fida', have made public pronouncements critical of suicide bombings. These critical voices include leading legislators and professionals, as well as members of the general public. True, there are major divisions in the street on this issue, as well as among the rank and file of the aforementioned parties, but this is a subsidiary point. Witness the substantial energy that leading elements in Fatah, including the imprisoned *tanzim* commander Marwan Barghouti, invested to bring about a cross-factional agreement with HAMAS to stop attacks against Israeli civilians, in the early summer of 2002. This is hardly a situation in which the intellectuals are pitted against the masses.

Opinion polls over the last couple of years reflect schizophrenia in the public debate: first a majority supports "martyrdom operations" and then a majority opposes them. In December 2002, yet another poll indicated that—within the span of three weeks—the street had swung from supporting these operations to 80 percent opposition. One cannot with any intellectual rigor extrapolate from these numbers a coherent picture of "what the street wants." Nor does using "the street" as a stick to beat intellectuals help in clarifying the issue.

Ramallah

February 2003

RESPONSE BY ISSAM NASSAR

Since debating the suicide attacks was one of the main goals of the petition that Lori Allen refers to, in one sense, she helped fulfill the wishes of those who signed the statement. However, Allen's article belittles the significance

of the debate that is taking place in Palestine. The statement she dubs the "Petition of the Fifty-five" garnered close to 1,000 signatures in a matter of a few days. Those who signed came from all walks of life. They signed for various reasons. A parallel statement with more balanced language, signed by many leaders and activists, appeared around the same time. The statements generated real discussion in "the street," and were not received simply with condemnations of "polite" strategies of intellectuals. The public knew that the question was not whether violence is appropriate in resisting occupation, but whether suicide attacks are a politically and morally acceptable form of resistance. The debate about Palestinian strategy predates the debate about nonviolent struggle by decades.

True, the statement referred to by Allen was attacked by the Popular Front as well as by the Islamists, but leading members of Fatah, Fida', and the People's Party, as well as a few from the PFLP and the DFLP, signed it. Why not see the statement as part of the general debate in Palestine instead of insinuating that it was anti-Palestinian? Why is it assumed that, by default, being a Palestinian means agreeing to let one faction drag the entire nation into disarray and despair? The statement against suicide attacks was but a small part of the debate that started on day one of the intifada and continues today.

Jerusalem

February 2003

REJOINDER BY LORI A. ALLEN

Salim Tamari and Issam Nassar highlight important aspects of the Palestinian debate over violent resistance to Israeli occupation, first among which is the fact that the debate is longer and more complicated than a brief, word-limited article could address. In my article in *Middle East Report* no. 223, "There Are Many Reasons Why: Suicide Bombers and Martyrs in Palestine," I emphasized exactly the "'schizophrenia' in the public debate" to which Tamari refers, and suggested some of the different personal, religious, and political reasons that might account for this volatile flux.

"Palestinians Debate Polite Resistance to Occupation" focused specifically on the "Petition of the Fifty-five" (so dubbed by *MER*'s editor, not me). My commentary was not intended to be a comprehensive or historical review of Palestinian debates about violence and nonviolent resistance. Rather, it was an effort to provide insight into additional dynamics of this complex debate, this time by offering a glimpse into perspectives of Palestinians who, in gen-

eral, neither read nor write newspaper articles. Tamari suggests that a review of *al-Ayyam* and *al-Quds* would have been necessary to expose the fault lines of the debate. But the editorial pages of mainstream newspapers in any country reflect local elite opinion—a thorough reading of responses in the Palestinian press would not have revealed non-elite reactions to the petition and the moral and political logics upon which they are based.

My article necessarily gave only a truncated view of these concerns, views that were specific to a particular moment. Gandhi referred to the truth as a diamond, the many facets of which no single person is able to see at once. As further evidence of just how quickly the facets of the Palestinian debate turn, are tarnished, and wiped clean, I later learned from a head of Shabiba (the Fatah youth movement) that although the organization or an individual member did issue a communiqué condemning Sari Nusseibeh for initiating the petition, a second communiqué was issued which retracted that initial denunciation. Then two members of Shabiba who found work promoting the Nusseibeh-Ayalon plan were “encouraged” by the organization (or particular members) to discontinue their association with Nusseibeh’s office. Surely, countless other intrigues and contested opinions existed at the time I wrote the article, and countless more have emerged since.

A wide range of community leaders and others have indeed been trying to diffuse support for suicide bombs. The question I asked is to what extent, and why, these calls go unheeded. The answer, as I suggest in my article, is at least partially related to the fact that many people do see “the street” and “the elite” as distinct, and sometimes opposing, blocs. While I agree that these are not analytic categories appropriate for academic investigation, it is the case that “the elite” and “the intellectuals” are local categories which many people I talked with use to describe, and in many cases, dismiss, positions held by certain sectors of the society. These categories are salient for people from various walks of life, including Fatah activists from the first and current intifadas, housewives, PFLP leaders and street-fighters, unaffiliated youth, members of the PNA, and workers in human rights NGOs. My article tried to represent their forms of argumentation. If some see these forms as simplistic, one-sided, and based on inaccurate information, they are nonetheless persuasive for many Palestinians.

My research explores questions arising from this debate, and ponders the terms in which it is being carried out. Who is involved in the construction and contestation of those categories? Who regards them as in mutual opposition

and why? What moral authority do these labels imply? It was never my intention to insinuate that the petition was anti-Palestinian, but rather to try to understand why some people saw it as such. As quotes in "Palestinians Debate" illustrate, opinions of those who have—or who are believed to have, or who are promoted as having—suffered and sacrificed for "the national cause" are accorded respect. Suffering and sacrifice are core values upheld by many nationalisms, and perhaps Palestinian nationalism in particular. I hope that the debates about violence and strategy, both those taking place within Palestine and elsewhere, will be enhanced by a more historically nuanced understanding of how these values function, including how they are constructed and exploited, in Palestinian politics.

I am not as sure as Nassar that "the public knew that the statement was not whether violence is an appropriate method of resistance, but whether suicide attacks can be a politically and morally acceptable method." As Tamari points out, and my research also indicates, there is a blurring in people's minds of opposition to suicide bombs and opposition to violent resistance in general, a significant confusion that needs to be better understood. One of the most intriguing aspects of the conversations I had with people quoted in my article was the oft-repeated view that nonviolence is an insidious tool of Western powers intent on ending resistance to occupation. Discussion often seems to get polarized between the options of pacification and the extreme opposite of suicide bombings, which shows that the occupation is succeeding in setting the terms of the debate. This proves how vital it is to consider not only the fissures which span local party affiliations, but also continents, class, and colonialism.

Ramallah

February 2003

"URGENT APPEAL TO STOP SUICIDE BOMBINGS"

**Statement by Palestinian Intellectuals in *al-Quds*,
June 20, 2002**

We the undersigned feel that it is our national responsibility to issue this appeal in light of the dangerous situation engulfing the Palestinian people. We call upon the parties behind military operations targeting civilians in Israel to reconsider their policies and stop driving our young men to carry out these operations. Suicide bombings deepen the hatred and widen the gap between the Palestinian and Israeli people. Also, they destroy the possibilities of peaceful co-existence between them in two neighboring states.

We see that these bombings do not contribute towards achieving our national project that calls for freedom and independence. On the contrary, they strengthen the enemies of peace on the Israeli side and give Israel's aggressive government under Sharon the excuse to continue its harsh war against our people. This war targets our children, elderly, villages, cities, and our national hopes and achievements.

Military actions as viewed are not assessed as positive or negative exclusively out of the general context and situation. They are assessed based on whether they fulfill political ends. Therefore, there is a need to re-evaluate these acts considering that pushing the area towards an existential war between the two people living on the holy land will lead to destruction for the whole region. We do not find any logical, humane, or political justification for this end result.

Signatories

Below are some of the Palestinian intellectuals and public figures who have signed this petition:

Dr. Sari Nuseiba
 Dr. Hanan Ashrawi
 Salih Ra'fat
 Salah Zuheika
 Mamduh Nawfal
 Hanna Siniora
 Dr. Muhammad Ishtiya
 Ibrahim Kandalaft
 Dr. Eyad El-Sarraj
 Dr. Musa al-Budeiri
 Huda al-Imam
 Dr. Marwan Abu al-Zuluf
 Sam'an Khoury
 Dr. Said Zidani
 Dr. Umayya Khammash
 Dr. Jad Ishaq
 Dr. Manuel Hassasian
 Salah Abdel Shafi
 Shaher Sa'ad
 Dr. Muhammad Dajani
 'Imad 'Awad
 Fadil Tahbub
 Majid Kaswani
 Taysir al-Zibri
 Dr. Ahmad Majdalani
 Dr. Talib 'Awad
 Khader Shkirat
 Zahi Khouri
 Majid Abu Qubo

Ihab Bulus
 Dr. Issam Nassar
 Dr. Salim Tamari
 Dr. Suad al-Ameri
 Dr. Adam Abu Shrar
 Dr. Rema Hammami
 Subhi al-Zbeidi
 Dr. Munther al-Dajani
 Usama Dahir
 Simone Cupa
 Jeana Abu al-Zuluf
 Yusuf Dahir
 Jamal Zaqout
 Dr. Saleh Abdel Jawad
 Dr. Nazmi al-Juba
 Dr. Jamil Hilal
 Dr. Arafat al-Hadmi
 Dr. Leila Faydi
 Dr. Zakaria al-Qaq
 Amna Badran
 Dr. Ali Qleibo
 Marwan Tarazi
 Dr. Raja'i al-Dajani
 Issa Qseisiya
 Hani El-Masri
 Dr. Jumana Odeh
 Lucy Nusseiba
 Abdel Qadir al-Husseini
 Zahra al-Khalidi

Ariel Sharon's push for unilateral Israeli withdrawal from the Gaza Strip and four forlorn West Bank settlements in the spring of 2004 came after a year of mounting criticism inside and outside Israel that he had no long-term "solution" for the Israeli-Palestinian conflict. As the prime minister conceded, his scheme was designed to forestall solutions brokered by international actors, as well as locally engineered initiatives, like the Geneva accords of November 2003, that would implement a two-state solution based upon the last formulas discussed by Israeli and Palestinian negotiators at Taba in January 2001. With disengagement, Sharon seeks to harness the perception that there is no Palestinian partner for negotiations, and to impose Israel's power on the weaker party. The Sharon plan was rejected in a poorly attended Likud Party referendum on May 2, 2004, but outside the settler right wing, unilateral withdrawal enjoys wide support among the Israeli Jewish public. This support is drawn from deeper springs than the traditional split between the Likud right and the Labor Party center over the concept of trading land for peace.

Talk of disengagement obscured the growing debate, during 2003 and 2004, over alternatives to the two-state model—a discourse that increasingly has tested the long-standing conventional wisdom that the two-state solution is "the only game in town."¹ Purveyors of conventional wisdom took note. In October 2003 the editors of the *New York Times* described arguments against the two-state solution as "insidious," but acknowledged that they were gaining ground. In the same month, the state-controlled Israel Broadcast Authority's prestigious *Popolitika* program hosted a debate on the continuing viability of the two-state solution. Research published by the liberal Israeli daily *ha-Aretz*

suggests that 67 percent of the Israeli public “strongly or moderately fear” a scenario in which Israel finds itself in a one-state reality.²

Two alternatives to the two-state endgame are discussed. One is a binational state, offering power-sharing to two separate peoples with distinct collective identities within one polity. The binational model encompasses federal, confederal, and consociational variants. The second alternative proposes a single democratic polity, where there is no ethnic or national distinction between citizens. Whereas the former alternative is premised on collective entitlements, as developed in the Good Friday Agreement in Northern Ireland, the latter is premised on individual rights, as in post-apartheid South Africa. The two concepts are often used interchangeably, and the word “binational” is understood by most Israelis to denote the South African endgame. Some, like Meron Benvenisti, suggest that the conflation of terminology is designed to “prevent any debate about . . . attractive alternatives” to the two-state solution.³

There are, of course, other alternatives to a two-state outcome. These include an entity in which Jews rule over a Palestinian majority, through various schemes of coercion. The Israeli right has variously proposed canton schemes which will allow a Jewish minority to rule over a Palestinian majority through gerrymandering or a model in which Palestinians exercise their political rights in Jordan and Egypt. Others fear that Sharon and the Israeli right wish to create a set of disconnected cantons that would bear the name of “Palestinian state.” Such a “Bantustan” model would maximize Israeli control of territory while minimizing the number of Palestinians living in the Israeli state. How did the first two alternatives to the two-state solution come to return from their banishment to the margins?

INTERNATIONAL DOUBTERS

In the international community, by far the most forthright opposition to the two-state solution comes from the intellectual left, with its antipathy for nationalism and ethnic states. It is held that Zionism is a discriminatory ideology and that Israel is an inherently inequitable state.⁴ Many Israelis view these arguments as fundamentally anti-Semitic, because Israel is singled out for condemnation as a nation-state, or because Israel is singled out for condemnation as an occupying power while China’s occupation of Tibet and Russia’s anti-separatist war in Chechnya attract less attention. The Oslo “peace process” of the 1990s dramatically weakened the impact of anti-Zionist leftists on public discourse, and some abandoned their opposition to Zionism in the

hope that the Oslo process—which tacitly envisioned two states—would work, and on the assumption that both peoples desired such a deal. The collapse of Oslo has encouraged the intellectual left to argue anew that a binational state is not only likely, but desirable. Tony Judt stirred a major uproar when he recently noted that, “The very idea of a ‘Jewish state’—a state in which Jews and the Jewish religion have exclusive privileges from which non-Jewish citizens are forever excluded—is rooted in another time and place. Israel, in short, is an anachronism.”⁵ Judt’s submission elicited thousands of letters to the editor, confirming Daniel Lazare’s assessment that a “long-standing taboo has finally begun to fall.”⁶ That taboo inhibits debate in the United States over the legitimacy of a Jewish state.

Over the ensuing months, writers who believe that a two-state solution is simply impracticable have joined the band of two-state doubters. Veteran journalist Helena Cobban, who reversed her earlier opposition to a one-state outcome, provides one example.⁷ Even before the spate of articles in highbrow publications, diplomats engaged in the Israeli-Palestinian conflict also raised doubts over the viability of a two-state solution, despite the fact that the international community invested vast resources in the Oslo process and, now, the “Roadmap.” For instance, in 2002 the UN secretary-general’s special envoy to the Middle East, Terje Roed-Larsen, asked whether the UN was “nearing the death of the two-state solution, the bedrock for all our peacemaking efforts.”⁸ These misgivings stem from the political impasse, not an ideological preference.

Intellectually, the renewed opposition to the notion of ethnically exclusive states must be seen against the backdrop of the bloody conflicts of post-Communist Eastern Europe, especially the Balkans, deepening and widening European integration, and opposition to “clash of civilizations” theory. Israel’s violations of human rights in the Occupied Territories have also eroded support for Israel and its legitimacy, particularly in Europe. In a Europe-wide survey conducted in November 2003, a whopping 59 percent of respondents ranked Israel ahead of the United States, Iraq, North Korea, and Iran as the greatest perceived threat to world stability. Though many Israelis quickly dismissed these results as evidence of anti-Semitism, Eliahu Salpeter notes that it was Israel and the Jews who “determined that Israel should be a light unto the nations”⁹—hence they are judged by the moral standards they claim. If Israel has so far won the war of images in the US, one Jewish American leader, Brian Lurie, cautions that if the intifada does not end soon, “Israel is liable to end its preferential standing in American public opinion.”¹⁰

ISRAELI DOUBTS

Doubts over a two-state outcome are also, increasingly, being articulated in Israeli discourse. One prominent supporter of the two-state outcome who has raised his concerns is Yossi Alpher. He warns that the two-state solution should not "be taken for granted."¹¹ Daniel Gavron has gone one step further, advocating that Israeli Jews embrace a binational state while they still enjoy demographic ascendancy. Gavron, a Zionist, notes that having concluded that partition is no longer possible, "we are left with only one alternative: Israeli-Palestinian coexistence in one nation."¹² Gavron's idea enjoys scant support among Jewish Israelis; 78 percent of them oppose such an entity,¹³ which they view as a recipe for a "Greater Palestine." But the binational idea is rooted in Zionist discourse. In mandatory Palestine the likes of Henrietta Szold, Martin Buber, Judah Magnes, and the ha-Shomer ha-Tza'ir movement propagated it. Though vilified in Zionist historiography for their views, they were not alone. Prominent Zionist leaders like Chaim Weizman and Chaim Arlozoroff supported the idea. David Ben Gurion, the first prime minister of Israel, toyed with binational ideas between 1924 and 1939, probably for tactical purposes. At a time when Jews were a minority (less than 20 percent) in the territory of mandatory Palestine, he surmised that the Zionists were too weak to take on both the British and the Arabs. Moreover, the demand for parity in political representation, implicit in the rally for binationalism, clearly served the Zionist movement. On the one hand, it would have ensured over-representation for Jews in the mandate's political institutions. On the other hand, it allowed the Zionist leadership to maintain ambiguity about its real intention to create a Jewish state. But the Peel Commission rejected the cantonization proposed by the Zionist movement, and this development, coupled with the plight of the Jews in Europe and Ben Gurion's pessimism that an accommodation with Arab leaders was possible, led him to abandon the binational idea.¹⁴ After independence, Israeli support for binationalism declined.

On the other end of the Israeli political spectrum, elements in the ideological right and the settler movement actively pursue a single state, in opposition to "disengagement," and some of Sharon's right-wing detractors have openly called for annexation of the West Bank and Gaza Strip while maintaining the Jewish nature of the state. The implication is that the Jewish state would need to construct institutions that formally discriminate in favor of Jews or engage in ethnic cleansing. As the Hebron settler leader No'am Arnon has argued, "If there is a contradiction between this [Jewish] essence

and the character of the government [democracy], it is clear that the essence takes precedence.”¹⁵

In revealing newspaper interviews, Efi Eitam, leader of the National Religious Party and a minister in the Sharon government, laid out his vision for a Greater Israel. Eitam noted that the “only Jewish state in the world requires a minimum of territory.” Regarding those Palestinians who wish to remain in the West Bank and the Gaza Strip, Eitam suggested that Israel offer them “enlightened residency,” as opposed to citizenship. Those unwilling to accept this status would have to relocate.¹⁶ Some on the right propose leaving Palestinian areas under Israeli security control, yet allowing Palestinians municipal autonomy. Another version of the Greater Israel concept proposes that the entire geographical area west of the Jordan be divided into ten cantons, eight Israeli and two Palestinian, with each canton given the same representation in the Knesset, thereby guaranteeing a Jewish majority. Many Israeli commentators hold that the settler movement and its supporters are endangering Israel by rendering a binational state more likely.¹⁷

THE PALESTINIANS

Until 1988, advocacy for a “secular Palestine” was the traditional position of the Palestine Liberation Organization (PLO), though Israelis viewed support for this idea as tactical rather than ideological. After the 1993 Oslo accords, diaspora intellectuals, most notably the late Edward W. Said, carried the banner of opposition to separation. Many of these standpatters feel vindicated by the current state of affairs. More importantly, leaders inside the Palestinian territories have come to propose alternatives to the two-state solution. The most important of these voices has been Birzeit University’s ‘Ali Jarbawi, who has long argued that the Palestinians should serve Israel an ultimatum demanding that it agree to a Palestinian state within six months, after which the Palestinians would demand annexation.¹⁸ The idea has gradually gained greater currency as the stalemate continues. The first prominent Fatah leader to sound a warning that time is running out for this accommodation was Marwan Barghouti, general secretary of Fatah in the West Bank. Speaking at the close of his trial on charges including murder and conspiracy, he cautioned: “I hope the Israelis have learned that the Palestinian people cannot be brought to yield with force. If an occupation does not end unilaterally or through negotiations then there is only one solution—one state for two peoples.”¹⁹

Thus far the Palestinian National Authority (PNA) leadership has largely

refrained from dabbling in this debate, underscoring the growing gap between the street and the political elite. One poll suggests that almost a third of ordinary Palestinians support a binational outcome.²⁰ One notable voice for alternatives to the two-state solution has been the Negotiations Support Unit (NSU), a team of lawyers drafting position papers and making maps for the PLO in preparation for eventual final status talks. NSU staffers, many of whom are diaspora Palestinians, have submitted that the Palestinian cause would be better served by a struggle for civil rights. The first prominent PNA official to warn that time for a two-state accommodation is running out was the PNA minister of finance, Salam Fayyad. In a memorandum submitted to the Bush administration in October 2002, he warned that Israeli settlement expansion was undermining a future two-state deal.²¹ In December 2003, Prime Minister Ahmad Qurei also sounded the warning, after Sharon announced that he was going to move ahead with his unilateral disengagement plan at the annual Herzliya conference. Qurei noted, "This is an apartheid solution to put the Palestinians in cantons. Who can accept this? We will go for a one-state solution. . . . There's no other solution. We will not hesitate to defend the right of our people when we feel the very serious intention [of Israel] to destroy these rights."²² Yasser Arafat soon followed suit in an interview he granted to the *Guardian*.²³ These warnings were, however, largely dismissed as tactical by Israelis. The PNA can ill afford to abandon the two-state outcome, and thereby forego the vast amounts of international aid that sustain its large civil service.²⁴

FACTS ON THE GROUND

The more important reasons for the challenge to the two-state solution relate to developments on the ground, especially continued settlement expansion and the construction of the "separation wall." According to Amira Hass, the pace of settlement expansion in the Occupied Territories since 1993 has created the "geography of a single state."²⁵ Peace Now says that in 2003 the Israeli government published an additional 1,627 tenders for new housing in the West Bank, a fact that speaks volumes for Israel's commitment to a sustainable two-state outcome. The land grab, argues Meron Benvenisti, nurtures a sense that the "connection between territory and ethnic identity—which was applicable up to about twenty years ago—cannot be implemented and any attempt to implement it will only complicate the problem instead of solving it."²⁶ Others simply doubt whether Israel is willing or able to extricate itself from the territories. Such doubts are not ungrounded. Eitam confidently dismisses settle-

ment removal: "Do you really think that anyone is capable of dismantling Ariel, Kiryat Arba or Karnei Shomron?"²⁷ The former head of the army's central command, Yitzhak Eitan, fears that dismantling settlements will trigger a civil war, making the evacuation near impossible.²⁸ The assassination of former Prime Minister Yitzhak Rabin in November 1995 serves as a striking reminder that many Israelis deny the right of a democratic government to surrender land promised by God. The Likud Central Committee's vote against the creation of a Palestinian state in May 2002, and the rank-and-file's vote against withdrawal from Gaza in May 2004, are more evidence of Israel's possible inability to deliver the two-state deal.

