

REFRAMING THE “CONFLICT”

The very title one gives to a phenomenon often determines how it can be understood and what can be done to address it. Since 1948, we have spoken about the “Arab-Israeli conflict,” which is accurate to the degree that it refers to the major wars, diplomatic rivalries, and smaller “dirty wars” between the Arab states and Israel. But this notion of a regional “conflict” conceals the nature of a different kind of struggle, which is a key catalyst of the broader conflicts as well as a political phenomenon of its own.

On one side of this struggle is the colonization of Palestine by the Zionist movement, which ultimately culminated in the state of Israel, the political division of Palestine, a massive refugee crisis, and, since 1967, occupation; and on the other side is Palestinian resistance through both political and military means. Though seen for decades as merely one element of regional power plays, since the First Intifada of 1987 we have come to speak of it more specifically as the “Israeli-Palestinian conflict.”

Colonial struggle, however, can hardly be considered a “conflict.” To be sure, it *generates* conflict between the colonist usurpers and the indigenous population, yet colonialism is a unilateral process. It isn’t two “sides” entering into a violent confrontation over differing interests or agendas, but one powerful actor invading another people’s territory to either exploit it or take it over. There is no symmetry of power or responsibility.

Israel’s “Security” Framing

Israeli governments – all of them, Labor, Likud and Kadima together – have advanced among the Jewish public a framing based solely on Jewish rights and security. Briefly, it goes like this:

The Jews of ancient times (including the Hebrews, Israelites and Judeans, since the term “Jew” appears in the Bible only in the Book of Esther) constituted a nation with all the trappings of nationhood. They had a country that encompassed greater or lesser parts of the Land of Israel, a language, a religion, a national history, a literature and, above all, a tribal sense of identity based on ties of blood. After two abortive revolts against the Romans, the nation-tribe was exiled from its country. For two millennia it existed among the nations as a people apart – alien, persecuted, ghettoized, clinging to its national identity and longing for its return to Zion. In the late nineteenth century, spurred by nationalist movements throughout Europe, Zionism emerged as the national expression of Jews seeking a return to the Homeland from which they had been forcibly expelled so many centuries before. This right of return, of self-determination, conforms to that of all other nations who have sought political independence in the past two centuries.

After a period of nation-building, the State of Israel arose triumphantly in 1948, defeating five Arab armies. Since then the tiny state, a Western (albeit *Jewish*) democracy, has persevered despite constant Arab threats to its existence. Throughout, Israel has aspired to peace, only to be frustrated by its intractable enemies. All its actions against the Arabs are merely reactions of self-defense foisted upon the small Jewish state. David and Goliath. Israel desires peace, but it has no Arab “partner.” The Arabs want only to throw the Jews into the sea.

What is wrong with this story? First off, if you notice, there is no mention of a colonial project of taking over Palestine or anything regarding its final phase: Occupation. All “Arab” resistance (the term “Palestinian” does not enter into the framing, since it admits to another people living in “our” country which we do not wish to acknowledge) is cast as mere “terrorism.” But it also contains elements not stated explicitly, without which one cannot understand Israeli policy.

According to mainstream Zionist ideology, the entire Land of Israel “belongs” exclusively to the Jewish people, an assertion that nullified any Palestinian rights or claims to the country, together with their very identity as a people and historic presence in a place called “Palestine.” Since the Palestinians understandably would have none of this, their very assertion of Jewish exclusivity made them, in fact, permanent enemies – at least enemies until such a time as Israel would acknowledge their own national presence. Unwilling to do this, Israel then found itself burdened by a permanent “security threat” which, paradoxically, required it to gain and maintain control of the entire country, thereby eliminating the possibility of a viable Palestinian state and perpetuating the conflict eternally. From right to left Israeli political and military leaders have inculcated among the Jewish public the conviction, almost a fixed assumption, that there is no political solution to the conflict, that one “side” or the other must “win” – and that side has to be, of course, Israel. Needless to say that a broader implication of this is that Israel belongs to the Western world and has little if any interest in integrating into a hostile Middle East.

This framing has great implications. Since the Arabs – all of them, including Arab citizens of Israel – are Israel’s permanent enemies, there can never be genuine or lasting peace. “I argue,” says Alan Dershowitz (2003:7), perhaps Israel’s most strident advocate, “that it is impossible to understand the conflict in the Middle East without accepting the reality that from the very beginning the strategy of the Arab leadership has been to eliminate the existence of any Jewish state, and indeed any substantial Jewish population, in what is now Israel.... The goal has always been the same: eliminating the Jewish state and transferring most of the Jews out of the area.” The best Israelis can expect, then, are tenuous periods of quiet, a fragile security based solely upon their military superiority and control of the entire country “from the [Jordan] river to the [Mediterranean] sea.” Any possibility of peace with the Palestinians is ruled out in this framing; the Israeli public is sentenced to a war with them until they either submit to Israeli dictates or are driven out of the country altogether.