The second major fact on the ground that nurtures pessimism regarding the two-state outcome is the Separation Barrier. Israeli proponents of the barrier that Israel is building in the West Bank argue that it will create a de facto two-state solution, leading to the inevitable evacuation of settlements lying to the east of its route. They further believe that the route will "correct itself" over time. Skeptics submit that far from enhancing the two-state solution, the Sharon government has effectively hijacked "separation"—originally a Labor Party idea—to serve its own political agenda, namely, a state of *Bantustans* on some 42 percent of the West Bank. Avraham Bendor, a former head of the General Security Services, says that "instead of creating a reality of separation and maintaining a window of opportunity for 'two states for two peoples' . . . this window of opportunity is gradually closing. The Palestinians are arguing: you wanted two states, and instead you are closing us up in an [apartheid-era] South African reality. Therefore, the more we support the fence, they lose their dream and hope for an independent Palestinian state."²⁹

From a Likud perspective, imposition of such a state is justified on the grounds that Israel will require strategic depth to defend itself, in the form of "security zones" in the coastal regions, around Jerusalem, and in an Israeli presence along the Jordan river. Senior members of the Israeli security forces reportedly no longer believe that a two-state outcome along the Geneva contours is sufficient to resolve the conflict. The army brass hints that a future deal will need to be based on a regional understanding, shorthand for a Jordanian-Palestinian federation wherein Jordan absorbs the land from which Israel agrees to withdraw and the vast population that inhabits that land. This, as Uzi Benziman notes, is the same policy prescription of the extreme right.³⁰

But it seems highly questionable that the Palestinians will agree to anything less than the territorial parameters of the unfinished Taba negotiations

of January 2001, which spoke of dividing Jerusalem and land ceded by Israel in exchange for any settlements retained. As chief PNA negotiator Saeb Erakat wrote, "It has become clear to many Palestinians that what Mr. Sharon and many other Israelis have in mind for the Palestinians is a ghetto 'state' surrounded by Israeli settlements, with no ability to defend itself, deprived of water resources and arable land, with an insignificant presence in Jerusalem and sovereign in name only. Palestinians will never accept such a future. Nor should we."³¹ Likewise, it seems unlikely that Jordan will sacrifice the Hashemite entity it has actively consolidated since 1988. It is also extremely unlikely that the international community will indulge a redrawing of an internationally recognized border. As Benziman says, these Israeli military assessments open up space for debate over alternatives to the two-state outcome.³²

DEMOGRAPHY

Due to Sharon's refusal to pursue negotiations, many prominent two-staters believe, time for a two-state solution is running out. Sari Nusseibeh and Ami Ayalon, respectively a Palestinian and an Israeli who seek popular endorsement of a set of basic principles for a permanent status accommodation, voice this concern. Key supporters of the Geneva accords, like David Kimche, harness the worry to promote their own initiative, arguing that opponents of the accords will lead Israel down the path to a binational state.³³ Inside the Israeli establishment, former prime minister Ehud Barak, army chief of staff Moshe Ya'alon, and four past heads of the security services echo the fear that government indecision may see Israel slide into a binational reality. Deputy Prime Minister Ehud Olmert, a Likud member, surprised many observers when he concurred:

We don't have unlimited time. More and more Palestinians are uninterested in a negotiated, two-state solution, because they want to change the essence of the conflict from an Algerian paradigm to a South African one. From a struggle against "occupation," in their parlance, to a struggle for one man, one vote. That is, of course, a much cleaner struggle, a much more popular struggle—and ultimately a much more powerful one. For us, it would mean the end of the Jewish state.³⁴

Olmert's remarks hint at the extent to which demography, rather than co-existence, has come to underpin the Zionist case for disengagement. Haifa University's Arnon Sofer argues that the total population west of the Jordan will reach 15.5 million by 2020. The 6.4 million Jews will constitute only 40 percent of the population; the majority will be 8.8 million Palestinian Arabs. Sofer

contends that demographic parity between Jews and Arabs already exists, if Israel's non-Jewish, non-Arab residents are excluded from the count.³⁵ Such calculations led Barak's chief negotiator, Gilead Sher, to call on Israelis to "define our borders by ourselves and place an iron wall against the demographic threat" posed to the Jewish majority between the Mediterranean and the Jordan.³⁶ The West Bank barrier is widely supported as such an iron wall.

The right, including Sharon, has long pooh-poohed the "demographic threat," arguing that immigration (*'aliyah*) will sustain the Jewish demographic advantage. But these assumptions fly in the face of the reality. Not only are their insufficient *'aliyah* reservoirs, as the head of the Jewish Agency, Salai Meridor (himself a settler), recently confessed,³⁷ but some 210,000 Israeli Jews have reportedly left the country since the fall of 2000.³⁸ Ehud Olmert's comments confirm that the right is mindful of the demographic threat. Olmert supports a sweeping unilateral disengagement from 80 percent of the West Bank and all of Gaza, in order to retain a Jewish democracy. Explaining the sudden prominence of the demographic issue, one journalist suggests that "the silent majority has by now grown familiar with the term 'demographic threat' and learned what it means. Today most Israelis can say: we've seen the future, and it doesn't work."³⁹ Fear of losing a Jewish majority and facing a binational reality brings together a range of Israeli actors from both the left and the right wings. In a dialectical fashion, the ongoing diplomatic stalemate and the rise of the demographic discourse could serve to heighten the Israeli sense that Israel must swiftly and decisively move to extract itself from a quagmire. The results of the Likud members' poll may well indicate that it will not be possible to do so under the current configuration of the Knesset, whose term ends in 2007.

DEMOGRAPHY AND THE EXTREMES

Though proponents of separation, either negotiated or unilateral, may win the demographic argument, it is not evident that the Israeli public will adopt their prognosis. The Israeli right, which initially opposed the Separation Barrier in the West Bank, embraced the idea as a result of public pressure, but altered the route to maximize Israeli territorial control. The hazard of the demographic argument, and indeed using binationalism as a scarecrow, is that they may increase support for ethnic cleansing or institutionalized discrimination against non-Jews. As David Landau, editor of the daily *ha-Aretz*, puts it, "While the peace camp hopes that the very real and frightening demographic scenario will convince the settlers to finally sober up—lest

the entire Zionist enterprise find itself in mortal danger—the rightists hope that this same demographic threat will convince the whole of Israel to join their ranks.”⁴⁰ Veteran peace activist Uri Avnery warns against using talk of inevitable binationalism to “frighten Arab-hating Israelis. They see it only as another reason to put up more settlements all over the West Bank.”⁴¹ Settler leader Israel Harel, indeed, claims that once the Arab minority inside Israel reaches 40 percent the state will no longer be a Jewish state. Harel adds that once Israel has “run away” from the Occupied Territories, the demographic pressure will intensify as Palestinian refugees are resettled there.⁴² Though Harel refrains from proposing a solution to his demographic problem, he hints that Zionism has not relied on miracles, but has created them. What miracle he wants to create is unclear, but it is not a two-state solution.

Demographic trends raise the temptation to refuse compromise and consider radical measures. The demographic obsession also threatens the precarious relations between the Jewish majority and Palestinian citizens of Israel. Leading Labor Party leaders support moving the town of Umm al-Fahm, an Arab town in Israel, to the future Palestinian state. Dani Mor, a left-wing supporter of moving communities inhabited by Palestinian citizens of Israel to the future Palestinian entity, notes that whoever supports equal rights for all citizens must support measures to ensure that the majority of the country’s citizens are Jews. According to Mor, equal rights for non-Jews will only be assured when there is no threat to the Jewish character of the state. Residents of Umm al-Fahm who wish to stay in Israel could move elsewhere in the country.⁴³ Commenting on such ideas, Amnon Raz-Krakotzkin notes, “The peace discourse of the Israeli left in fact proposes getting rid of Arabs, and therefore it sounds exactly like the talk of transfer.”⁴⁴ Support for less subtle forms of transfer—forced expulsion or migration induced by material incentives—peaked at 57 percent in a national survey conducted in 2003, while 46 percent of Israelis supported enforced transfer of Palestinians residing in the Occupied Territories, and 33 percent supported the transfer of Palestinians who hold Israeli citizenship.⁴⁵

IRONIES OF STALEMATE

Talk of one-state options has not yet overcome the powerful currents that favor separation and the two-state solution. But the longer the diplomatic stalemate and settlement expansion proceed unabated, the more disillusioned Israelis and Palestinians will become with the land-sharing formula.

The two-state solution will certainly become increasingly discredited among Palestinians if there is no serious diplomatic process. For some Palestinians, the failure of the PNA between 1994 and 2000 to develop credible and transparent institutions contributed to a sense that the Oslo years "proved the [Palestinian] nationalist goal unattainable."⁴⁶ The two-state solution is also associated with the Palestinian ruling class, viewed by many Palestinians as corrupt and inept. The availability of vast sums of international aid created a rentier state, in which the dependent PNA elites failed to develop a rapport with their constituency. So far, the Palestinian mainstream refrains from endorsing one-state ideas out of consideration for the besieged Arafat and how much the PNA invested in a negotiated two-state solution. But even in the mainstream, there are hints of a radical rethinking. The prominent Fatah leader Qaddura Faris claims that he has been approached to form a party promoting a one-state solution. Faris suggests that because Palestinians "have been left without any hope . . . we are seeking any path—even annexation to Israel—in other words to win [Palestinian rights] by using the vehicle of democracy."⁴⁷

Ironically, the beginnings of eroded support for the two-state solution among secular nationalist Palestinians may induce Israel to look toward HAMAS as its preferred partner. Though Israelis view HAMAS as a proponent of a single Islamic state and, therefore, committed to Israel's obliteration, others disagree, citing numerous HAMAS statements over the years accepting a two-state solution in exchange for a long-term *hudna* (truce). A further irony is that, of all the Palestinian factions, the Islamist movement has perhaps the most to lose in a secular or binational state. Given both the declining standing of the PNA and the growing popularity of HAMAS, Fatah entrepreneurs may come to view demands for a binational or secular state as a marker to distinguish their movement from other political players. Still another irony is that the increasingly frequent use of the demographic argument in internal Israeli discourse may, in fact, encourage Palestinians to view the demand for a vote within a unitary entity as increasingly attractive. The Israeli demographic debate reinforces thinking about the conflict as a zero-sum game in which Israel's greatest "weakness" is the Palestinians' greatest advantage.

STEADY EROSION

Writing in 1998, Azmi Beshara predicted, "When it becomes fully apparent that an independent and democratic state occupying every inch of the West Bank and Gaza Strip free of Israeli settlements is not realizable, it will be time

for Palestinians to reexamine the entire strategy. We will then begin to discuss a bi-national state solution.”⁴⁸ History and Israeli actions may well have vindicated him. For almost two decades Meron Benvenisti has also warned that, at some point, Israeli expansion would pass the point of no return, beyond which implementation of a two-state solution is not possible. In reply to this hypothesis, the scholar Ian Lustick suggested that the issue at stake was not “facts on the ground,” but rather “facts in people’s minds.”⁴⁹ Borrowing from the prison writings of Antonio Gramsci, Lustick argued that processes of state expansion were reversible, especially if the territory in question is not widely accepted as an integral part of the metropolis. He offered the examples of French disengagement from Algeria and Irish independence, granted by Britain, as evidence. But there is no sea separating Israel and Palestine, and counter-claims on the territory of the Israeli metropolis have not disappeared. Lustick also failed to appreciate what impact the “facts on the ground” would have on the calculations of the Palestinians in regard to supporting the two-state outcome. These facts have, over time, undermined the very notion of the two-state deal that Lustick deems desirable and inevitable.

While the debate over the “final status” of the conflict between Israel and the Palestinians is far from resolved, the legitimacy, basis, and support for separation between the two peoples is steadily being eroded, primarily by unilateral Israeli actions. Theoretically, this process can be reversed, but at present there does not appear to be an Israeli, Palestinian, or international leader who can alter the trend. It is worth recalling that the two-state idea itself is not deep-rooted, only becoming salient for Palestinians and Israelis after 1988 and only becoming the conventional wisdom in the 1990s. Could the two-state solution be judged unattainable before another ten years pass?

One thing is certain: the binational state will not emerge because Meron Benvenisti or Qaddura Faris set up a party and campaigned for one. Rather, it will come about because separation is discredited and impossible. As Israeli journalist Aluf Benn perceptively notes, in the wake of the Likud referendum, “talk has shifted to the left, the reality to the right, and the gap between them has only grown wider.”⁵⁰ The two-state outcome is far from being the inevitable solution to the conflict, and it may well plunge into that crack between discourse and reality.

INTERNATIONAL LAW AND PALESTINIAN RESISTANCE

Richard Falk

Though the Israeli government and the US media persist in describing Palestinian resistance as a security crisis or a theater of combat in the global war against terrorism, in international law, Palestinian resistance to occupation is a legally protected right. Since 1967, Israel has administered a military occupation of the West Bank, the Gaza Strip, and East Jerusalem in consistent and relentless defiance of the overwhelming will of the organized international community. The international consensus has been expressed through widely supported resolutions passed by the Security Council and the General Assembly of the United Nations (UNSC and UNGA). UN Resolutions 242 and 338 affirmed the legal obligation of Israel to withdraw from Palestinian territories obtained in the 1967 Six Day War. Withdrawal, with minor border adjustments, must be the end point of any lasting peace process. Until such time as Israel respects this obligation, the relevant principles of international law are contained in the Fourth Geneva Convention concerning the Protection of Civilian Persons in Time of War (August 12, 1949), in particular those provisions of the Convention that require an occupying power to protect the status quo, human rights, and prospects for self-determination of the occupied people, and oblige all signatories to enforce the Convention in the face of "grave breaches."

Since 1967, and with greater defiance during the ongoing phase of resistance which started in September 2000, Israel has refused to accept this framework of legal obligations. Its refusal has been pronounced, blatant, and undisguised. Israel has not only failed to withdraw from the Occupied Territories, but it has also continuously "created facts" on the ground that, while clearly in

violation of Palestinian rights, are then declared by Tel Aviv and Washington to provide the foundation for a negotiated end to the conflict—such as heavily armed settlements, bypass roads, and security zones in the midst of a future Palestinian state, and more recently the construction of a massive security fence far on the Palestinian side of the Green Line. Such a posture seriously undermines the prospect of a future peace process with fair and sustainable results. To allow the stronger party to engage in illegal policies so as to diminish the expectations of the weaker party is destructive to the very idea of a peace process, but this is precisely the abusive pattern of Israeli occupation as it has accelerated in recent years under Sharon's leadership. This assessment is not altered by the proposed Gaza disengagement plan even if it manages to be implemented.

I have argued much earlier, in articles written with Burns Weston, that Israel's failures as a belligerent occupant to abide by international law amounted to a fundamental denial of the Palestinian right of self-determination, and more generally of respect for the framework of belligerent occupation—therefore giving rise to a Palestinian right of resistance.¹ In essence, we argued that the first intifada was a valid expression of this right of resistance, and did not constitute illegal or criminal behavior on the part of the Palestinians, though specific Palestinian acts of indiscriminate violence or violence targeting civilians violated applicable standards of international humanitarian law. We viewed violent acts like throwing stones as essentially symbolic, especially when compared to the scale and character of the weaponry relied on by the Israeli army in its operations within the Occupied Territories. Throughout the occupation and particularly during the two uprisings, Israel has reacted to Palestinian resistance with the excessive and disproportionate use of lethal force, including the apparent targeting of civilians and children. Both the "creation of facts" and the use of such force—greatly escalated during the entirety of the bloody encounters since 2000—constitute repeated and fundamental violations of the Fourth Geneva Convention, violations that amount to war crimes and crimes against humanity.

UNDERLYING LEGAL DIRECTIVES

Israel's repudiation of the Oslo "peace process" and its efforts to destroy the Palestinian National Authority as a political entity does not alter the Palestinian right of resistance to the occupation, due to the Israeli refusal to implement the underlying legal directives established by a consensus within the UN.² The

UN consensus is particularly persuasive, both because the Palestinian right of self-determination engages the sympathies of nearly every government in the world (aside from those of Israel and the United States), and because Palestine was a mandated territory, administered after World War I as a sacred trust by the United Kingdom, and the site of a disrupted, tormented, and long-delayed process of decolonization. The UN has made clear the legal rights and duties in the Israeli-Palestinian conflict in a series of key, widely supported resolutions, including the following:

- UNGA Resolution 181 (II) concerning the Future Government of Palestine (November 29, 1947) establishes the parity of the two peoples with respect to their respective rights to establish states on the former mandated territory of Palestine, and the duty of both states to respect both minorities and the special juridical status of Jerusalem.
- UNGA Resolution 194 (III) (December 11, 1948) affirms the right of Palestinians to return to their original homes and lands, and to receive compensation for any losses incurred, as well as the right of resettlement for those Palestinian refugees choosing not to return, and compensation for their losses. The UN established the UN Conciliation Commission to uphold the rights of Palestinian refugees.
- UNSC Resolutions 242 and 338 (November 22, 1967, and October 22, 1973) require Israeli withdrawal from territory occupied during the 1967 and 1973 wars, and call for “a just settlement of the refugee problem.”
- UNGA Resolution 34/70 (December 6, 1979) asserts the need for any solution of the conflict to be in accordance with the right of self-determination, regardless of what the parties might negotiate.
- UNGA Resolution 43/177 (December 15, 1988) acknowledges the 1988 Palestinian proclamation of a Palestinian state as consistent with UNGA Resolution 181.
- UNSC Resolutions 476, 480, and 1322 (June 30, 1980, November 12, 1980, and October 7, 2000) reaffirm the basic principle of international and UN law that it is inadmissible to acquire territory by force or conquest, as well as the unconditional applicability of the Fourth Geneva Convention to the civilian population of the occupied territory. The Israeli decision to construct a 650-kilometer security wall, 90 percent of which is situated within the Occupied Territories, situating fifty settlements comprising 80

percent of the Israeli settlers to the West, demonstrates flagrant disregard of this obligation.

- UNSC Resolution 465 (March 1, 1980) orders Israel to dismantle existing settlements on an urgent basis, including those in Jerusalem.

GENEVA IV

As long as Israel maintains its occupation of the West Bank and the Gaza Strip, it is bound to respect the fundamental human rights of the Palestinian people under the Fourth Geneva Convention (Geneva IV). Geneva IV imposes an underlying obligation on an occupying power to protect the civilian population, as specified in considerable detail in Articles 47–78. Of particular importance is Article 47, which affirms “the inviolability of rights” granted to the civilian population that can in no circumstances be suspended or evaded. Article 49 has been interpreted as prohibiting both forced deportations of Palestinians and population transfers of the sort associated with the establishment and continuous expansion of Israeli settlements. Article 50 imposes a special burden on the occupying power to protect children from the effects of war and accompanying hardships. Article 33 forbids the imposition of collective punishments upon the occupied population, and Article 64 explicitly imposes a duty on occupiers to avoid oppressing the occupied population. The international community has a duty to take steps, in accordance with Article 1 of Geneva IV, to secure Israeli compliance with the relevant provisions of international humanitarian law. The language of Article 1 is clear: “The High Contracting Parties [that is, the governments of all major states] undertake to respect and to ensure respect for the present Convention in all circumstances.”

Israel has contested the application of Geneva IV on the grounds that it has claims to the Palestinian territories, and that since their legal status is not fully established, this remains “disputed territory” and is not an instance of “belligerent occupation.” As a result, Israel claims not to be formally bound by international humanitarian law. Israeli officials have periodically acknowledged a willingness to abide by Geneva IV and their own claimed judicial commitment to humane standards of occupation on a discretionary and de facto basis, but Israeli government behavior has failed to exhibit a comparable willingness and capacity to act in compliance, or to participate in international procedures to ascertain the merit of Palestinian legal grievances. The UN has consistently refused to be diverted by this obfuscating tactic. For instance, on October 7, 2000, in UNSC Resolution 1322, adopted by a vote of 14–0, with the

US abstaining, the UN "called upon Israel to abide scrupulously by its legal obligations and its responsibilities" under Geneva IV.

Under the Sharon government, the pattern of violation has grown more severe, posing a crisis of survival for the Palestinians, especially in Gaza, where Israel has flagrantly violated Article 147 forbidding the "extensive destruction and appropriation of property, not justified by military necessity, and carried out unlawfully and wantonly." Amnesty International and prominent officials at the United Nations have consistently condemned the Israeli practice of house demolition, as well as the increased reliance on extra-judicial killings, sometimes called "targeted assassinations." Such action taken against civilian leaders, such as Sheikh Ahmad Yassin and 'Abd al-'Aziz al-Rantisi in early 2004, is in violation of Article 3(1) of the Geneva Convention, which imposes an unconditional prohibition ("at any time and in any place") on extra-judicial executions. These assassinations are also blatant violations of Articles 10 and 11 of the Universal Declaration of Human Rights, which accords anyone accused of crime a presumption of innocence and the unconditional right to a judicial determination of guilt.

VIOLATING THE CONVENTION

Given the continued denial of the fundamental rights of the Palestinian people, Israel had an overriding duty to use its contested authority in the Occupied Territories to protect the civilian population. Despite the emergence of the Palestinian National Authority (PNA), Israel has insisted on exercising a preponderant security role, augmented the illegal settlements throughout the so-called "peace process," and been consistently deaf to international public opinion and the weight of legal authority on such issues as the status of Jerusalem or the right of the Palestinians to establish their own sovereign state. Ehud Barak's authorization of Ariel Sharon's provocative visit to the Haram al-Sharif/Temple Mount on September 28, 2000 was the match that ignited the al-Aqsa Intifada. At that point, it was incumbent upon Israel to respond with minimum force, given the overall situation and its degree of control. Instead, Israeli forces, using live ammunition, helicopter gunships, and tanks, killed more than 150 Palestinians in initial clashes and wounded thousands of demonstrators, often firing from far beyond the range of stone-throwers or light weaponry.

This response contrasts with the first intifada, when the Israeli army undertook far greater efforts to avoid Palestinian fatalities and to rely on responses,

which while often harsh, were at least in the manner of "riot control." In some of the demonstrations and actions since 2000, Palestinians have used light arms, but there is still no justification for the disproportionate and excessive responses, which have resulted in such heavy losses of life and widespread serious injury, including among civilian bystanders. As the conflict has intensified, especially after Sharon's ascent to power in early 2002, Palestinian demonstrations have diminished in importance. Instead, the pattern of violence is dominated by illegal Palestinian suicide bombings, generally directed at civilian targets, and Israeli retaliatory strikes, which also involve illegal attacks on civilians in Palestinian urban areas or refugee camps and rely on such inappropriate weaponry as tanks and helicopter gunships for security operations carried out in heavily populated areas.

Corroborated journalistic and NGO accounts have documented the following more specific violations of Geneva IV standards: attacks on medical personnel and their marked vehicles and facilities, killing of civilians who were situated in protected religious areas, reliance on live ammunition for crowd control and to handle unarmed and lightly armed demonstrators, numerous instances of "shooting to kill" by Israeli soldiers as evidenced by wounds in the upper parts of the body and in the backs of demonstrators, and indications of fatalities and injuries deliberately inflicted on unarmed children by Israeli army snipers.³

The Israeli response to the challenge of Palestinian resistance is inconsistent with a minimalist reading of Geneva IV and the overall obligations of international humanitarian law. The most basic norm of international customary law, binding whether or not there are relevant treaty obligations, prohibits the use of excessive force, defined by reference to "necessity" (the minimum required to sustain security) and "proportionality" (the level of forcible response being commensurate with the level of the challenge). It seems evident that Israeli patterns of force have exceeded the scope of what is necessary, and have been consistently disproportionate.

Under such circumstances, it remains urgent to establish an independent international fact-finding mechanism in accordance with the appeals of Palestinian leaders and several respected human rights organizations. Not surprisingly, Israel has resisted such calls, and has not proposed an acceptable alternative. Given the consistent backing of Israel by virtually every American mainstream political leader, unconditionally reiterated in the midst of the current crisis, the international community has been blocked from

its efforts to uphold its duty to protect the Palestinian population from an Israeli occupation that undermines their most fundamental human rights on a daily basis.

SPECIFIC WRONGS, ABUSIVE FRAMEWORK

As of now, the international law challenge has three urgent dimensions that must to be taken into account in comprehending the Palestinian resistance. First, Israel has failed to rectify the underlying violation of Palestinian legal rights. Independent observers have consistently found that Israel's claims of security do not vindicate its practices as an occupying power. In many instances, it is Israel's seizure of land in violation of Palestinian rights that provokes Palestinian resistance. Second, Israel has refused to discharge its role as occupying power in compliance with the basic provisions of Geneva IV, and the UN and the international community generally have failed to take the appropriate steps in light of this non-compliance. With Palestinian civilians dying daily and the entire Palestinian population suffering collectively, the importance of upholding this legal responsibility is evident.

Third, a decisive Advisory Opinion of the International Court of Justice (ICJ), by a 14–1 vote on July 9, 2004, declared that the Israeli security wall being constructed on the Occupied Territory is illegal and must be removed (see text in Chapter 36). Although an Advisory Opinion is non-binding on states, it is regarded as the most authoritative statement of international law pertaining to an issue, especially, as here, where this very diverse group of judges is in essential agreement. Even the single negative vote, cast by the American judge, Thomas Buergenthal, was based on insufficient evidence before the tribunal to warrant its sweeping conclusion, and not on the view that the security wall was legal. Judge Buergenthal joined with the other members of the tribunal to confirm Israel's obligation to uphold Geneva IV and indicated his strong doubts that the wall could be viewed as legal to the extent its construction was intended to protect the settlements. The ICJ, the judicial arm of the UN and the highest court in the world, is composed of a wide range of distinguished jurists, including such a conservative member as Britain's Rosalyn Higgins. The Advisory Opinion concludes with a valuable comment on the general context of the conflict, insisting that peace efforts should be urgently encouraged "on the basis of international law" to achieving "as soon as possible . . . a negotiated solution to the outstanding problems" between the two sides, "and the establishment of a Palestinian State, existing side by side with Israel and

its other neighbors, with peace and security for all in the region.” What makes this statement significant, and not just a bland affirmation of the obvious, is that the call for reliance on international law in a future peace process contrasts with past peace efforts that have mainly consisted of thinly disguised geopolitical pressures exerted by the stronger side acting in concert with its partisan “honest broker” in Washington. A peace process guided by the rights of the parties under international law would look dramatically different than Oslo and other initiatives, which have made a condition of negotiations that international law be *excluded* from the process.

The near unanimity of the tribunal on the illegality of the wall is likely to be received as an authoritative legal conclusion on the issues everywhere but in Israel and the United States. The Advisory Opinion was quickly denounced by both governments, and the US House of Representatives passed a shameful resolution that by a vote of 361–45 (with 13 abstentions) “deplores” the decision.

Israeli Prime Minister Ariel Sharon, meanwhile, has indicated that, although it rejected the ICJ ruling, Israel would abide by the decision of its own Supreme Court, which held that a twenty-mile segment of the wall must be relocated nearer to the Green Line to avoid imposing undue hardship on the Palestinians. Israel has announced a variety of steps to comply with the ruling of their own high court, including the building of new roads, underpasses, and tunnels that would ease the burdens of the wall on parts of the Palestinian population. It is a reflection of the realities of the situation that the World Court’s more persuasive wider ruling will not be implemented, while Israel’s own less persuasive judicial directive will be, confirming that the locus of effective law is still largely concentrated within sovereign states.

In the absence of the political will to enforce the body of international law on the Israeli-Palestinian conflict, neither resolutions or conventions, nor even the rulings of the highest courts in the world, can on their own bring justice to the peoples of Palestine and Israel. Equally importantly, the flagrant violation of international law daily accentuates the injustice to the Palestinian people, intensifying their suffering, and cannot be ignored in any approach to conflict resolution. The severity of these violations, and their persistence and frequency, also establishes the foundation for an inquiry into whether an abusive structure of illegal prolonged belligerent occupation constitutes the commission of crimes against humanity beyond the specific wrongs alleged in relation to Geneva IV and international humanitarian law. The General

Assembly on December 8, 2003 took a small step in the right direction when it requested the ICJ provide an Advisory Opinion on the legal status of the wall, and it bore some fruit, valuable for the continuing struggle to mount public pressure on Israel to end the occupation.

The most recent phase of the Israeli occupation has imposed greater hardships on the Palestinian people than in any earlier period. Ever since the 9/11 attacks, Israel, with full support from the Bush administration, has intensified its oppressive and illegal occupation by associating its actions with the American-led war against global terror. This is yet another context in which international law and human rights have been opportunistically subordinated beneath this banner of anti-terrorism, aggravating the Palestinian ordeal. This development has not only resulted in human suffering for the Palestinians, but it has also tended to obscure the merits under international law of the Palestinian claims, as well as the basic legality of Palestinian resistance (although not, of course, the recourse to political violence deliberately targeting Israeli civilians, such as suicide bombings). It is profoundly misleading to criminalize Palestinian terrorism while simultaneously treating the state terrorism associated with Israeli military operations as "security" or as "anti-terrorism."

THE POLITICS OF CURFEW IN THE OCCUPIED TERRITORIES

Adam Hanieh

On March 31, 2002 a seventeen-year-old Palestinian teenager, Murad 'Awaysa, died from gunshot wounds while Israeli soldiers held him in an apartment in the West Bank town of Ramallah. Murad suffered from hydrocephalus, a serious brain illness. He had been held in an apartment after Israeli soldiers raided the building where his family lived. After killing Murad, the soldiers dumped his naked body outside the building. They remained in the building for several weeks, positioning a large tank outside the entrance and Israeli snipers behind the sandbags that covered every apartment window.

Murad's death passed largely unnoticed in the media. It occurred at a time when most Palestinian towns in the West Bank were under curfew and Israeli soldiers had taken over hundreds of houses in the same manner as that of Murad's family. Murad had not been detained for any specific reason. He was simply a young Palestinian male who happened to live in a building that Israeli soldiers occupied. He was buried in the car park of the Ramallah hospital on April 3, 2002, because hospital workers could not reach the cemetery due to the curfew. At the time of Murad's burial, his father and brothers were being held in detention in a nearby Israeli military camp.¹

In the month following Murad's death, 245 other Palestinians were killed while most of the West Bank remained under curfew—the largest number of deaths in any single month of the second intifada.² But this deadly curfew was not to be a short-lived experience. In the most literal sense, the years 2002 and 2003 were a time of enforced house arrest for most of the Palestinian population in the West Bank.

This experience of curfew, known in Arabic as *man' al-tajawwul*—literally, “banning of movement”—became a defining aspect of the second intifada. Its consequences were felt by every Palestinian in the West Bank. These consequences, however, were no accidental byproduct of “security” measures, as the Israeli government claimed. They represented a deliberate policy of collective punishment—a tactic that has been a consistent feature of Israeli policy since 1948.

While curfew has always been central to the Israeli system of control, its use in the second intifada marks a qualitative difference with earlier periods. It changed from a tactic with specific short-term goals to a conscious strategy aimed at destroying the very fabric of Palestinian society. While 2004 saw fewer curfews than during the two preceding years, curfew remained a consistent and defining feature of Palestinian life under occupation.

The policy of curfew in the West Bank and its devastating consequences received little international condemnation or even acknowledgment. The silence illustrates the manner in which everyday, mundane Palestinian suffering has a tendency to become normalized in the mainstream media. It is difficult to avoid the conclusion that a deeply entrenched racism allows Palestinians to be seen as somehow less than human, and thus deserving of this form of collective punishment.

THE CURFEW TACTIC IN HISTORICAL CONTEXT

Imposition of curfew is dependent on an order given by the local Israeli military commander. There is no limit on the duration of curfew, and its use is solely at the discretion of the Israeli military.³ Like all repressive measures applied in the Occupied Territories, curfew is given a façade of legality through its regulation as part of the approximately 2,500 military orders that govern Palestinian life under Israeli occupation.

These military orders are not a new phenomenon. From 1949 until 1966, Palestinian citizens of Israel lived under a military occupation that was similar in both form and content to the system that emerged in the Occupied Territories after 1967. The military orders now governing Palestinian life in the territories have their origins in the Emergency Laws (Security Areas) 1949, which served as a legal framework for the military government that ruled over Palestinian citizens of Israel. Those measures in turn were inspired by emergency regulations enacted by the British Mandate during the 1930s.

The goals of the Israeli state were to weaken resistance against its occupation, undermine forms of organization within Palestinian society, facilitate the transfer of land and resources to the new occupying power, and establish a system of dependency that would make sections of the indigenous population reliant upon the occupying state. Central to this process was the establishment of a legal framework that concentrated power in the hands of the Israeli military, allowing it unchecked authority to implement repressive measures against the Palestinian population. The dual legal system meant that Jewish Israeli citizens living in the same area of land fell under civil law while Palestinians were subject to military law.

Article 124 of the Defense Laws (State of Emergency), 1945, adopted from British Mandate regulations, empowered the military government to impose a total or partial curfew in any village or area. Article 125 gave the military government power to “close” an area and to administer permits to Palestinians wishing to enter or leave such areas. Article 110 stated: “No inhabitant shall be allowed to leave home during curfew. Anyone leaving his home shall be shot; there shall be no arrests.”⁴

This latter order was put into effect on October 29, 1956, in the Palestinian village of Kafr Qasim. A curfew was imposed at 5 PM on that day. The village was informed of the curfew only thirty minutes beforehand. Returning home to find a curfew imposed on their village, forty-nine Palestinians were shot dead by Israeli military forces in a premeditated and calculated killing. Those who carried out the massacre served little more than three years in prison and were eventually pardoned by the Israeli government.

FROM 1967 TO 1988

With the occupation of the West Bank and Gaza Strip in 1967, curfew and other restrictions on movement, which shaped the daily lives of Palestinian citizens of Israel from 1948 to 1966, were extended to the newly occupied Palestinian population. The gamut of military orders, including curfew, that underpinned the Israeli occupation was again utilized as a means to facilitate the control of land and population.

Israel used punitive curfews to attempt to force Palestinians to accept Menachem Begin's Civil Administration plan of December 1977. Begin's plan called for the establishment of Village Leagues, groupings of local Palestinians who would work with the Israeli military and provide a Palestinian face for the military occupation. It met with widespread rejection by the Pal-

estinian population, who saw it as little more than a fig leaf for continued occupation. In response to one protest against the Civil Administration plan, a twelve-day curfew was imposed on Jalazon refugee camp beginning May 6, 1979. Residents were locked inside their houses for twenty-two hours a day, with no fresh vegetables, fruit, or milk permitted into the camp.⁵ Military Order 947, which promulgated a series of measures designed to implement the plan, sparked a large-scale uprising in November 1981. In response, the Israeli military enforced widespread curfews on Palestinian towns and villages and replaced Palestinian officials in local municipal councils with Israeli military officers. Coupled with measures such as widespread arrests, house demolitions, deportations, and the use of settlers as a "vigilante" adjunct to the Israeli military, punitive curfews served as a means of increasing the pressure on the civilian population.

THE FIRST INTIFADA

Curfew was employed with even greater frequency following the onset of the first intifada in December 1987. Al-Haq, a Palestinian human rights organization, estimated that at least 1,600 curfews were imposed on Palestinian areas in the following year. Four hundred lasted continuously for from three to forty days.⁶ On March 30, 1988 every Palestinian in the West Bank and Gaza Strip was placed under curfew. This day, known as Land Day and commemorated annually since 1976, marks the killing of six Palestinian citizens of Israel who participated in a demonstration and general strike to protest land confiscations.

According to the Palestinian Human Rights Information Center, around fifteen thousand curfews were placed on Palestinian areas with populations of over ten thousand from the beginning of the first intifada to December 31, 1993.⁷ Jalazon refugee camp, near Ramallah, spent 100 out of the first 150 days of the first intifada under 24-hour curfew.⁸

The curfews of the first intifada were mainly aimed at punishing those areas that engaged in resistance to the Israeli occupation. One example was the several-week-long curfew placed on the village of Bayt Sahur, which refused to pay taxes to the Israeli authorities beginning in July 1989. The tax strike was punished with curfew and the arrests of leaders of local village committees who had organized the action. In mid-September 1989, during another round of curfew, Israeli soldiers engaged in a concerted campaign of looting Palestinian houses under the guise of "tax collection."⁹

On January 17, 1991, a 41-day curfew was imposed on the entire West Bank and Gaza Strip for the duration of the first Gulf War. Widely referred to as a "war curfew,"¹⁰ it actually outlasted the war and marked the beginning of a shift in the use of curfew from a short-term tactic toward a comprehensive strategy. This curfew was instrumental in suffocating the final stages of the first intifada.

THE OSLO PERIOD

Although there was a reduction in the level of military violence during the Oslo period, direct occupation was replaced with more insidious means of indirect control. The intensification of restriction on movement was integral to this new system of control. A comprehensive series of institutionalized closures were employed as a means of restricting the movement of people and goods. They were accompanied by a complex permit system that micro-managed Palestinian movement. The population was divided into a series of categories each with differential access to permits depending upon age, sex, vocation, institutional affiliation, and political activity. This policy was first tested on Gaza Strip residents in 1989. They were forced to seek permits to enter Israel for work purposes. Palestinian political prisoners were also issued different colored identity cards upon their release, to distinguish them from the general population.

Since 1972, there had been generally free movement of individuals and vehicles from the Occupied Territories into Israel proper. In early 1991, this policy was replaced with a permit system for West Bank residents. Six months prior to the signing of the Oslo accords in September 1993, permanent military checkpoints were placed on major routes leading into Israel from the West Bank. Access to permits became progressively more restrictive. Different categories of permits were issued depending upon vocation, marital status, age and sex (males aged under thirty-five generally found it more difficult to obtain permits), as well as previous political activity (permits were often denied to former political prisoners).

The Oslo period also witnessed the development of a series of internal closures within the West Bank. Movement between different Palestinian population centers was restricted by "floating" checkpoints deployed depending on the political situation.

The changing relationship between the Israeli and Palestinian economies is critical to understanding both the development of the closure system in the

Oslo period and its distinctive character. Historically, cheap Palestinian labor had been highly important to the Israeli economy. During the first intifada, reliance on Palestinian labor caused significant problems for Israeli industry, due to Palestinian strikes and Israeli restrictions on movement. In January 1988, then Labor and Social Affairs Minister Moshe Katsav stated that these restrictions had "thrown the economy out of gear to a considerable extent."¹¹

In response, Israel initiated a policy of importing foreign workers to replace Palestinian labor. It was this change in the structures of dependency—backed up institutionally by the external/internal closures and the permit system—that opened the door for a shift in the use of the curfew tactic. From a short-term tactic aimed at punishing participation in resistance activities and controlling specific areas, curfew (and closure in general) began to be used during the second intifada in a systematic way. By placing virtually the entire population under *de facto* house arrest for months at a time, Israel aimed at not only shutting down resistance but also starving the population into submission.

CURFEW IN THE SECOND INTIFADA: FROM TACTIC TO STRATEGY

In March–April 2002, Israeli launched Operation Defensive Shield, the largest military offensive in the West Bank since 1967. Large-scale invasions of Palestinian areas were accompanied by curfew in almost every Palestinian town in the West Bank. Defensive Shield ended on May 10, 2002, but it was followed by Operation Determined Path, and continuing curfews. This series of curfews was remarkable for its length and scope. Following near-continuous curfews from March 29 to May 10, 2002, during the first three months of Determined Path (June–August 2002) every Palestinian town except Jericho was placed under curfew again. A percentage of the population proportionally equivalent to the combined population of California, New York, and Florida were imprisoned in their homes for three months. From mid-June 2002 to February 2003, the northern West Bank town of Nablus, with a population of 126,000 people, was under curfew for three out of every four hours.¹² Between December 18, 2002 and January 19, 2003, according to the Palestinian Red Crescent, an average of 430,910 people were stuck in their houses each day. More than 320,000 Palestinians living in the West Bank spent more time forcibly locked in their homes than free of curfew for the second half of 2002.

Coupled with the most restrictive series of internal closures of the West Bank in the history of the Israeli occupation, the curfews of 2002–2003 had

four aims that represented both a continuation and extension of previous Israeli strategy:

1. *To facilitate a process of land expropriation.* The Israeli government used curfew to prevent any protest against the expropriation of Palestinian land. Curfews were integral to the land confiscation necessary for construction of the massive network of concrete walls and fences designed to surround Palestinian population centers and projected to result in the annexation of 55 percent of the West Bank.

The northern villages of Tulkarm and Qalqilya were placed under daily curfews for months at a time (Qalqilya from June 2002 to August 2002; Tulkarm from June 2002 to January 2003) while land was confiscated and the Separation Barrier was built. In the village of Zayta land confiscation orders were nailed to the trees in July and August 2002. Villagers were given one week to appeal. But because Tulkarm was under curfew during this period, they were unable to reach the District Coordinating Office to do so.¹³ By July 20, 2003 the wall had been completed on the confiscated land of Zayta and the rest of the Tulkarm district. Qalqilya had been entirely surrounded by ditches, electric fences, and a 25-foot concrete wall. This pattern continued with subsequent phases of the wall's construction. In some cases the Israeli military imposed curfews on villages to plant land mines to break up the ground for the construction of the wall.¹⁴

2. *To facilitate and enable a campaign of mass arbitrary arrests.* While Israel made extensive use of mass roundups during the first intifada, these campaigns were generally restricted to individual villages or camps and usually followed specific attacks on soldiers or settlers. From April 2002, however, mass arbitrary detentions became a common feature of life under curfew. A Palestinian prisoner support group, al-Damir, estimates that over fifteen thousand Palestinians were detained during April 2002 alone.¹⁵ Israeli military jeeps drove through Palestinian areas under curfew and ordered all males within a specific age group (typically fifteen to forty) to leave their houses and gather in a central location. Many were then detained for long periods. Others were subjected to abusive treatment for several days and later released without charges. A report issued by Amnesty International described a typical pattern of arrests during the March–April 2002 curfews:

The IDF [Israeli army] separated men aged about 18 to 50 from women, children and older men. These males were ordered to strip to their underwear, their hands were then bound behind their backs with plastic handcuffs, and they

were blindfolded. They were taken from the camp to Bir al-Sa'adeh. Periods of detention at the forest ranged from 4 to 10 hours. Throughout this period, they were kept handcuffed, blindfolded, and in their underwear. . . . From this area, the IDF took the detainees by lorry to Salem military camp where they were held in an exposed open graveled area for periods of time ranging from four hours to three days. They were not provided with blankets and received only small amounts of water. Only those kept for more than a day reported getting any food. The detainees were again made to squat or kneel and most stated that they were ordered by soldiers to keep their heads lowered. They were then taken to an interrogation point, somewhere in or near Salem military camp, and were interviewed for periods ranging from 15 to 30 minutes. . . . Following the interrogation and photo session, the detainees were taken back to the graveled area and then taken by lorry or bus to a crossroads area near a petrol station just outside Rumaneh village. They were told to walk to the village and to stay there.¹⁶

The number of detained Palestinians expanded dramatically during this period. On April 12, 2002, Israel reopened the notorious Ketziot detention camp in the Negev Desert. In a few short weeks, Ketziot came to hold around one thousand administrative detainees—Palestinian prisoners held for one to six months on renewable detention orders without being charged. Prior to the March–April curfews, only seventy Palestinians had been held in administrative detention.

The use of curfew to facilitate mass arrests continued throughout 2003 and 2004. By mid-2004, six thousand Palestinians were being held in Israeli prisons and detention centers. Tens of thousands more had been arrested since September 2000 and subsequently released.

On May 18, 2004, Israel launched a military campaign in Rafah refugee camp, located in the southern Gaza Strip. During this offensive, curfews and mass arrests were used in the same fashion. Amira Hass, an Israeli journalist, described the confusion that occurred during the call for men between sixteen and sixty to leave their homes and assemble in a nearby school:

Some say that they heard that men from sixteen to forty should come out. . . . Was everyone expected to come down with their identity cards and assemble at the school, or only "Canada" [Canada Camp, a refugee camp located in the Rafah area] residents? How safe was it to come down? And what would happen to someone who came down to a street where the soldiers had not issued the call?¹⁷

When residents left their homes, they did not find any soldiers. Suddenly, hidden snipers began shooting at people. Hass quotes a resident:

People started screaming in panic after the gunfire, screaming, "Allahu akbar" [God is great]. They ran to a nearby mosque, and then went home. They did not know what the army intended to do. They did not know if anyone in the outside world, two kilometers away, knew what was happening. They did not know what was rumor and what was truth. Ambulances started to circle the neighborhood. That led the residents to conclude that there were wounded who had been shot by the Israel Defense Forces. Confusion and panic grew steadily.¹⁸

After four people were killed, loudspeakers repeated the announcement for men to gather in the 'Umariyya schoolyard. This time, soldiers threatened, "Whoever wants to save their own life will come down and proceed to the school. Those who don't can die at home." Around one thousand residents gathered at the school. Israeli soldiers randomly selected dozens of men, who were detained and taken away for interrogation.

3. *To disrupt and prevent Palestinian political organization.* The decision to place the majority of the Palestinian population under de facto house arrest for most of 2002 was also aimed at restricting the ability of Palestinians to mobilize politically. Prior to March 2002, large mass demonstrations had been a frequent occurrence in most Palestinian cities. Following the March–April invasions, their size and frequency dropped as many political leaders were arrested or went into hiding. During this period, curfew was never lifted on Fridays, when demonstrations traditionally take place. Meetings and other forms of political and social organization in Palestinian urban areas break down when people cannot leave their houses. Thousands of politically active Palestinians were forced to go underground.

In May 2002, during a brief respite following Operation Defensive Shield and prior to Operation Determined Path, Palestinian political organizations attempted to take some initiative in deepening the popular, mass character of the intifada. On May 2, 2002, a well-attended conference in Ramallah called for the establishment of local neighborhood committees to organize the intifada on a day-to-day basis.¹⁹

This initiative remained largely stillborn following the renewed wave of curfews and closure that began in June 2002. For the subsequent six months, political coordination within Palestinian towns—let alone across the West

Bank—became almost impossible as the population endured constant curfews. Organization on the neighborhood level was mainly concerned with meeting basic survival needs.

4. *To cripple Palestinian social and economic life.* Perhaps the most significant difference between the use of curfew in the first and second intifadas is Israel's attempt to destroy the basic underpinnings of Palestinian society. The length and scope of curfews and closure throughout the second intifada suggested a deliberate attempt to manufacture a social crisis. While Israel previously utilized curfew as a means of collective punishment, the experience in the second intifada was qualitatively different. Unencumbered by a reliance on Palestinian labor, Israel was able to shut down the normal functioning of an entire population for many months on end. The result was an unprecedented attack on the Palestinian social fabric.

The 2002 curfews were the culmination of a 22-month siege of Palestinian towns and villages, in which the movement of people and commerce was hindered by checkpoints and military closures, with devastating effects. The resulting loss of income hit the poorest and most vulnerable sections of Palestinian society the hardest. A household income survey conducted by the Palestinian Central Bureau of Statistics found that more than two-thirds of Palestinian households were living below the poverty line (approximately \$340 per month) in the first two months of 2002.²⁰ In the West Bank, 57.8 percent of households were below the poverty line, while in the Gaza Strip the figure reached 84.6 percent. By June 2002, following the first extended period of curfew, the unemployment rate in the West Bank was 63.3 percent, and 70 percent of the population were living below the poverty line.²¹ According to the World Bank, the poverty rate prior to the intifada had been 21.1 percent.²²

For at least half the Palestinian labor force, which relies heavily upon day labor, each day under curfew is a day without pay. Palestinian Central Bureau of Statistics data from June 2003 indicated that over 50 percent of the population had seen its income halved since September 2000.²³

Forcibly confined to their homes, the subsequent mass poverty meant that the health of the Palestinian population suffered dramatically. A July 2002 report by the US Agency for International Development (USAID) found that 30 percent of children under five were afflicted by chronic malnutrition, while 21 percent were suffering from acute malnutrition and were underweight.²⁴ These figures represented an increase of 7.5 percent and 2.5 percent, respectively,

from the year 2000. A USAID environmental survey of three hundred households near Nablus found that none had access to drinking water meeting international standards.

The prevalence of anemia among children six to fifty-nine months of age is further indication of the serious health problems. Anemia is at about the same level for this age group in the West Bank (43.8 percent) and the Gaza Strip (44 percent). According to Christian Aid, in some villages in the Gaza Strip 63 percent of children were anemic.²⁵ Birzeit University's Institute for Community and Public Health warned in April 2002 of the rise in preventable diseases, like hepatitis B, because vaccination programs could not be carried out. The PNA's Ministry of Health normally carries out vaccination for hepatitis B at birth. Due to the closures and curfews, there was a 40 percent increase in births at home during March–April 2002, and subsequently no access to the vaccine.²⁶ In some areas, such as 'Askar refugee camp near Nablus, vaccines spoiled because electricity powering cold storage facilities had been cut off for long periods.

In addition to the health and economic effects of closure and curfew, normal daily life came to a halt for most Palestinians. UNICEF reported that during the first term of the 2002–2003 school year more than 226,000 children and over 9,300 teachers were unable to reach their regular classrooms.²⁷ Over the same period, at least 580 schools were closed due to Israeli military curfews and closures

The curfews of June 2002 began as secondary-school students were in the process of taking their matriculation (*tawjihi*) exams, a prerequisite for graduation and admission to university. In many cases exams were cancelled because of the curfew. On some days students were attacked by the Israeli military as they were proceeding to their exam halls. According to one student living in Ramallah, students in Ramallah and al-Bira attempting to reach their exams were told by Israeli soldiers: "No peace, no exams."

The consequences of confining an entire population to their homes, preventing normal work, and destroying the functioning of the educational and health systems were predictable. The combination of curfews with mass arbitrary arrests, military attacks on civilian areas, and continued house demolitions meant that the scale of this collective punishment and its impact on civilians were unprecedented. The Israeli government is fully aware of these impacts and confirms that a humanitarian crisis exists in the West Bank and Gaza Strip. According to the UN Special Rapporteur on the Right

to Food, Jean Ziegler, the Israeli government admits these results of curfew and closure but claims these are "regrettable, but inevitable, consequences of security measures that were necessary to prevent attacks on Israelis."²⁸

THE PSYCHOLOGY OF CURFEW

Palestinians have always developed ways to resist and survive repressive measures of the Israeli occupation, and the experience of curfew during the second intifada has been no different from earlier periods. In urban areas, where much of the population lives in apartment blocs, households share food and other essential items during curfew. Daily schooling is often provided through the collective distribution of teaching between families in the same building. Organizations such as Tamir Institute distributed home-schooling kits to households throughout the West Bank and Gaza Strip in 2002. In Nablus, during the long periods of curfew from June–August 2002, local radio stations broadcast lessons to children confined to their homes. In October 2002, despite the curfews, a collective decision was made to reopen schools in Nablus following a phone-in discussion on a local radio station in which parents vowed they would take responsibility for the civil disobedience action.²⁹ Whether by coincidence or as a result of this action, Israeli forces lifted curfew in Nablus during school hours in October.

Most local Palestinian TV stations have been unable to sustain regular news teams due to restrictions on movement and financial obstacles. Instead, they have re-broadcast transmission from major Arab satellite stations such as Al-Jazeera, Abu Dhabi, and Al-Manar, who maintain correspondents in the West Bank. Most Palestinian households thus have regular access to local and regional news. Local television has also served as an important source of information during periods of closure. TV stations in Ramallah, for example, broadcast exam review lessons for students who were unable to make it to school during preparation for the matriculation exams. Furthermore, TV and radio provide an important venue for political debate. Interviews are often broadcast with Palestinian political prisoners on smuggled cellular phones. Discussions also take place with political leaders in the Gaza Strip and outside the Occupied Territories. E-mail, the Internet, and mobile phones are critical forms of communication among residents, as well as a means of sending information to the outside world.

While these forms of organization represent courageous attempts to restore some sense of normalcy and community to daily life, an overwhelming

feature of curfew is the atomization of the Palestinian social fabric. There is a clear psychological intent on behalf of the Israeli military to break the spirit and will of the community by enforcing isolation and essentially “stealing months of your life.”

The army spreads deliberate confusion over when curfews will be lifted and for how long. On June 21, 2002, four Palestinians, three of them children, were killed and twenty-four injured when Israeli soldiers opened fire on a market in Jenin when Palestinian residents believed the curfew on the city had been lifted. Several times in Ramallah, Israeli government radio reported that the curfew was lifted until 6 PM, when soldiers on the ground were reimposing the lockdown at noon. Soldiers at the checkpoint announce one curfew time, while the District Coordinating Office states another. In this way, curfew becomes another weapon in the psychological war that Israel wages upon the Palestinians. Simple daily planning becomes impossible: you cannot know if you will be able to go to work, school, or university, or whether you will be confined to your home.

CONCLUSION

Many international humanitarian organizations documented the disastrous effects of curfew and closure on the Palestinian population and urged the Israeli government to “ease the suffering of the population” and “end measures of collective punishment.” Nevertheless, many of these organizations failed to place these measures of collective punishment in their political context, making their appeals to the Israeli government sound like pleas to fine-tune the occupation’s oppression to target those that “really deserve it.”

The Israeli government is more than aware of the results of confining an entire population to their homes for months on end. The voluminous statistics and reports are available for all to see, and even the most casual observer cannot but notice the desperation this situation produces on the streets of every Palestinian town. The effects of curfew are not accidental by-products of a “heavy-handed” policy. Rather, they have been a consistent Israeli tactic since 1948. With the coming of the second intifada, this tactic became a deliberate strategy to inflict as much damage as possible on Palestinian society, thereby destroying the Palestinian will and capacity to resist occupation. It is a strategy consciously designed to force the population into submission.

Under the protection of total curfew for much of 2002 and 2003, Israel rapidly fragmented Palestinian areas into small islands separated from one

another by an interlocking series of concrete walls, barbed wire fences, and Israeli settlements. Curfew became obsolete in some areas such as Qalqilya, where the population is literally locked behind a wall that encircles their town. Rather than house arrest, Palestinians now live under "town arrest." In this sense, curfew has become a permanent feature of Palestinian life.

THE SEPARATION BARRIER

Walling In People, Walling Out Sovereignty

Catherine Cook and Adam Hanieh

In 2002, Israel commenced its most controversial project in decades—the construction of an extensive fence-and-wall complex in the West Bank. While the form of the complex varies, from a 25-foot concrete wall in some areas to a series of chain-link fences, barbed wire, trenches, and restricted access roads in others, its impact everywhere is to confiscate more Palestinian land, isolate Palestinian communities from one another, and sap their social and economic viability. Officially, Israel argues that the wall's purpose is to provide security in response to the spate of Palestinian attacks on Israeli civilians since the beginning of the second intifada in September 2000. However, the structure's meandering path betrays underlying territorial objectives. In places, the barrier dips several miles into the West Bank, leaving settlements, fertile Palestinian land, and valuable water resources on the Israeli side.

Given the massive physical changes it is creating in the West Bank, many analysts and activists have viewed the wall as a new phenomenon. However, this conclusion disregards the extent to which the wall is an extension of Israel's policy toward the West Bank since 1967. The Israeli concept of "separation" from the Palestinian population is not new, nor is Israel's attempt to control Palestinian land by creating "facts on the ground." After the occupation of the West Bank, East Jerusalem, and Gaza Strip in 1967, Israeli leaders wrestled with how to ensure permanent command over the land and resources of these areas while avoiding responsibility for the Palestinians living there. Their "solution" has been consistent since Palestinians should be given some voice in their own affairs while control of land, resources, and economy is to remain with Israel.¹ Successive Israeli governments have implemented a

series of strategic plans to achieve this end. The construction of Israeli settlements throughout the Occupied Territories has been key to this endeavor. Settlements and connecting roads are designed to isolate Palestinian population centers and prevent their expansion while maintaining Israeli control over large swaths of land. According to the Israeli human rights organization B'Tselem, since 1967 Israel has taken control of over 50 percent of West Bank territory, primarily for the use of settlements and their future expansion.²

It is this vision, rather than "temporary security needs," as the Sharon government argued, that has guided the path of the wall, which leaves many settlements on the Israeli side. This guarantees the long-term viability of settlements that were originally erected to ensure Israeli control. The wall furthers Israel's decades-old expansionist objectives by controlling land, corralling the Palestinian population into disconnected cantons, and preventing the emergence of a viable, independent Palestinian political entity in the West Bank.

COMPLETED AND PROJECTED

In late July 2003, the Israeli government announced it had completed the first phase of construction. The wall's largest section runs from a point east of Jenin in the northern West Bank to the settlement of Elkana, southeast of Qalqilya. The second phase of construction, approved by the Israeli cabinet on October 1, 2003, runs from Elkana, through Jerusalem, into the Bethlehem area, and around to the southwest of Hebron. In one area, it will dip over 13 miles (22 kilometers) into the West Bank to encompass Israeli settlements, like Ariel. Regardless of the final route, the location of existing settlements, bypass roads, and settlement "outposts" in this area already severely restrict Palestinian movement.

In March 2003 Sharon proclaimed his intention to build an eastern wall, which would divide the West Bank from north to south along the western rim of the Jordan Valley, encompassing approximately one-third of the West Bank. Widespread international criticism of the wall's path, and the proposed eastern wall in particular, led Israeli officials to reconsider the construction of some segments in March 2004.³ By May 2004, construction of the second phase extended well into the Jerusalem area and south into Bethlehem, but it remained unclear whether the full second phase, or the eastern wall, would be built. That wall would confine the majority of the Palestinian population of the West Bank to three large cantons comprising some 50 percent of the West Bank's territory. Tunnels or fenced roads have been proposed to link the cantons.

The first phase of construction placed ten Israeli settlements and approximately twenty thousand settlers to the west of the wall. As of March 2004, B'Tselem reported that the approved phases of construction placed sixty-six settlements and 322,800 settlers to its west. This amount constitutes 79.8 percent of the settler population of the West Bank, including East Jerusalem.⁴ Analysts predict that large tracts of land lying outside the wall will eventually be annexed to Israel.⁵ In October 2003, Israel declared areas west of the wall a "closed military zone" and required any Palestinian wishing to enter the area beyond the wall to obtain a permit. Even if Israel does not annex these areas, its regulation of all entry and exit points to Palestinian areas will ensure ultimate Israeli control of the cantons. Combined with existing settlements and bypass roads, Israel's wall cements a topography of geographically disconnected Palestinian population centers, cut off from one another and from their sources of livelihood.

SETTLEMENT PLANS

Since 1967, Israel's policy toward the West Bank has been guided by several major settlement plans. First was the Allon plan, proposed by Gen. Yigal Allon, deputy prime minister from the Labor Party following the 1967 war. The plan called for annexation of at least one-third of the West Bank along the Jordan River and the Dead Sea. Israeli settlements were to be constructed along the north-south axis of the floor of the Jordan Valley on the eastern side of the West Bank. A second line of settlements was to be constructed on the slopes overlooking the valley, with a road connecting the two settlement blocs. At the same time, a ring of settlements was planned around the city of Jerusalem. In this way, the 110,000 Palestinians who lived in East Jerusalem at the time would be encircled and prevented from expanding into the hinterland of the West Bank. The final version of the plan recommended establishing some form of Arab or Palestinian entity in 50 percent of the West Bank, while Israel annexed East Jerusalem, the Jordan Valley, the Hebron Hills in the south of the West Bank, and the southern part of the Gaza Strip.

When the Likud came to power in 1977, three elaborations upon the basic concept of controlling the land but not taking direct responsibility for the population emerged. In the 1977 geostrategic document, "A Vision of Israel at Century's End," the then agriculture minister Ariel Sharon envisaged settlement of two million Jews in the Occupied Territories.⁶ Sharon recommended that a new belt of Israeli settlements be built on the western side of the West

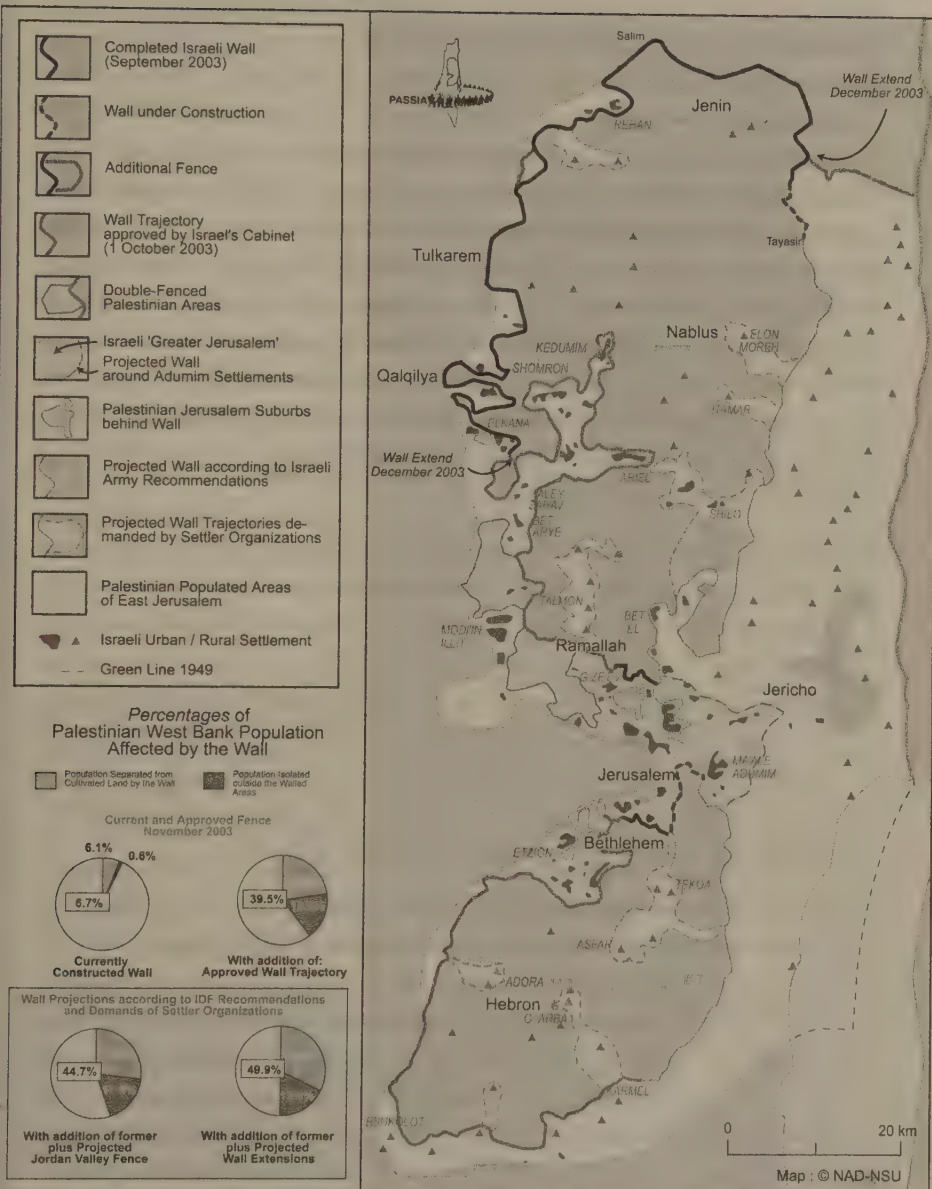


Figure 16. Trajectory of Israel's Separation Barrier in the West Bank.

If the barrier were to be completed along the planned trajectory, Israel would effectively annex 40–50 percent of the West Bank. Source: Palestinian Academic Society for the Study of International Affairs (PASSIA). © NAD-NSU

Bank, extending from Jenin in the north to Bethlehem in the south, to inhibit Palestinian population contiguity along the Green Line. Sharon's plan also called for the construction of major east-west highways across the West Bank to connect the new settlements with those in the Jordan Valley.

The logic of the Sharon plan was further extended by the World Zionist Organization (WZO) settlement scheme in October 1978. This five-year plan called for the construction of settlements around and between the major Palestinian population areas in the West Bank. The end result of this program, which shaped both Likud and Labor settlement policy over two decades, is the division of the West Bank into three separate areas, each penetrated by settlements. The WZO plan clearly identified the construction of settlements as a means of impeding the creation of a Palestinian state. Using Israel's official term for the West Bank, "Judea and Samaria," author Matityahu Drobles noted in a 1980 version of the plan:

It is therefore significant to stress today, mainly by means of actions, that the autonomy does not and will not apply to the territories but only to the Arab population thereof. This should mainly find expression by establishing facts on the ground . . . to reduce to the minimum the danger of an additional Arab state being established in these territories. Being cut off by Jewish settlements the minority population will find it difficult to form a territorial and political continuity. . . . The best and most effective way of removing every shadow of a doubt about our intention to hold on to Judea and Samaria forever is by speeding up the settlement momentum in these territories.⁷

Another plan to constrain Palestinian control over land was Prime Minister Menachem Begin's proposal, approved by the Knesset in 1977. The Begin plan called for Palestinian autonomy in the Occupied Territories, embodied in an administrative council elected by Palestinians which would take responsibility for internal Palestinian matters while Israel retained control over foreign policy, borders, and the economy. The Begin proposal resulted in the establishment of Village Leagues in the West Bank from 1978 through the early 1980s, which were designed to foster a "moderate" Palestinian leadership to mediate Israel's relations with Palestinians.

Until the early 1990s, these various plans were rejected outright by the Palestinian national movement. The limitations on "self-governance" were regarded as a recipe for apartheid-style Bantustans, where a fig leaf of autonomy would hide the reality of occupation. The intifada of 1987–93 saw a sustained

popular uprising against Israel's occupation, and Palestinian activists targeted various mayors and representatives of the Village Leagues for assassination.

ENTER OSLO

The Oslo accords of 1993 once again raised the specter of a Palestinian "self-governing authority," although this time under the leadership of the Palestinian national movement, which returned from exile proclaiming that a Palestinian state would soon be established in the West Bank and Gaza Strip. Despite Palestinian hopes, and the international community's widespread belief in the plan, the foundations of Israel's policy did not change. Two years after the signing of the accords, Prime Minister and Labor Party head Yitzhak Rabin outlined his vision on CNN's *Evans and Novak* news program:

I seek peaceful coexistence between Israel as a Jewish state, not all over the land of Israel, or most of it . . . [and] next to it, a Palestinian entity, less than a state, that runs the life of Palestinians. It is not ruled by Israel. It is ruled by the Palestinians. This is my goal, not to return to the pre-Six Day War lines but to create two entities.⁸

While settlements were designated a final status issue under the Oslo agreements, the Rabin government launched a massive settlement expansion, attracting settlers with economic incentives. The number of Israeli settlers living in the West Bank and Gaza Strip increased by 70 percent from 1994 to 2000.

Settlements were connected by the so-called bypass roads, an innovation of the Oslo era. These restricted-access highways connected settlement blocs with each other and with Israeli cities, and expanded upon the roads originally proposed in the Allon and Sharon plans. The 1995 Taba accord outlawed Palestinian construction within 55 yards of either side of the bypass roads, rendering hundreds of Palestinian houses vulnerable to demolition. By early 2000, nearly 250 miles of bypass roads had been built on confiscated land. These highways reinforced the isolation of West Bank cities surrounded by Israeli settlement blocs.

In 1997, after the Likud returned to power, Prime Minister Benjamin Netanyahu released his own vision of a final status solution, appropriately dubbed the "Allon Plus" plan. Sharon commented at the time: "The details may vary but, in principle, the essence [of the Netanyahu map] is very much the same" as the Sharon plan of 1977.⁹ During the 1990s, Israel also introduced what is best described as "remote control" over Palestinians in the West Bank

and Gaza Strip. Although areas under the aegis of the Palestinian National Authority appeared to have a degree of independence, every Palestinian was forced to navigate a system of Israeli checkpoints, closures, and permits to move outside or between those areas. The second intifada of September 2000, born out of Palestinian anger and frustration, was a rejection of both the Oslo process and Israel's progressive implementation of settlement plans.

SETTLEMENTS, THE WALL, AND THE SECOND INTIFADA

Israel's policy vis-à-vis the West Bank has remained consistent throughout the second intifada. The government expanded its "matrix of control" through settlement construction, restrictions on Palestinian movement, and other measures of collective punishment designed to quash Palestinian resistance to the occupation.¹⁰ Though the US-backed Roadmap, released in April 2003, called for a freeze on all settlement activity, settlement expansion continued. In a May 2003 interview with the *Jerusalem Post*, Prime Minister Ariel Sharon stressed that Jewish settlers would continue to live in the West Bank under Israeli sovereignty.¹¹ According to the Foundation for Middle East Peace, Israeli settlement expansion "continued at an unprecedented pace during 2003," with a 35 percent increase in housing starts in West Bank and Gaza Strip settlements.¹²

The path of the wall incorporates the planned expansion areas of various settlements—rather than built-up areas alone—with the effect of capturing land for future settlement growth. The route is also influenced by the location of key bypass roads. According to B'Tselem, Israel altered the wall's path during the first phase of construction to ensure settlers from Alfe Menashe, in the northern West Bank, access to Route 55, the main road to Israel. In doing so, the wall severed the territorial contiguity between Qalqilya and the Palestinian villages of Habla, 'Izbat Jal'ud, and Ras 'Atiyya.¹³

Expansion of existing settlements has been accompanied by the rise of "outposts"—satellite settlements that create additional facts on the ground. In May 2004, Israel's Peace Now movement documented the existence of one hundred outposts, sixty-one of which were established following Sharon's election in February 2001.¹⁴ According to Peace Now, "the term 'outpost' is misleading. For all intents and purposes, these outposts are new settlements; they have independent infrastructures and are spread over new pieces of land."¹⁵ The strategy driving the emergence of these "satellite" settlements is ensuring Israeli control over the maximum amount of West Bank territory. Capturing new land through outposts, and building connecting roads to reach them, re-

inforces existing settlement infrastructure and allows for the expansion of the settler population, while further impeding Palestinian territorial contiguity.

The Roadmap called for the immediate dismantlement of outposts built since March 2001. However, only small, uninhabited sites with no infrastructure were dismantled.¹⁶ Peace Now's field surveys indicated that, despite demolition and evacuation orders that were issued for some, expansion within existing outposts continued, as did efforts to connect outposts to existing settlement infrastructure.¹⁷ Moreover, dismantling outposts or ending settlement expansion would have little impact on already existing settlement blocs that are clearly strategic in their location and protrude into the West Bank, preventing movement between and natural growth of Palestinian population centers.

The wall interacts with settlements, bypass roads, and outposts to achieve several political functions. It is a unilateral political boundary demarcating territories slated for annexation to Israel from those that may be transferred to Palestinian authority. As a physical barrier, the wall reinforces the objective of destroying Palestinian territorial contiguity. One case in point is the Jerusalem area, where the barriers erected in the eastern part of the city isolate the Palestinian population of Jerusalem from the West Bank, a policy objective that dates back to the Allon plan.

Additionally, while ensuring the viability of Israeli settlements, the wall achieves the reverse effect on Palestinian communities. The settlement of Alfe Menashe (population 5,000) found itself within a bubble of territory equivalent in size to the area remaining for the Palestinian town of Qalqilya (population 42,000). Given the uninterrupted territorial contiguity between the settlement and Israel, the future growth of this settlement is relatively secure. In contrast, the future of Qalqilya, which is surrounded by the wall, seems bleak at best. Two gates controlled by the Israeli military regulate entry and exit to the city and are frequently closed. Qalqilya residents have been cut off from surrounding agricultural land and the thirty-two surrounding villages have been isolated from what was once the commercial center of the region.

"DISENGAGING" FROM "OCCUPATION"

In May 2003, Ariel Sharon stunned many observers when he bucked official Israeli government policy and characterized Israel's relationship to Palestinians as an "occupation," indicating that it must end. But he was quick to clarify his understanding of "occupation." Addressing the Knesset Foreign Affairs and Defense Committee the day after his original pronouncement, Sharon said:

"When I used the term 'occupation,' I meant it is undesirable for us to rule over a Palestinian population."¹⁸ He reiterated this sentiment at the official launch of the Roadmap in 'Aqaba in June 2003, noting, "It is in Israel's interest, not to govern the Palestinians but for the Palestinians to govern themselves in their own state."

In a December 2002 speech, Sharon outlined his vision of a Palestinian state: "[The] Palestinian state will be . . . allowed to maintain lightly armed police and interior forces to ensure civil order. Israel will continue to control all entries and exits to the Palestinian state, will command its airspace and not allow it to form alliances with Israel's enemies."¹⁹ The motivation for Sharon's desire that Palestinians rule themselves was made explicit in an April 2004 interview with *ha-Aretz*. Explaining his opposition to calls for the destruction of the Palestinian National Authority, Sharon said: "Wiping it [the PNA] out means having to take back full control over 3.5 million Palestinians, and then we will have to deal with their education, health and sewerage."²⁰ The area of the Palestinian state envisioned by Sharon will be limited to "territories A and B, except for essential security zones."²¹ This leaves Palestinians with around 42 percent of the West Bank's territory for a state—a figure that corresponds closely to estimates of the amount of territory to be included inside the contours of the wall.

Sharon's much-touted 2004 "unilateral disengagement" plan repackaged earlier Israeli proposals.²² In a revised version of the "remote control" approach of the Oslo years, Sharon proposed to pull Israeli troops and settlers out of the Gaza Strip, while maintaining control of border crossings, seaports, and air space. At the same time, Israel's presence in the West Bank would continue, as would construction of the wall. Sharon identified only four small West Bank settlements, with a combined population of 526 inhabitants, to be dismantled.²³ Sharon understood well the impact of his "disengagement" plan. In an interview with *ha-Aretz* in April 2004, he stressed: "The Palestinians understand that this plan is, to a great extent, the end of their dreams, a very heavy blow to them."²⁴

FUTURE PROSPECTS

Israel responded to the second intifada with a strategy of collective punishment aimed at a return to the logic of Oslo, whereby a weak Palestinian leadership would acquiesce to Israeli demands and a brutalized population would be compelled to accept a "state" made up of a series of Bantustans. Though the language may have changed slightly, the same structure that has charac-

terized past plans remains. The Allon plan, the WZO plan, the Begin plan, Netanyahu's "Allon Plus" plan, Barak's "generous offer," and Sharon's vision of a Palestinian state all foresaw Israeli control of significant West Bank territory, a Palestinian existence on minimal territory surrounded, divided, and, ultimately, controlled by Israel, and a Palestinian or Arab entity that would assume responsibility for internal policing and civil matters.

Under Sharon's leadership the wall has become a powerful tool to fulfill that vision. Capitalizing on the Israeli public's fear of Palestinian suicide bombings and other attacks on Israeli civilians, Sharon manipulated support for "separation" and security concerns to create this "fact on the ground." But the damaging impact of the wall extended beyond continued Israeli control of key West Bank territory. The wall worsened the humanitarian crisis prompted by Israel's restrictions on Palestinian movement. In Qalqilya it accelerated the economic downturn caused by repeated closures and curfews during the second intifada. Six hundred out of 1,800 shops closed, and the unemployment rate reached 65 percent. In a process of "quiet transfer," as many as four thousand residents left town in hopes of brighter prospects elsewhere. The heads of an additional two thousand households were forced to move outside the city in order to find employment. In the village of Nazlat 'Isa, north of Tulkarm, construction of the wall led to the total destruction of its market.

As the wall's construction continued, similar effects were anticipated in other Palestinian communities. In March 2004, Israel announced it would re-route the wall in the northern West Bank. The new route threatens to worsen the situation for East Barta'a villagers. While they were isolated from the rest of the West Bank as a result of the wall's original construction west of the village, the wall's revised route plows right through the village's commercial center, isolating residents from 60 percent of their lands.²⁵ Completion of the wall will likely impede the development of an integrated Palestinian economy, leading to further impoverishment, higher unemployment, and ruptures in the already strained social fabric. Access to existing jobs, education facilities, and health services will be further restricted. If present plans are followed, the physical barriers erected around Palestinian population centers will prevent communities from building outward. The resulting increase in population density, coupled with the wall's hindrance of commerce and investment, could turn many Palestinian towns into urban slums, calling into question not only Israel's intention to prevent the emergence of a viable Palestinian state, but its targeting of Palestinian society as a whole.

**International Court of Justice Ruling on the
Separation Barrier, July 9, 2004**

Whilst the Court notes the assurance given by Israel that the construction of the wall does not amount to annexation and that the wall is of a temporary nature, it nevertheless cannot remain indifferent to certain fears expressed to it that the route of the wall will prejudice the future frontier between Israel and Palestine, and the fear that Israel may integrate the Jewish settlements and their means of access.

The Court considers that the construction of the wall and its associated regime create a *fait accompli* on the ground that could well become permanent, in which case, and notwithstanding the formal characterization of the wall by Israel, it would be tantamount to *de facto* annexation. . . .

The Court is of the opinion that the construction of the wall and its associated regime impede the liberty of movement of the inhabitants of the Occupied Palestinian Territory (with the exception of Israeli citizens and those assimilated thereto), as guaranteed under Article 12, Paragraph 1 of the International Covenant on Civil and Political Rights.

They also impede the exercise by the persons concerned of the right to work, to health, to education and to an adequate standard of living as proclaimed in the International Covenant on Economic, Social and Cultural Rights and in the United Nations Convention on the Rights of the Child.

Lastly, the construction of the wall and its associated regime, by contributing to the demographic changes, . . . contravene Article 49, Paragraph 6 of the Fourth Geneva Convention and the Security Council resolutions cited [above]. . . .

The fact remains that Israel has to face numerous indiscriminate and deadly acts of violence against its civilian population. It has the right, and indeed the duty, to respond in order to protect the life of its citizens. The measures taken are bound nonetheless to remain in conformity with applicable international law.

In conclusion, the Court considers that Israel cannot rely on a right of self-defense or on a state of necessity in order to preclude the wrongfulness of the construction of the wall resulting from the considerations mentioned. . . .

The Court accordingly finds that the construction of the wall, and its associated regime, are contrary to international law. . . .

Israel accordingly has the obligation to cease forthwith the works of construction of the wall being built by it in the Occupied Palestinian Territory, including in and around East Jerusalem.

Moreover, in view of the Court's finding that Israel's violations of its international obligations stem from the construction of the wall and from its associated regime, cessation of those violations entails in practice the dismantling forthwith of those parts of that structure situated within the Occupied Palestinian Territory, including in and around East Jerusalem.

All legislative and regulatory acts adopted with a view to its construction, and to the establishment of its associated regime, must forthwith be repealed or rendered ineffective, except insofar as such acts, by providing for compensation or other forms of reparation for the Palestinian population, may continue to be relevant for compliance by Israel with the obligations referred to. . . .

The Court finds further that Israel has the obligation to make reparation for the damage caused to all the natural or legal persons concerned.

Israel is accordingly under an obligation to return the land, orchards, olive groves and other immovable property seized from any natural or legal person for purposes of construction of the wall in the Occupied Palestinian Territory. In the event that such restitution should prove to be materially impossible, Israel has an obligation to compensate the persons in question for the damage suffered.

The Court considers that Israel also has an obligation to compensate, in accordance with the applicable rules of international law, all natural or legal persons having suffered any form of material damage as a result of the wall's construction

REFERENCE MATTER

NOTES

Chapter 1

1. BBC News, February 5, 2005. Over two hundred others were killed, among them foreigners and Palestinian citizens of Israel. These figures do not include Palestinians who died due to delayed medical treatment because of impediments at Israeli checkpoints, or those killed while carrying explosives.

2. Robert Malley and Hussein Agha ("Camp David: The Tragedy of Errors," *New York Review of Books*, August 9, 2001) offer a detailed explanation of the failure of the July 2000 Camp David summit that varies sharply with the prevailing American and Israeli view that Ehud Barak presented Yasser Arafat with a generous offer that was rejected in favor of violence. Barak contested their argument, leading to a protracted debate ("Camp David and After: An Exchange": (1) "An Interview with Ehud Barak," and (2) Robert Malley and Hussein Agha, "A Reply to Ehud Barak," *New York Review of Books*, June 13, 2002; also Benny Morris and Ehud Barak; reply by Robert Malley; and Hussein Agha, "Camp David and After—Continued," *New York Review of Books*, June 27, 2002).

3. Avi Shlaim, *The Iron Wall: Israel and the Arab World* (New York: W. W. Norton, 2000), 599–699, is a representative expression of the optimistic view of the Oslo process in the Israeli peace camp that prevailed until the July 2000 Camp David summit. Tony Judt's articles in the *New York Review of Books* ("The Road to Nowhere," May 9, 2002, and "Israel: The Alternative," October 23, 2003) are representative of the growing consensus about the failure of the process.

4. See Rebecca L. Stein and Ted Swedenburg, eds., *Palestine, Israel, and the Politics of Popular Culture* (Durham, NC: Duke University Press, 2005).

5. Mandates were a modified form of colonial rule in which the mandatory power was supposed to "train" the mandated population for independence. In Palestine, the document authorizing the British mandate included the wording of the 1917 Balfour

Declaration, which committed the British government to establishing a “Jewish national home” in Palestine. No similar commitment was made regarding the national rights of the indigenous Arabs.

6. Omitting the definite article in this formulation allowed Israel to claim that it was not required to fully evacuate Palestinian and Syrian occupied territories.

7. Residents of East Jerusalem were excluded on the grounds that all of Jerusalem was part of Israel; diaspora Palestinians were excluded as well.

8. Ariel Sharon has been a controversial figure in Israeli politics for decades. In 1971, as commanding general of the southern front, he ordered a systematic campaign to “pacify” the population of Gaza through massive repression, expulsions, and arrests. After retiring from the army, he was the key figure in bringing together the right-of-center groups that formed the Likud. He was first elected to the Knesset on the Likud ticket in 1977 and served as minister of defense during Israel’s June 1982 invasion of Lebanon. An Israeli investigative commission found Sharon indirectly responsible for the September 1982 Sabra and Shatila massacre in which Lebanese militias slaughtered thousands of Palestinian and Lebanese civilians under the eyes of Israeli forces then occupying Beirut. Consequently, Sharon was removed as minister of defense but remained in the cabinet as minister without portfolio. He returned to the cabinet as minister of housing in Yitzhak Shamir’s Likud government and used his position to sharply increase Israeli settlements in the occupied West Bank and Gaza Strip. A good summary of Sharon’s policies and outlook is Baruch Kimmerling, *Politicide: Ariel Sharon’s War against the Palestinians* (London: Verso, 2003).

9. Agence France-Press, September 29, 2000.

10. The Palestinian National Authority is not a sovereign government. Under the Oslo process it was charged with providing municipal services and maintaining order in the areas under its control. Before and during the intifada, Palestinians repeatedly complained of the PNA’s inadequate services and uncertain leadership. Its top ranks, including Arafat, mostly belong to Fatah, the largest faction of the PLO. Many junior officers of the PNA security services are also Fatah members. But Arafat did not control the entirety of Fatah through a single chain of command, and Abu Mazen even less so. The uprising pushed militant local leaders of Fatah to the forefront. Their demands—full Israeli withdrawal, removal of settlements, a sovereign state with its capital in Jerusalem, and the right of return for refugees—are widely embraced by Palestinian popular opinion.

11. The first was claimed by the Popular Front for the Liberation of Palestine and the second widely attributed to the Lebanese Hizbollah. Seven Israelis were killed during this period. Nonetheless, HAMAS accepted the cease-fire proclaimed by Mahmoud Abbas on February 8, 2005.

12. *ha-Aretz*, December 27, 2004; Associated Press, December 21, 2004.

13. Danny Rubenstein, “Arafat in a Suit,” *ha-Aretz*, January 10, 2005.

14. At a press conference following their meeting, the president declared: “It seems clear that an agreed, just, fair and realistic framework for a solution to the Palestinian refugee issue, as part of any final status agreement, will need to be found through the establishment of a Palestinian state and the settling of Palestinian refugees there, rather than Israel.” Bush added that, “In light of new realities on the ground, including already existing major Israeli population centers [i.e., settlements], it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949.”

15. President Bush appeared to reject the demand that he approve the extended trajectory of the Separation Barrier, telling Sharon: “The barrier being erected by Israel . . . should, as your government has stated, be a security, rather than political, barrier. It should be temporary rather than permanent, and, therefore, not prejudice any final status issues, including final borders. And its route should take into account, consistent with security needs, its impact on Palestinians not engaged in terrorist activities.” But on June 15 the BBC reported that Israel issued orders to expropriate Palestinian land and begin survey work east of Ariel. Shortly thereafter, members of the International Solidarity Movement filmed actual construction work underway. Mid-level State Department officials raised objections in talks with the Israelis. But in the context of the permissive relationship between George W. Bush and Ariel Sharon, this was tantamount to giving Israel a green light.

16. *ha-Aretz*, October 6, 2004; *Washington Post*, October 7, 2004.

17. According to a joint poll conducted by the Palestinian Center for Policy and Survey Research (PSR) in Ramallah and the Harry S. Truman Research Institute for the Advancement of Peace at the Hebrew University of Jerusalem in June 2005, 53 percent of Israelis supported Sharon’s disengagement plan, a decline from 65 percent in March 2005. See the press release announcing the results of the poll at <http://www.pcpsr.org/survey/polls/2005/p16ejoint.html>.

18. *Ibid.*

19. *ha-Aretz*, October 6, 2004.

20. See June 2005 poll conducted by the Palestinian Center for Policy and Survey Research (PSR) and the Harry S. Truman Research Institute for the Advancement of Peace poll, <http://www.pcpsr.org/survey/polls/2005/p16ejoint.html>. At least 410,000 Israeli Jews live in the Occupied Territories: over 220,000 in the West Bank, 180,000 in East Jerusalem, and 7,500 in the Gaza Strip. Religious nationalists are a minority among settlers. The majority were lured to the settlements by government stipends and favorable mortgages. For them, the settlements are suburbs within easy commuting distance of Israel’s major cities, due to restricted-access roads that bypass Palestinian towns.

21. *ha-Aretz*, May 16, 2003.

22. Yulie Khromchenko, “Poll: 64% of Israeli Jews support encouraging Arabs to

leave,” *ha-Aretz*, June 22, 2004. The poll was conducted by the University of Haifa’s Center for National Security Studies. It also revealed that 63.7 percent of the Jewish public believed the government should encourage this population to emigrate from Israel. Similar polls conducted in 2001 and 2003 and are the basis for concluding that Jewish political extremism is increasing.

23. The well-regarded Palestinian Center for Research and Studies polled 4,500 people: 54 percent said they would accept compensation and homes in the West Bank and Gaza; 17 percent said they would like to stay in Lebanon and Jordan; 2 percent said they would like to immigrate to a third country. Only 10 percent demanded to live in Israel, and this figure dropped further when respondents were told that their original homes no longer existed and that they would have to become Israeli citizens.

Chapter 2

1. One significant conjuncture when the US-Israeli alliance did not serve as a barrier to Arab-Israeli peace was the first two years of the Carter administration (1977–78), during which the Camp David Accords were negotiated. For further details, see Joel Beinin, “The Cold Peace,” *MERIP Reports*, no. 129 (January 1985): 3–9.

2. For details, see Muhammad Muslih, *Towards Coexistence: An Analysis of the Resolutions of the Palestine National Council* (Washington, DC: Institute for Palestine Studies, 1990); and Alain Gresh, *The PLO, the Struggle Within: Towards an Independent Palestinian State* (London: Zed Books, 1985).

3. The classic instance was the US veto of a draft Security Council resolution embodying the international consensus (242 plus a Palestinian state in the West Bank and the Gaza Strip) that was actively supported by the PLO and most of the Arab and other member states in January 1976.

4. Edward Said, “Intifada and Independence,” in *Intifada: The Palestinian Uprising Against Israeli Occupation*, ed. Zachary Lockman and Joel Beinin (Boston: South End Press, 1989), 5–22.

5. *Jerusalem Post*, January 20, 1988.

6. *Ma’ariv*, June 26, 1992, reported in the *New York Times*, June 27, 1992.

7. Yair Aharoni, *The Israeli Economy: Dreams and Realities* (London: Routledge, 1991), 253.

8. Yakir Plessner, *The Political Economy of Israel: From Ideology to Stagnation* (Albany: State University of New York Press, 1994), 19.

9. *Facts about Israel: Economy* (Jerusalem: Israel Information Center, 1995), 3, 7.

10. Assaf Razin and Efraim Sadka, *The Economy of Modern Israel: Malaise and Performance* (Chicago: University of Chicago Press, 1993), 26–38.

11. The argument of this paragraph is based on Yoav Peled and Gershon Shafir, “The Roots of Peacemaking: The Dynamics of Citizenship in Israel, 1948–93,” *International Journal of Middle East Studies* 28, no. 3, (1996): 391–413.

12. For details, see Reuven Kaminer, *The Politics of Protest: The Israeli Peace Movement and the Palestinian Intifada* (Brighton: Sussex Academic Press, 1996).

13. *The Report of the American-Israeli Civil Liberties Coalition* 9 (Summer 1989): 1, cited in Mark Tessler, "The Impact of the Intifada on Israeli Political Thinking," in *Echoes of the Intifada: Regional Repercussions of the Palestinian-Israeli Conflict*, ed. Rex Brynen (Boulder, CO: Westview Press, 1991), 69.

14. Shimon Peres with Arye Naor, *The New Middle East* (New York: Henry Holt, 1993), 156.

15. Graham Usher, "Palestine: The Economic Fist in the Political Glove," *Race & Class* 36, no. 1 (July–September 1994): 74–75; Salah Abd al-Shafi, "We will be working for Israel in Gaza rather than in Tel Aviv, but we will be working for them nonetheless," *Middle East Report*, no. 186 (January–February 1994): 11–13.

16. *Davar*, February 17, 1993, quoted in Asher Davidi, "Israel's Economic Strategy for Palestinian Independence," *Middle East Report*, no. 184 (September–October 1993): 24.

17. Percentages are calculated by the Applied Research Institute, Jerusalem, considering all of East Jerusalem part of the occupied West Bank. Israeli figures exclude East Jerusalem.

18. Yusuf Nasser, interview, al-Bira, June 30, 1998.

19. UN Office of the Special Coordinator in the Occupied Territories, *Economic and Social Conditions in the West Bank and Gaza Strip: Quarterly Report, Summer 1997* (Gaza: October 4, 1997); and *Economic and Social Conditions in the West Bank and Gaza Strip: Quarterly Report, Fall 1997* (Gaza: Spring 1998). If discouraged workers are included, the average unemployment rate was 32.6 percent in 1996 and 30.1 percent in 1997. <http://www.arts.mcgill.ca/MEPP/unsco/unqr.html>.

20. *Jerusalem Times*, August 27, 1997.

21. Radwan Shaban, presentation to the Palestinian Economic Policy Research Institute (MAS), September 19, 1996, reported in Palestinian Economic Policy Research Institute (MAS) *Policy Notes*, no. 4 (September 1996). Hazem Shunnar, Director General of Economic Statistics of the Palestinian Central Bureau of Statistics, estimated that annual per capita GDP declined 23 percent between 1993 and 1997 (reported in *Jerusalem Times*, August 27, 1997).

22. Amira Hass, *ha-Aretz*, May 28, 1998.

23. UN Office of the Special Coordinator in the Occupied Territories, *Economic and Social Conditions in the West Bank and Gaza Strip: Quarterly Report, Spring 1998* (Gaza: Summer 1998).

24. Peace Now, *Settlement Watch—Report No. 8*, <http://www.peace-now.org/watch/watch2.htm>.

25. *Yedi'ot Aharonot*, September 7, 1993.

26. For a full account see B'Tselem: The Israeli Information Center for Human Rights in the Occupied Territories, *Human Rights in the Occupied Territories since the*

Oslo Accords: Status Report (Jerusalem: December 1996).

27. The Palestinian Human Rights Monitoring Group, and *Human Rights in the Occupied Territories since the Oslo Accords: Status Report*, 4.

28. *New York Times*, September 30, 1993.

29. *New York Times*, October 6, 1993.

30. Figures compiled from the chronology of the *Middle East Journal* 48, no. 3 (Summer 1994): 513–14.

31. *Washington Post*, October 19, 1997. For another Israeli effort to understand the “logic” behind HAMAS’s suicide attacks, see Ron Ben-Yishai, “The Attacks According to IDF Intelligence, the Attacks According to the SHABAK,” *Yedi’ot Aharonot* Saturday Supplement, July 24, 1998, 12.

32. Charles Enderlin, *Shattered Dreams: The Failure of the Peace Process in the Middle East, 1995–2002* (New York: Other Press, 2003), 260.

33. *Ibid.*, 265.

34. *Facts about Israel: Economy*, 3; *ha-Aretz*, October 17, 1996. The 1996 growth rate was 4.4 percent (Government Press Office, Economics Desk, press release, January 5, 1997).

35. *Ma’ariv*, November 6, 1996.

36. Government Press Office, Economics Desk, press release, January 7, 1997.

37. Israel Government Press Office Economics Desk, “Economic Survey,” May 6, 1998; Motti Bassok, “Unemployment Hits Five-Year High of 9.3%,” *ha-Aretz*, July 28, 1998.

38. Jamil Hilal “The PLO: Crisis in Legitimacy” *Race & Class* 37, no. 2 (October–December 1995): 5–9.

Chapter 3

1. Ian Lustick, *Unsettled States, Disputed Lands: Britain and Ireland, France and Algeria, Israel and the West Bank-Gaza* (Ithaca, NY: Cornell University Press, 1993).

2. The first three sections of this chapter, which comprise my original 1995 article in *Middle East Report*, were incorporated into Gershon Shafir and Yoav Peled, *Being Israeli: The Dynamics of Multiple Citizenship* (Cambridge: Cambridge University Press, 2002; Hebrew translation, Tel Aviv: Tel Aviv University Press, 2004).

3. Yoav Peled, “Ethnic Democracy and the Legal Construction of Citizenship: Arab Citizens of the Jewish State,” *American Political Science Review* 86, no. 2 (June 1992): 432–43.

4. *Mamlakhtiyut*, often mistranslated as “statism,” is actually more akin to Rousseau’s “general will.”

5. Gershon Shafir, *Land, Labor, and the Origins of the Israeli-Palestinian Conflict, 1882–1914* (Cambridge: Cambridge University Press, 1989).

6. Michael Shalev, *Labour and the Political Economy in Israel* (Oxford: Oxford University Press, 1992).

7. Eva Illouz and Nicholas John, “Global Habitus, Local Stratification, and Symbolic

Struggles over Identity: The Case of McDonald's Israel," *American Behavioral Scientist* 47, no. 2 (October 2003): 201–29; Uri Ram, "The Big M: McDonald's and the Americanization of the Homeland," *Theory and Criticism*, no. 23 (Fall 2003): 179–212 (Hebrew). Illouz and John note that the same meeting of the Israeli cabinet that approved the Oslo agreement also approved the importation of potatoes by McDonald's (215).

8. Assaf Razin and Efraim Sadka, *The Economy of Modern Israel: Malaise and Promise* (Chicago: University of Chicago Press, 1993).

9. Yoav Peled, "Towards a Redefinition of Jewish Nationalism in Israel? The Enigma of SHAS," *Ethnic and Racial Studies* 21 (1998): 703–27; Yoav Peled, ed., *SHAS: The Challenge of Israeliness* [in Hebrew] (Tel Aviv: Yedi'ot Aharonot, 2001); Sami Shalom Chetrit, *The Mizrahi Struggle in Israel: Between Oppression and Liberation, Identification and Alternative, 1948–2003* [in Hebrew] (Tel Aviv: 'Am Oved, 2004).

10. The data relating to SHAS do not appear in Arian's published report and were kindly supplied to me by one of his collaborators, Dr. Raphael Ventura. It should be noted that in 2002 about one-half of Ashkenazim, as defined in these statistics (respondents who were themselves born in Europe or America or whose fathers were born there; the CBS does not publish continent of birth for second-generation Israelis, and they were not asked that question in Arian's survey either) are recent immigrants from the former Soviet Union. These recent immigrants generally hold highly nationalist views on the Israeli-Palestinian conflict (cf. Michael Shalev and Gal Levy, "The Winners and Losers of 2003: Ideology, Social Structure, and Political Change," in *The Elections in Israel-2003*, ed. Asher Arian and Michal Shamir [forthcoming]).

11. Shalev and Levy, "Winners and Losers."

12. Baruch Kimmerling, *Politicide: Ariel Sharon's War against the Palestinians* (London: Verso, 2003).

13. Ben Kaspit, "Two years of the intifada," *Ma'ariv*, Jewish New Year's Eve Supplement, September 6, 2002, 8–11, 32; and Saturday Supplement, September 13, 2002, 6–10 [in Hebrew].

14. Kaspit, "Two years of the intifada," 2–3.

15. Yoram Peri, "The Israeli Military and Israel's Palestinian Policy: From Oslo to the al-Aqsa Intifada" (Washington, D.C.: US Institute of Peace, 2002,) 13, 35; see also 32–35.

16. *Report of the State Commission of Inquiry for Investigating the Clashes between the Security Forces and Israeli Citizens in October 2000* (Jerusalem, 2003) [hereafter cited as Or Commission Report].

17. Jeremy Pressman, "Visions in Collision: What Happened at Camp David and Taba?" *International Security* 28, no. 2 (Fall 2003): 27–28; Kaspit, "Two years of the intifada,"; Peri, "The Israeli Military," 31–33, 50–51; Or Commission Report; Amos Harel, "The Israeli army will not withdraw again in defeat," *ha-Aretz*, March 8, 2004. Needless to say, the Israeli army high command is not made of one cloth, and many generals, in and out of uniform, have supported the peace process and, on occasion,

even restrained the bellicosity of civilian politicians. On the whole, however, the Israeli army as an institution was very suspicious of the process of decolonization (Peri, "The Israeli Military," 45–51).

18. Yoram Peri, "Civil-Military Relations in Israel in Crisis," in *Military, State, and Society in Israel*, ed. Daniel Maman, Eyal Ben-Ari, and Zeev Rosenhek (New Brunswick, NJ: Transaction, 2001), 107–36.

19. Shlomo Swirski and Etty Konnor-Attias, *Social Report—2003* [in Hebrew] (Tel Aviv: Adva Center), 7, 13; Asher Arian, David Nachmias, Doron Navot, and Danielle Shani, *Democracy in Israel: 2003 Follow Up Report, "Democracy Index" Project* [in Hebrew] (Jerusalem: Israel Democracy Institute, 2003), 83.

20. Accessed at <http://trade.walla.co.il>, March 16, 2004.

21. Rami Kaplan, accessed at <http://www.hevra.org.il>, April 7, 2004.

Chapter 4

1. *ha-Aretz*, February 14, 1994.

2. A. Muslimani et al., *Human and Economic Conditions of Palestinians in the West Bank and Gaza, 1998–2000* (Amman: MESC Studies 39, 2002), 152; based on figures from the Palestinian Central Bureau of Statistics.

3. *Losing Ground: Israel, Poverty, and the Palestinians* (London: Christian Aid, 2003), 20.

4. CAABU Briefing: *The Closures Policy Adopted by the Israeli Government and the Siege of the Palestinian Autonomous Areas* (London: CAABU, 1997), 1.

5. *The Israeli Policy of Closure: Legal, Political, and Humanitarian Evaluation* (Gaza: Palestinian Centre for Human Rights, 1996), 3.

6. *Arab Press Service*, April 11, 1994.

7. *The Economist*, January 21, 1995.

8. See The Mitchell Report, 2001, <http://www.al-bab.com/arab/docs/pal/mitchelli.htm>.

9. The "eastern barrier," which would cut the West Bank off from Jordan and annex the Jordan Valley to Israel and elements of the southern section of the barrier, has not yet been approved by the Israeli government.

10. *Israel and the Occupied Territories: The Place of the Fence/Wall in International Law* (London: Amnesty International, February 2004).

11. *Losing Ground*, 50.

12. "Fifteen Months. Intifada, Closures, and Palestinian Economic Crisis: An Assessment," World Bank, Washington, DC, March 18, 2002, 17. <http://Inweb18.worldbank.org/mna/mena.nsf>.

13. http://www.pna.gov.ps/subject_details2.asp?DocId=1218.

14. *Nutritional Assessment and Sentinel Surveillance System for the West Bank and Gaza*, USAID, Washington, DC, August 5, 2002.

Chapter 5

1. *Yedi'ot Aharonot*, June 16, 2000.
2. *ha-Aretz*, June 21, 2000.

Chapter 6

1. According to the Palestinian human rights community, 60 percent of the injured suffered head and chest injuries, and 40 percent of the injured were children. Moreover, most Palestinian dead appear to have been killed by single bullets, indicating a shoot-to-kill policy carried out by snipers rather than indiscriminate fire.

2. For more on this last point, see Graham Usher, "Why Gaza Says Yes, Mostly," *Middle East International*, September 24, 1993, 19–20.

3. *Ra'is*, which can be translated as both "president" and "chairman," is, for this reason, the term used to designate Arafat's status in the otherwise English-language Interim Agreement. The Palestinian Executive Authority is the PNA's executive branch (i.e., cabinet). The Palestinian Council, informally known as the Legislative Council, is a PNA body not to be confused with the Palestine National Council (PNC) that serves as the supreme authority of the PLO.

4. "Israel Confiscates 1,000 Acres," *Palestine Report*, September 6, 1996, 4.

5. The same holds true for passage from the West Bank to Israel, but on account of the longer border and hilly terrain, it is much more difficult to enforce.

6. See Jennifer Olmsted, "Thwarting Palestinian Development," *Middle East Report*, no. 201 (October–December 1996): 11–13, 18.

7. The financial costs of closure, adding up to several million dollars a day (US\$6 million according to a PNA estimate) during periods of full closure, far outweighed the total volume of donor assistance. The costs of closure, moreover, were generally borne by individual families and firms, whereas donor assistance is largely disbursed to the PNA and other institutions. Donor assistance also did not cover long-term structural damage, such as reduced expatriate and foreign investment, delays in infrastructural projects, and the like. The vast increase in the PNA's budget deficit (in early September 1996, \$136 million, or approximately 40 percent of the annual budget) is primarily on account of reduced tax receipts.

8. Corrie Shanahan, "PA Bans Books by Edward Said," *Palestine Report*, August 30, 1996, 24.

9. Graham Usher, "The Politics of Internal Security: The PA's New Intelligence Services," *Journal of Palestine Studies* 25, no. 2 (1996): 21–34.

10. The above were ministers of Agriculture, Higher Education, and Communications, respectively.

11. Jamil Rabah and Corrie Shanahan, "JMCC Public Opinion Poll," *Palestine Report*, August 30, 1996, 20. Public opinion polls are by nature problematic, and particularly so in circumstances such as those in Palestine. Nevertheless, questions that do

not directly address the leader's status or basic policies often provide a useful indication of popular thinking.

12. Jamil Rabah and Manal Jamal, "Well-to-do Palestinians More Optimistic," *Palestine Report*, September 6, 1996, 10–11.

13. Rabah and Shanahan, "JMCC Public Opinion Poll," 22. When asked which leader they trust most, 38.5 percent chose Arafat, 3.0 percent Sheikh Ahmad Yassin, 1.4 percent George Habash, and 20.5 percent "I do not trust anyone."

Chapter 7

1. In the mid-1980s there were five women's committees, four health committees, at least two agricultural committees, and two competing labor union federations.

2. I have dealt with this process in depth in "NGOs: The Professionalization of Politics," *Race & Class* 37, no. 2 (1995): 51–63.

3. For a scathing and comprehensive internal critique of the Palestinian left, see various Arabic papers in the proceedings of the Fourth Annual Muwatin conference on "Structural Transformations in Palestinian Political Life and Prospects for Change" (Ramallah: Muwatin, April 1999). Similarly, a survey undertaken by Birzeit Women's Studies Institute members in cooperation with the Panorama Research Institute found that out of 230 present and former women's committee members in 1997, the vast majority of those who ceased activity in left parties' committees cited "lack of democracy" as the main reason.

4. The Ministry of Interior is one of those Arafat kept in his portfolio. His deputy ran it on a daily basis.

5. The most important of these, "The Basic Law," is essentially an interim constitution that has been awaiting the executive's approval since April 1997, after being passed in its third reading by the PLC.

6. See Jamil Hilal, "Case Study on Defining NGO-Government Boundaries," Global Civil Society Project, Institute of Development Studies, Sussex, August 1999 (unpublished draft).

7. PNGO's reaction was to hire well-known lawyer Anis al-Qasim to draft legislation on the implementation of the law in an attempt to ensure its efficacy despite the new ministry.

8. For an analysis and critique of this phenomenon in the women's movement, see Islah Jad, "The Women's Movement and Democratic Transition—Comparative Perspectives," Muwatin-Birzeit Women's Studies Institute Joint Conference, December 1999 (the conference proceedings were to be published by Muwatin in 2000). Jad rightly pointed out that the growing domination of the new professionals in the women's movement meant a return to a relationship between the base and leadership that used to characterize the elitist charitable societies.

9. See Rema Hammami, "NGOs: The Professionalization of Politics," *Race & Class* 37, no. 2 (1995): 51–63.

10. For an early theorization of this approach, see Dr. Mustafa Barghouthi, "The Possibility of Creating New Parties," Fourth Annual Muwatin Conference on "Structural Transformations in Palestinian Political Life and Prospects for Change" (Ramallah: Muwatin, April 1999).

11. I am grateful to 'Izzat Abdul Hadi of Beisan for pointing out the range of models.

Chapter 8

1. In the January 20, 1996 elections four women were elected to the eighty-eight-member Palestinian Legislative Council.

2. Department of Economics and Planning, "General Program for National Economic Development, 1994–2000," Palestine Liberation Organization, Tunis, 1992 (unpublished).

3. In examining similar networks of social support in the Lebanese context, Suad Joseph posits a construct of "relational rights," gained through investment in relationships and an active process of negotiation and mediation. While we have questions about the implications of placing these non-formal systems of claims within a rights discourse, her observations are helpful in analyzing the Palestinian context.

4. Diane Elson, "From Survival Strategies to Transformation Strategies: Women's Needs and Structural Adjustment," in *Unequal Burden: Economic Crises, Persistent Poverty and Women's Work*, ed. Lourdes Benería and Shelley Feldman (Boulder, CO: Westview Press, 1992), 30.

5. Geir Øvensen, *Responding to Change: Trends in Palestinian Household Economy* (Oslo: FAFO, 1993), 129. This is a follow-up to the 1992 FAFO survey of living conditions cited in n. 10 below.

6. The numeric data provided in this section is unreferenced, sometimes incorrect, and often does not incorporate readily available information. This is particularly disturbing given the persistent Palestinian criticism of Israel for publishing inaccurate information and statistics that preempt rational policy formulation.

7. For an analysis of the "two-track welfare system," see Linda Gordon and Nancy Fraser, "Dependency Demystified: Inscriptions of Power in a Keyword of the Welfare State," *Social Politics* 1, no. 1 (Spring 1994): 4–31.

8. Here, in fact, another definition of a contribution to society is formulated, which is that of struggle and sacrifice for the national cause. This definition could be used negatively (political favoritism) or positively (recognition that all have contributed and should be equal citizens).

9. Achieving equity in social services provision involves the division of services in such a way that all benefit regardless of political affiliation or geographic location.

10. Marianne Heiberg et al., *Palestinian Society in Gaza, West Bank, and Arab Jerusalem: A Survey of Living Conditions* (Oslo: FAFO, 1993), 65. A number of small-scale studies give approximately the same fertility rates, although no larger-scale reliable data exist.

Chapter 10

1. Khaled Hroub, *HAMAS: Political Thought and Practice* (Beirut: Institute for Palestine Studies, 2000), 95; “Dealing with HAMAS,” International Crisis Group paper, January 2004.

2. Translated in *Palestine Report*, January 16, 1998.

3. A March 2004 Palestinian Center for Policy and Survey Research poll. Accessed at <http://www.pcpsr.org/survey/polls/2004/puepressrelease.html>, May 29, 2004. By way of comparison, in 1998, CPRS recorded Fatah support at 46 percent, HAMAS at 9 percent, and total Islamists at 14 percent. The 2004 poll still put HAMAS Sheikh Yassin’s popularity in the single digits.

4. HAMAS’s “Introductory Memorandum” quoted in Hroub, *HAMAS: Political Thought and Practice*, 38.

5. It is commonly believed that HAMAS originally was supported by Israel as a counterbalance to the PLO (see Richard Sale, “News Analysis: HAMAS’ history tied to Israel,” UPI, June 18, 2002). However, Hroub takes the view that this account is maintained in order to prop up Israel’s image, and in fact, Israel’s initial policy towards HAMAS was simply confused (Hroub, *HAMAS: Political Thought and Practice*, 200–201).

6. This was first presented in a 1988 discussion between then Israeli Foreign Minister Shimon Peres and Mahmud Zahhar, declaring himself as someone “close to” HAMAS (Hroub, *HAMAS: Political Thought and Practice*, 74).

7. “Letters,” *al-Wasat*, November 11, 1993, quoted in Hroub, *HAMAS: Political Thought and Practice*, 62.

8. “Zahhar: HAMAS Hasn’t Abandoned Its War,” *Palestine Report*, February 16, 1996.

9. Graham Usher, *Dispatches from Palestine* (London: Pluto Press, 1999), 85; Hroub, *HAMAS: Political Thought and Practice*, 106.

10. “Israel Broke the Undeclared Ceasefire,” *Palestine Report*, March 1, 1996.

11. Usher, *Dispatches from Palestine*, 144 (emphasis added).

12. Sara Roy, “The Transformation of Islamic NGOs in Palestine,” *Middle East Report*, no. 214 (Spring 2000): 24–26.

13. Hroub, *HAMAS: Political Thought and Practice*, 67.

14. Ahmed Budeiri, “The Palestinian Political Crisis,” *Palestine Report*, August 9, 2000.

15. Amira Hass, “Don’t Shoot till You Can See They’re Over the Age of 12,” *ha-Aretz*, November 20, 2000.

16. “In Arafat’s Backyard,” *Jane’s Intelligence Digest*, May 25, 2001.

17. Saleh Abdel Jawad, “The Intifada’s Military Lessons,” *Palestine Report*, October 25, 2000. The early gap between Israeli and Palestinian losses would later be narrowed by suicide bombings.

18. Interview, November 2000.
19. "West Bank Deadly Clashes Rage On," *Associated Press*, October 1, 2004; and Rema Hamammi and Salim Tamari, chap. 28 in this volume.
20. Robert Fisk, "Arafat's Men Pay Tribute at Burial of Suicide Bomber," *Independent*, October 28, 2000.
21. Interview, October 2000; published in part in *Palestine Report*, October 25, 2000.
22. Interview, November 11, 2004.
23. Interview, Mahdi 'Abd al-Hadi, November 19, 2004.
24. Ghazi Hamad, "The Islamist Catch-22," *Palestine Report*, December 13, 2000.
25. According to the JMCC, when Palestinians were first asked in April 2001 if they supported suicide bombings, 66 percent said they did. That compared to 26 percent in March 1999, just before the intifada began, and was to rise progressively (see <http://www.jmcc.org/publicpoll/results/2001/no41.htm>). It is important to add that the popularity of suicide bombings occurred in a context where all forms of resistance, armed and unarmed, were supported by the majority; that is, the occupation was to be opposed by any means possible. Polling done by the PCPRS on the same question showed the highest level of support for suicide bombings to be near 60 percent (see <http://www.pcprs.org/survey/polls/2004/p12a.html#peace>).
26. Hamad interview.
27. See, e.g., Ilan Pappé, "The Decline and Fall of the Israeli Left," *Al-Ahram Weekly*, September 27–October 3, 2001.
28. Interview with Nablus Fatah leader 'Issam Abu Bakr, July 12, 2001.
29. Interview with Marwan Barghouti, March 18, 2002.
30. Interview with Hasan Yusuf, May 2001.
31. See Ghassan Khatib's "When Escalation Means Moderation," in *Palestine Report*, March 6, 2002. Notably, Fatah's efforts failed. When Arafat finally allowed student council elections in December 2003, the traditional marker of public opinion showed Fatah losing seats at almost every university.
32. Interview, October 14, 2001.
33. Voice of Palestine radio, October 2, 2001.
34. Interview, October 7, 2001.
35. While HAMAS was once fearful that the Palestinian Authority would "use" HAMAS to fight Israel, now HAMAS saw itself as Arafat's last line of defense.
36. Taken from HAMAS website in October 2001; no longer available.
37. Voice of Palestine radio interview, October 10, 2001.
38. Aryeh Dayan, "One Day in Five, the IDF Attempts Assassination," *ha-Aretz*, May 21, 2003.
39. Interview, October 15, 2004.
40. Amir Oren, "Deadly Reality and Cease-Fire Fantasy," *ha-Aretz*, July 28, 2002. See also the article by Amira Hass that took to task both the naive "western advisors" who

leaked the deal and the Fatah leaders who believed in the ceasefire, but were “dragged and did not lead” (“It Would Look Better in Arabic,” *ha-Aretz*, September 19, 2002).

41. Mark Perry, “Israeli Offensive Disrupts US-HAMAS contacts,” *Palestine Report*, October 9, 2002.

42. Interviews with ‘Abd al-‘Aziz al-Rantisi and Muhammad Dahlan, October 15, 2002.

43. In a March 2004 interview, ‘Iyad Barghuti stated that an American diplomat had met with a HAMAS leader in Jordan.

44. Interview with Nabil Shaath, December 12, 2002.

45. Interview with Ziad Abu Amr, November 13, 2002.

46. *Ibid.*

47. Cameron Barr, “Criticized by left and right, Sharon still thrives,” *Christian Science Monitor*, November 14, 2002. Also, Andres Martinez, “Turning the Gaza Strip into a seething prison,” *International Herald Tribune*, May 29, 2004.

48. “Ridding Ourselves of Slavery,” a conversation with ‘Abd al-‘Aziz al-Rantisi, one day before his assassination, “What Is Victory?” Bitterlemons.org, April 19, 2004, <http://www.bitterlemons.org/previous/bl190404ed13.html#pal2>.

49. “Dealing with HAMAS,” International Crisis Group paper, January 2004.

50. See, e.g., the June 2004 PCPRS poll that found that while 40 percent of Palestinians sampled say that Palestinians are winning the intifada, that percentage rises to 50 percent among those who pray five times a day in a mosque. Only 24 percent of respondents who never pray in a mosque said Palestinians are achieving victory. This correlation between religious practice and political outlook runs across factional affiliation: 39 percent of Fatah members and 51 percent of HAMAS members believe that Palestinians are the victors (<http://www.pcprs.org/survey/polls/2004/p12a.html#peace>).

51. Interview, July 2004.

52. Ghazi Hamad, “Turning to God,” *Palestine Report*, April 21, 2004.

53. To emphasize HAMAS’S rise in importance during this intifada, one need only to look at some of the comprehensive literature on the Palestinian movement. Baruch Kimmerling and Joel Migdal, *Palestinians: The Search for Identity* (Cambridge, MA: Harvard University Press, 1998), and Deborah Gerner, *One Land, Two Peoples* (Boulder, CO: Westview Press, 1994), dedicate a total of four pages to HAMAS.

54. Algeria and Tunisia have both observed a de facto ban on the death penalty for over a decade.

55. All numbers from Jerusalem Media and Communications Centre polls, accessed at <http://www.jmcc.org>.

56. March 2004 PCRS poll.

57. Haidar ‘Abd al-Shafi interview, May 24, 2004.

58. Interview with ‘Iyad Barghuti, March 2004.

Chapter 11

1. I am using the term “refugee” because long usage makes it familiar, though I would argue that “expulse” is more correct.

2. All statistics given here are for 1995 and come from Elia Zureik, *Palestine Refugees and the Peace Process* (Washington, DC: Institute for Palestine Studies, 1996), tables 1 (p. 14) and 4 (p. 18). Statistics for 2000 can be accessed at http://www.palestine-center.org/cpap/stats/global_dist.html, based on the Palestinian Central Bureau of Statistics in Damascus. However, PCBS/Damascus figures are not census-based and appear somewhat inflated.

3. George Kossai, “The Palestinian Refugees and the Right of Return,” Beirut, 1996), table 4 (p. 13) (unpublished paper).

4. Marianne Heiberg et al., *Palestinian Society in Gaza, West Bank, and Arab Jerusalem* (Oslo: Falch, 1993).

5. Ibid., figure 6.4 (p. 161).

6. Leila Zakharia and Samia Tabari, “Health, Work Opportunities, and Attitudes: A Review of Palestinian Women’s Situation in Lebanon,” *Journal of Refugee Studies* 10, no. 3 (1997): 411.

7. Willy Egset, “Poverty Profile of Palestinian Refugees in Jordan, Lebanon, and the West Bank and Jordan,” in *Finding Means: UNRWA’s Financial Crisis and the Living Conditions of Palestinian Refugees*, vol. 2, *The Persistence of Poverty* (Oslo: FAFO, 1993), 36.

8. A recent study shows consistently lower income levels in camp households compared with out-camp refugees as well as the average for Jordanian nationals (Marwan Khawaja, “Migration and the Reproduction of Poverty: The Refugee Camps in Jordan,” *International Migration* 41, no. 2 [2003]: 27–57).

9. Detentions and deportations of Palestinians in the United States and Canada has increased markedly since 9/11; see Susan Akram and Kevin Johnson, “Race & Civil Rights Pre-September 11, 2001: The Targeting of Arabs and Muslims,” in *Civil Rights in Peril: The Targeting of Arabs and Muslims*, ed. Elaine Hagopian (Chicago: Haymarket Books; London: Pluto Press, 2004). For Canada, see a recent report from Palestinian Refugees Montréal available from refugees@riseup.net.

10. A study of the refugees in the Arab host countries that includes travel restrictions is Blandine Destrameau, “Le statut juridique des Palestiniens vivant au proche-orient,” *Revue des études palestiniennes* 48 (Summer 1993).

11. Though Libya ordered all Palestinians to leave in 1995, it has reluctantly permitted temporary residence to those unable to obtain Palestinian citizenship or right of residence in Gaza (since Egypt will not allow them transit because they are not sure that Israel will let them enter Gaza). Other countries surrounding Libya—Tunisia, Algeria, Sudan, and Malta—will not let them enter because they have no visa for Egypt. Since September 1995, no Palestinian refugee can visit Libya for any purpose, except those invited by first-degree family members, so this community is very isolated.

12. The information on travel restrictions comes from Dr. Bassem Serhan, researcher and connoisseur of the diaspora (personal communication, April 30, 2004).

13. UNRWA figures are from Norma Hazboun, "Israeli Resettlement Schemes for Palestinian Refugees in the West Bank and Gaza Strip," *Al-Shaml Monograph Series* no. 4, 1996, 32.

14. See Penny Maddrell, *The Bedouin of the Negev* (London: Minority Rights Group, 1990); and Rosemary Sayigh, "West Bank Bedouin: The New Refugees?" *Middle East International*, November 26, 1999.

15. Bassem Serhan, "Mihnat al-jaliyya al-filastiniyya fi libya: Aman min al-'azab wa'l-inqab," *Majallat al-Dirasat al-Filastiniyya*, January 1997.

16. Even before the current Intifada; see BADIL, January 31, 1998.

17. See UNHCR report, November 28, 2003, accessible online at <http://electroniciraq.net/news/1226.shtml/>; and the *Daily Star* (Beirut), May 29, 2004.

18. Hana Jaber, "Le camp de Wihdat entre norme et transgression," *Revue d'Etudes Palestiniennes* 8 (Summer 1996): 37–48.

19. From the series "The Story Crisis in Palestine," interviews by Toine Van Teeffelen, *Jerusalem Times*, October 24, 1997.

20. Elia Zureik, "Constructing Palestinians through Surveillance Practices," *British Journal of Middle Eastern Studies* 28, no. 2 (2001): 205–27.

21. 'Imm Noman,' March 18, 1992, in the ruins of the American Embassy, Beirut. This was her first response to my request to record the story of her life.

22. Paul Cossali and Clive Robson, *Stateless in Gaza* (London: Zed Books, 1986).

23. E.g., in Ramallah, by PACE, Shaml, and the Khalil Sakakini Cultural Centre; the Turathuna Collection at Bethlehem University; Ahali, Nazareth; the Community Mental Health Program, Gaza; ARCPA, Lebanon; Dar Al-Shajara Publishers, Syria; the "Palestine Remembered" website; and the Marka Camp children's project in Jordan.

24. Refugee films include: "The Dream," by Muhammad Malas; "Tel al-Zaatar," by Mustapha Abu Ali and Jean Chamoun; "Children of Shatila" and "Frontiers of Dreams and Fears," by Mai Masri; "Curfew," "Haifa," "Dar wu Dour," "Ticket to Jerusalem," and "Until Further Notice," by Rachid Mashharawi; "My Personal Map," by Subhi Zubaidi; "Usturah" ("The Legend"), by Nizar Hassan; "Le Pays De Blanche," by Maryse Gargour; "Bitter Water," by Noura Saqqaf and Maysoon Pachachi; "Our Dreams . . . When?" (with children as script-writers and actors), by Hicham Kayed; "Ahlam fi Faragh," by Omar Qattan; "Jenin, Jenin," by Mohammad Bakri; "Jitiyah," by Nizar Hassan; "Arna's Children," by Juliano Mer Khamis; and "Out of Place, Out of Time," by Stefan Markworth.

25. This term is used by refugees of rural origin to mean both "our village" and "our country."

26. Mayssoun Sukkarieh, "Waiting," panel at the American Community School, Beirut, May 20, 2002.

27. Jaber Suleiman, "The Palestinian Liberation Organization: From the Right of Return to Bantustan," in *Palestinian Refugees: The Right of Return*, ed. Naseer Aruri (London: Pluto Books, 2001), 98. Suleiman traces changes in the PLO's stand toward the right of return from the 12th PNC assembly (1974), when the "Provisional Political Program" called for the establishment of a Palestinian state on any liberated territory. The consequences of a "two-state" solution would be to "forget" the expulsions of 1948, submitting the return of refugees to Israeli willingness and Palestinian capacity to absorb them.

28. See BADIL Resource Center for Palestinian Residency and Refugee Rights, <http://www.badil.org> for interview with Wakim Wakim, chairman of ADRID.

29. Initiated by Naseer Aruri, Edward Said, and Hisham Sharabi, the 1996 popular congress idea collapsed in the face of resistance group opposition. But the initiative has remained influential.

30. See <http://www.al-awda.org> and <http://www.badil.org>.

31. The spread of the Internet to youth in refugee camps offers new kinds of mobilization; see Miriyam Aouragh, "La Palestine dans le cyber-espace: Identité transnationale, intifada virtuelle et espace publique en ligne," paper presented at IFPO, Beirut, February 2004 (cermoca@lb.refer.org).

32. Salman Abu Sitta, *The Palestinian Nakba 1848* (London: Palestine Return Centre, 2000); *The End of the Palestinian-Israeli Conflict: From Refugees to Citizens at Home* (London: Palestine Return Centre, 2001); Naseer Aruri, ed., *Palestinian Refugees: The Right of Return* (London: Pluto Press, 2001); and Nur Masalha, ed., *Present Absentees: Internally Displaced Palestinians, Indigenous Rights, and International Protection* (in preparation).

33. Eytan Bronstein, "Position Paper on Posting Signs at the Sites of Demolished Palestinian Villages," accessible at <http://www.nakbainhebrew.org/index.php?id=114>.

34. Azmi Beshara, "Searching for Meaning," *Al-Ahram Weekly*, May 13–19, 2004.

Chapter 12

The author thanks Omar Yassin for his help editing this article.

1. For instance, Husam Khadr, the Palestinian legislator from the Balata refugee camp, who said: "Sari Nusseibeh has taken himself away from the national camp."

2. "It is impossible to apply the right of return in the two-state framework! There is a structural contradiction between the two-state solution and the right of return for Palestinian refugees, which would change the demographic nature of the Jewish state, with the permission of the Jewish state itself. The Palestinian national liberation movement should decide whether the establishment of the Palestinian state without the right of return constitutes an acceptable historical compromise (as long as the state has sovereignty over the Haram al-Sharif and as long as the agreement allows

refugees to return to inside the state's borders). If such a historical compromise is impossible from both Palestinian and Israeli points of view, we have before us a long struggle against apartheid, a struggle based on full citizenship for two peoples in one country. Israel will prefer a total war over this last option" (Azmi Beshara, "Liberating the Homeland, Liberating Human Beings" [in Arabic], *Wujhat Nazar* [Cairo], December 2001).

3. *New York Times*, February 3, 2002.

4. *ha-Aretz*, November 12, 2001.

5. Interview with Benny Morris, "'The Arabs Are Responsible': Post-Zionist Historian Benny Morris Clarifies His Thesis" [in Hebrew], *Yedi'ot Aharonot*, December 9, 2001.

6. In addition to Morris, Amos Oz, novelist and a founder of Israel's Peace Now movement, reiterated the view that Palestinians had rejected "the most far-reaching offer Israel can make" by insisting "on the right of return for millions of refugees to their homeland" (*Guardian*, January 5, 2002). Novelist A. B. Yehoshua wrote a similar article in *Libération* (July 23, 2001).

7. Yossi Alpher, "Refugees Forever," Bitter Lemons, <http://www.bitterlemons.org>, accessed December 31, 2001.

8. Yehudith Harel, "Peace Now and Its 'Other,'" *Al-Ahram Weekly*, January 11–17, 2001.

Chapter 13

1. Israeli sociologist Uri Ram provides the most extensive explanation of this concept in *The Changing Agenda of Israeli Sociology: Theory, Ideology, and Identity* (New York: State University of New York Press, 1995).

2. The four major works of this first wave are Simha Flapan, *The Birth of Israel* (New York: Pantheon, 1984); Benny Morris, *The Birth of the Palestinian Refugee Problem, 1947–1949* (Cambridge: Cambridge University Press, 1988); Ilan Pappé, *Britain and the Arab-Israeli Conflict, 1948–1951* (New York: Macmillan, 1988); and Avi Shlaim, *Collusion across the Jordan: King Abdullah, the Zionist Movement, and the Partition of Palestine* (Oxford: Clarendon, 1988). To these one can add Uri Bar-Joseph, *The Best of Enemies: Israel and Transjordan in the War of 1948* (London: Frank Cass, 1987); Michael J. Cohen, *Palestine and the Great Powers, 1945–1948* (Princeton, NJ: Princeton University Press, 1982); and Tom Segev, *1949: The First Israelis* (New York: Free Press, 1992).

3. Yehoshua Porath, *The Emergence of the Palestinian-Arab National Movement, 1918–1929* (London: Frank Cass, 1974); and *The Palestinian Arab National Movement, 1929–1939* (London: Frank Cass, 1977).

4. E.g., Yosef Nevo, "The Palestinians and the Jewish State, 1947–48," in *We Were Like Dreamers*, ed. Y. Wallach [in Hebrew] (Tel Aviv: Masada, 1985); and Itamar Rabinovich, *The Road Not Taken: Early Arab-Israeli Negotiations* (New York: Oxford University Press, 1991), which ignores the Palestinians altogether.

5. For example, Moshe Shemesh, *The Palestinian Entity, 1959–1974: Arab Politics and the PLO* (London: Frank Cass, 1988).

6. Ilan Pappé, *The Making of the Arab-Israeli Conflict, 1947–1951* (New York: I. B. Tauris, 1992), 102–35.

7. See Morris, *The Birth*. For a discussion on the difference between the two narratives and a statement of my own position that accepts that there was a master plan in *The Making*, 203–43.

8. Walid Khalidi, "Plan Dalet: Master Plan for the Conquest of Palestine," in *Middle East Forum*, November 1961, reproduced with a new commentary in the *Journal of Palestine Studies* 18, no. 1 (Autumn 1988): 4–70.

9. Uri Ram represents this approach; see the Introduction to *Israeli Society: Critical Perspectives*, ed. Uri Ram [in Hebrew] (Tel Aviv: Brerot, 1993).

10. *Ibid.*, 18–25.

11. A notable example is Sammy Smooha, *Israel: Pluralism and Conflict* (Berkeley: University of California Press, 1978); and Yonathan Shapira, "The Historical Origins of Israeli Democracy," in *Israeli Democracy under Stress*, ed. Ehud Sprinzak and Larry Diamond (Boulder, CO: Lynne Rienner, 1993).

12. This approach is particularly evident in Anita Shapira, *Visions in Conflict* [in Hebrew] (Tel Aviv: 'Am 'Oved, 1988).

13. See Uri Ram, "The Colonization Perspective in Israeli Sociology," *Journal of Historical Sociology* 6, no. 3 (September 1993): 327–50; and Gershon Shafir, *Land, Labour, and the Origins of the Israeli-Palestinian Conflict, 1882–1914* (Cambridge: Cambridge University Press, 1989).

14. Baruch Kimmerling, *Zionism and Territory: The Socio-Territorial Dimensions of Zionist Politics* (Berkeley: University of California Press, 1983).

15. Moshe Lissak, interview in *Davar*, March 18, 1994; Ya'akov Katz, interview in *ha-Aretz*, November 18, 1994.

16. On museums, see Tamar Katriel, "Remaking Place: Cultural Production in an Israeli Pioneer Settlement Museum," *History and Memory* 5, no. 2 (Fall–Winter 1993): 104–35; and Ariela Azoulay, "With Open Doors: Museums and History and the Israeli Public Space" [in Hebrew], *Theory and Criticism*, no. 4 (1993): 79–96.

17. On Israeli Orientalism, see Azmi Beshara, "On the Question of the Palestinian Minority in Israel," *Theory and Criticism*, no. 3 (1993): 7–21; Gil Eyal, "Between East and West: The Discourse on the Arab Village in Israel," *Theory and Criticism*, no. 3 (1993): 39–56; and Dan Rabinowitz, "Oriental Nostalgia: The Transformation of the Palestinians into 'Israeli Arabs,'" *Theory and Criticism*, no. 4 (1993): 141–52 [all in Hebrew].

18. Smooha already had articulated these views in the late 1970s (see Smooha, *Israel*), as did Sara Katzir and Shlomo Swirski in "Ashkenazim and Sephardim: The Making of Dependence" [in Hebrew], in *Mahbarot le-Mehkar u-le-Vikoret* 1 (1978): 21–59.

19. Many of the “new sociologists” have contributed in this vein to Ram, *Israeli Sociology*.

20. See Ram, *Changing Agenda*.

21. Tom Segev, *The Seventh Million* (New York: Hill and Wang, 1989); and Idith Zertal, *From Catastrophe to Power: Holocaust Survivors and the Emergence of Israel* (Berkeley: University of California Press, 1998). The literal translation of the original Hebrew title is *The Jews’ Gold*.

22. See Uri Ben-Eliezer, *The Making of Israeli Militarism, 1936–1956* (Bloomington: Indiana University Press, 1998).

23. Benny Morris, *Israel’s Border Wars: Arab Infiltration, Israeli Retaliation, and the Countdown to the Suez War* (Oxford: Clarendon Press, 1993).

24. These include Ben-Eliezer, *Making of Israeli Militarism*; Shulamit Carmi and Henry Rosenfeld, “The Emergence of Nationalistic Militarism in Israel,” *International Journal of Politics, Culture and Society* 3, no. 1 (1989): 5–49; Avishai Erlich, “Israel: Conflict, War, and Social Change,” in *The Sociology of War and Peace*, ed. Colin Creighton and Martin Shaw (London: Macmillan, 1987), 121–43; and Baruch Kimmerling, “Patterns of Militarism in Israel,” *Archives Européennes de Sociologie* 34 (1993): 196–223.

25. Yagil Levy, “A Militaristic Policy, Interethnic Relationship and Domestic Expansion of the State: Israel, 1948–1956” [in Hebrew], *Theory and Criticism*, no. 8 (1996), 203–24.

26. Ella Shohat, *Israeli Cinema: East/West and the Politics of Representation* (Austin: University of Texas Press, 1989).

27. Among them ‘Aziz Faisal, ‘As‘ad Ghanim, Majid al-Hajj, Nadim Rouhana, Khalil Rinnawi, Ahmad Saadi, and others in an ever-growing community.

28. See, for instance, “A Symposium on Post-Zionism,” *ha-Aretz*, 15 October 1995.

29. At one point a public debate was attended by over seven hundred people at Tel Aviv University in July 1994; see the condemnation by Shlomo Aharonson in “The New Historians and the Challenge of the Holocaust,” *ha-Aretz*, June 24, 1994.

Chapter 14

1. *Ma’ariv*, February 15, 2002. Lieberman resigned in March 2002, in protest of Sharon’s “soft” Palestinian policy.

2. Aharon Barak, “The Role of the Supreme Court in a Democracy,” *Israel Studies* 3, no. 2 (1998): 6–28.

3. Oren Yiftachel, “Ethnocracy and Its Discontents: Minorities, Protest, and the Israeli Polity,” *Critical Inquiry* 26 (2000): 725–56; and As‘ad Ghanem, “The Palestinian Minority: Challenging the Jewish State and Its Implications,” *Third World Quarterly* 21, no. 1 (2000): 87–104.

4. Salah Tarif of the Labor Party, a Druze, was appointed by Sharon in February

2001 as minister without portfolio and responsible for Arab affairs, but resigned on charges of corruption.

5. A large body of literatures debates the characteristics of Israeli democracy, all assuming a priori that it exists. For notable examples, see Asher Arian, *The Second Republic Politics in Israel* (Tel Aviv: Zmora-Bitan, 1997); Samuel N. Eisenstadt, *The Transformation of Israeli Society* (London: Weinfeld and Nicholson, 1985); Benny Neuberger, *Government and Politics in the Israeli State* [in Hebrew] (Tel Aviv: Open University, 1991); and Sammy Smooha, *Arabs and Jews in Israel: Change and Continuity in Mutual Intolerance* (Boulder, CO: Westview Press, 1992).

6. On the ethnic nature of the Israeli polity, see also As'ad Ghanem, "State and Minority in Israel: The Case of an Ethnic State and the Predicament of its Minority," *Ethnic and Racial Studies* 21, no. 3 (1998): 428–47; and Nadim Rouhana, *Palestinian Citizens in an Ethnic Jewish State* (New Haven, CT: Yale University Press, 1997).

7. For a thorough, groundbreaking analysis of the role of borders in Jewish political culture, see Adrianna Kemp, "Talking Boundaries: The Making of Political Territory in Israel, 1949–1957" [in Hebrew], Ph.D. thesis, Tel Aviv University, 1997.

8. Israel can be compared to other "ethnocracies," such as Estonia, Greece, Serbia, Slovakia, or Sri Lanka.

9. The concept of ethnocracy differentiates between two "ideal type" levels of ethnicity: ethnic-nations and ethno-classes. It postulates that the main purpose of ethnocratic regimes is to exclude the weaker ethnic-nation.

10. Raja Shehadeh, "Land and Occupation: A Legal Review," *Palestine-Israel Journal* 4, no. 2 (1997): 29.

11. See Ella Shohat, "The Narrative of the Nation and the Discourse of Modernization: The Case of the Mizrahim," *Critique*, Spring 1997, 3–18.

12. Azmi Beshara, <http://www.adalah.org/bishara/speeches.htm>, accessed on May 18, 2002. His use of the militant-sounding but vague Arabic word *muqawama* for "resistance" was one of the bases for charging him with supporting violence.

13. *Al-Ittihad* and *Ma'ariv*, November 11, 2001.

14. *Ma'ariv*, July 12, 2001. In recommending the missile attack, Rabbi Yosef used the Arabic phrase *'ala kayf kayfak*, connoting his glee. The attorney general opened an investigation, but concluded there were no grounds for prosecution.

15. Uri Ram, "Zionist Historiography and the Invention of Modern Jewish Nationhood: The Case of Ben Zion Dinur," *History and Memory* 7, no. 1 (1995): 91–120.

16. Ghazi Falah, "Israeli Judaization Policy in Galilee and its Impact on Local Arab Urbanisation," *Political Geography Quarterly* 8 (1989): 229–53; Ian Lustick, *Arabs in the Jewish State: Israel's Control over a National Minority* (Austin: University of Texas Press, 1980); Danny Rabinowitz, *Overlooking Nazareth* (Cambridge: Cambridge University Press, 1997); Sammy Smooha, "Existing and Alternative Policy Towards the Arabs in Israel," *Ethnic and Racial Studies* 5 (1982): 71–98; Oren Yiftachel, *Planning a*

Mixed Region in Israel: The Political Geography of Arab-Jewish Relations in the Galilee (Aldershot, UK: Avebury, 1992); and Elia T. Zureik, *Palestinians in Israel: A Study of Internal Colonialism* (London: Routledge and Kegan Paul, 1979).

17. Herzliyya Forum for National Strength, *The Balance of National Strength and Security: Policy Directions* [in Hebrew] (Herzliyya: The Forum, 2001).

18. Benny Elon, minister of tourism, called for “voluntary transfer” in *ha-Aretz* (February 7, 2002).

19. In several opinion polls in early 2002, 25–46 percent of Jews supported the idea that “Arabs will be asked to move outside the Land of Israel” (*Ma’ariv*, April 5, 2002).

20. *ha-Aretz*, April 19, 2002.

21. *ha-Aretz*, March 22, 2002.

22. TV interview, “Politika” (Channel 1), March 4, 2002. Ex-Prime Minister Ehud Barak supported this idea in an interview in the *New York Review of Books*, June 13, 2002.

23. Not all agree with the exact details of Sneh’s plan. See articles by Ruth Gavison (*Yedi’ot Aharonot*, March 25, 2002); Amos Oz (*Ynet*, April 1, 2002); and A. B. Yehoshua (*Ma’ariv*, March 27, 2002).

24. *Ma’ariv*, April 12, 2002.

25. *ha-Aretz*, November 6, 2001.

26. Seventeen percent is also held by the Jewish National Fund and 3 percent by Jewish individuals, bringing the extent of Jewish control to over 96 percent.

27. Debates in the Arab newspapers *Sawt al-Haqq w’al-Hurriyya* and *Fasl al-Maqal*, published by the Islamic movement, and the nationalist Tajammu’ party, respectively.

28. See *ha-Aretz*, April 16, 2002; and *Ma’ariv*, April 19, 2002.

29. Danny Rabinowitz, As’ad Ghanem, Oren Yiftachel, and R. Suleiman, eds., *After the Breakdown: New Directions for Policies towards the Arabs in Israel* (Jerusalem: Van-Leer Institute, 2000).

Chapter 17

1. Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, September 28, 1995, Chapter 5, Article 31(7).

2. Geoffrey Aronson, *Settlements and the Israel-Palestinian Negotiations: An Overview* (Washington, DC: Institute for Palestine Studies, 1996), 50–51.

3. *Ibid.*, 11.

4. The State Comptroller offered a detailed criticism of certain aspects of this method in the specific case of the establishment of the Tel Zion settlement, in 1998, under the guise of a “neighborhood” of the settlement Kochav Ya’akov (see State Comptroller, *Annual Report 51B* [in Hebrew], Jerusalem, April 2001, 398–405).

5. For a list of outposts erected since the beginning of the al-Aqsa Intifada, see the Peace Now website: <http://www.peacenow.org.il>.

Chapter 18

Thanks to Shira Robinson for invaluable research assistance.

1. Associated Press, October 19, 2002.
2. *Palestine Monitor*, October 21, 2002.
3. *ha-Aretz*, April 9, 2002.
4. The complete poll can be accessed at <http://www.tau.ac.il/jcss/memoranda/memo60.pdf>.
5. *ha-Aretz*, March 19, 2002.
6. *ha-Aretz*, April 5, 2002.
7. *Musaf ha-Aretz*, September 2, 1988.
8. *Musaf ha-Aretz*, October 21, 1988.
9. *Kol ha-'Ir*, July 26, 2002.
10. *ha-Aretz*, June 19, 2002.
11. *ha-Aretz*, October 7, 2002.
12. *ha-Aretz*, October 8, 2002.
13. The report has been excerpted in the *Journal of Palestine Studies* 31, no. 1 (Autumn 2001): 50–61.
14. Arab Association for Human Rights, *Weekly Press Review* 95, October 9, 2002.
15. *ha-Aretz*, March 19, 2002.
16. *ha-Aretz*, November 22, 2001.
17. *ha-Aretz*, June 24, 2002.
18. The Final Solution was actually approved in 1942.
19. Ari Shavit, "My Idea of Winning," *ha-Aretz Magazine*, August 30, 2002.
20. *ha-Aretz*, August 22, 2002.
21. *Kol ha-'Ir*, August 30, 2002.
22. *Kol ha-'Ir*, August 16, 2002.
23. *ha-Aretz*, June 23, 2002.
24. *Ma'ariv*, September 11, 2002.

Chapter 21

1. Some 11,000 Palestinian homes have been demolished in the Occupied Territories since 1967. In the 1990s, protest against such actions became a rallying cry of the Israeli left, led by the "Israeli Committee Against House Demolitions."

Chapter 22

1. Sarid is a veteran Israeli politician. In 2001 he was leader of MERETZ, a left-Zionist party.
2. Israel Zangwill was a British advocate for the Zionist cause. He favored transferring the indigenous Arabs from Palestine.

3. Yehuda Amichai (1924–2000) emigrated to Palestine from Germany in 1935. He is considered one of the founders of modern Hebrew poetry.

Chapter 24

Thanks to Joel Beinin, Yael Ben-zvi, Robert Blecher, Shira Robinson, and Ted Swedenburg for insightful comments on this essay.

1. Palestinians are granted a different kind of visibility in *Kadosh*. In a highly unorthodox move, Gitai cast Palestinian Israeli actor Yusuf Abu Warda as the presumably Mizrahi Rabbi. It should be noted that much of Gitai's previous work dealt with controversial aspects of the Israeli-Palestinian conflict and relations between Jews and Palestinians within the state. See *Bayit* (1980); *Wadi: Ten Years Later* (1991); and *Give Peace a Chance* (1994).

2. Fox stopped directing *Florentin* in 1998, yet the series continued for a third and fourth season.

3. When founded in 1929, Florentin lay within the municipal borders of Jaffa and contained a mixed population of Jews and Palestinian Arabs. Its eventual annexation by the municipality of Tel Aviv was the subject of considerable controversy (see Mark LeVine, *Overthrowing Geography: Jaffa, Tel Aviv, and the Struggle for Palestine, 1880–1948* [Berkeley: University of California Press, 2005]). As Ruth Kark notes, while Jaffa's Jewish community was founded by Jews of North African and Middle Eastern descent the city's ethnic demographics shifted at the end of the nineteenth century, with massive European immigration to Palestine (Ruth Kark, *Jaffa: A City in Evolution, 1799–1917* [Jerusalem: Yad Yitzhak Ben-Zvi Press, 1990], 180–203).

4. For an account of gentrification projects in the Florentin neighborhood, see Daniel Sekel and Danielle Haas, "Florentin Flavor," *The Jerusalem Report*, April 2, 1998.

5. Over the course of the 1990s, a group of community activists from Florentin, *Kvutzat Pe'ilim Florentin*, organized to present their demands to the municipality. Their Hebrew-language manifesto can be found at the *Florentin* website: <http://Florentin.btv.co.il>.

6. The serial implicitly paid homage to the gay-oriented films of Israeli director Amos Guttman, who died in 1993 of AIDS-related illnesses. *Amazing Grace* (1993), for example, Guttman's final film, chronicles Israeli society contending with AIDS through a portrait of a young, gay Ashkenazi man.

7. The possibility of such an exemption did not conform with Israeli legal norms but with de facto army practice. According to Israeli law of the mid-1990s, "suspected homosexuals" could be neither barred from service nor banned from the military's upper ranks. In fact, the position of out-gay men in the Israeli army was tenuous at best. The 1990s also saw significant changes in army regulations regarding the status of out-gay soldiers and employees—changes that were made possible by broader legal reform in the arena of gay rights. Due to its perpetual need for personnel, the Israeli

army never formally barred gays and lesbians from serving in its ranks. Yet, prior to 1980, the discovery of homosexuality usually resulted in dismissal of the offending party. In 1983, the first official policy statement on homosexuals was issued by the Israeli Defense Forces (IDF). Although out-gays and lesbians would not be discharged from service, the policy stated that homosexual soldiers or employees would be banned from the upper ranks of the military, its intelligence and encryption units. Moreover, it stipulated that all “suspected homosexuals” would undergo a mental health evaluation to determine their “strength and maturity,” and hence their military capabilities. Although this policy did not officially ban gay men and women from military service, it did the work of preserving and protecting the closet, both inside and outside army institutions.

8. The consumption of Arab things by Ashkenazi consumers was by no means new during this period, but it took new forms. For a more detailed discussion of its commodity forms, see Rebecca L. Stein, “First Contact and Other Israeli Fictions: Tourism, Globalization, and the Middle East Peace Process,” *Public Culture* 14 (2002): 515–43; and Stein, “National Itineraries, Itinerant Nations: Israeli Tourism and Palestinian Cultural Production,” *Social Text* 56 (1998): 91–124.

9. Umm Kulthum has long been enjoyed by Mizrahi communities within Israel. For discussion of the relationship between Mizrahi consumers and artists, and Arab artists and consumers in the Muslim Middle East, see Ted Swedenburg, “Saida Sultan/Danna International: Transgender Pop and the Polysemiotics of Sex, Nation, and Ethnicity on the Israeli-Egyptian Border,” *The Musical Quarterly* 81, no. 1 (1997): 81–108.

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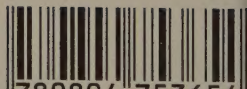
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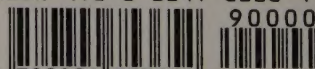
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