Indeed, the implications of the security framing explain the ferocity by which Israel suppressed the second Intifada and has attempted to pacify Gaza, the unrestrained use of military force against a civilian population and a degree of destruction so greatly disproportionate to the actual threat. The “Arabs” must be put in their place. They must be disabused of the notion that they are equal partners in a peace process. As far back as 1923, long before organized popular Palestinian resistance to Zionism emerged, Ze’ev Jabotinsky, the founder of Revisionist Zionism and the ideological father of today’s Likud Party, formulated the seminal “Iron Wall” doctrine evident today in Israel’s political and military policies. “Every indigenous people,” he wrote,

will resist alien settlers as long as they see any hope of ridding themselves of the danger of foreign settlement. This is how the Arabs will behave and go on behaving so long as they possess a gleam of hope that they can prevent ‘Palestine’ from becoming the Land of Israel.” [The sole way to an agreement, then,] is through the iron wall, that is to say, the establishment in Palestine of a force that will in no way be influenced by Arab pressure....A voluntary agreement is unattainable....We must either suspend our settlement efforts or continue them without paying attention to the mood of the natives. Settlement can thus develop under the protection of a force that is not dependent on the local population, behind an iron wall which they will be powerless to break down.

In more recent times the Iron Wall doctrine has been reaffirmed, if in even more brutal terms. In 2002, during the second Intifada, Moshe (“Boogie”) Ya’alon, the Israeli Chief of Staff (and today the Minister of Defense) declared: “The Palestinians must be made to understand in the deepest recesses of their consciousness that they are a defeated people.” The exclusivist Zionist security framing explains the why Israel chooses to take “unilateral steps” in trying to impose its own “solution.”

The exclusivist security framing also explains why Israeli governments adopt, in the words of former Prime Minister Ehud Barak (also a former Chief of Staff), a ‘take-it-or-leave-it’ approach to negotiating with the Palestinians, why they have destroyed Palestinian infrastructure with impunity, including some 48,000 homes in the Occupied Territories since 1967 and tens of thousands more of its own (Arab) citizens within Israel, and why they are able to imprison an entire people within a wall that, in the words of a prominent Israeli military historian, Martin van Crefeld, should be so high “even the birds cannot fly over it.”

All this has given rise to what the Israeli sociologist Baruch Kimmerling (2001:109) calls “civilian militarism,” a central component of Israeli culture. Conflict and war, he argues, have become “a self-evident and routine part of everyday life.”

Civilian militarism is systematically internalized by most statesmen, politicians and the general public as a self-evident reality whose imperatives transcend partisan or social allegiances. The gist of civilian militarism is that military considerations, as well as matters that are defined as national security issues, almost always receive higher priority than political, economic or ideological problems. Thus, dialectically, making peace is also a military matter [the election slogans “Peace with Security” being prime examples]....

This, then, helps explain why 85% of Israeli Jews support the construction of the Wall and 95% (!) supported the last three assaults on Gaza (2008/9, 2012, 2014). It addresses a question frequently asked by visitors when they view the suffering and destruction caused by Israel in the Occupied Territories: “Why, especially given what the Jews have suffered in the past, does the Israeli public allow this?” The answer is framing, a combination of an exclusive claim to the land, denial of the rights and very existence of another people there, and an entrenched notion that the “Arabs” are and will always be Israel’s enemy – and no reference at all to occupation or any form of oppression that might explain – or justify – Palestinian resistance. If it is true, as Israeli leaders say, that there simply is no political solution to the conflict because of “them” (not, of course, because of us), then there is nothing left but to accept the bitter fact that peace is impossible. Although not committed to the Greater Land of Israel ideology or to the Occupation (two-thirds of Israeli Jews supported the Oslo peace process), the Israeli Jewish public is reduced to demanding one thing of its leaders: personal security. If not peace, then peace and quiet. They support whatever brings them that: a Palestinian state in all of the Occupied Territories or loading the Arabs (citizens or not) on trucks and shipping them out of the country. Whatever works, the suffering and the fate of the Palestinians being of little concern. “We’ve offered them peace,” Israeli Jews say, “and they refused in violence. They deserve no sympathy. They deserve anything they get. The hell with them. They brought their suffering on themselves.”

Or, as David Ben-Gurion said after the outbreak of the Palestinian Revolt in 1936:

A comprehensive agreement is undoubtedly out of the question now. For only after total despair on the part of the Arabs, despair that will come not only from the failure of the disturbances and the attempt at rebellion, but also as a consequence of our growth in the country, may the Arabs possibly acquiesce to a Jewish *Eretz Israel*.

Finally, the security framing leaves out, or misrepresents, the issue of power. Israel has managed, in a wonder of framing, to successfully present itself as the victim, the hapless little kid in what Netanyahu calls “a tough neighborhood of bullies.” This is a crucial part of the security framing since it relieves Israel of all responsibility. A victim, after all, is a victim and cannot be held accountable, since his or her actions come merely out of self-defense. Being a victim, however, is a very powerful place to be. Israel can be a regional superpower and an occupying power, yet have responsibility. Indeed, it is the flight from responsibility that impels the security framing.

Casting itself as the victim only distorts the power balance between Israel and the Palestinians and the fundamental fact that only Israel can end the Occupation and thus, through good-faith negotiations with the Palestinians, the conflict as a whole. Israel, and the pre-state Zionist community that preceded it, has always enjoyed disproportionate power, control – and responsibility. Since the turn of the twentieth century the Zionist movement garnered international support denied to the Palestinians and other Arabs, as well as economic and military superiority. Israel is the regional super-power. It is a state recognized by the international community with an economy three times larger than Egypt, Palestine, Jordan, Syria and Lebanon put together, more than 40 times the size of the Palestinians' (\$80+ billion compared to less than \$2 billion). It has a formal military alliance with the world's largest superpower, from which it receives more than \$3 billion in annual military assistance. It is the world's fourth largest nuclear power, possessing up to 300 nuclear warheads. And it is an occupying power. The Palestinians, by contrast, have no state, no functioning economy, no army, not even the ability to move freely from village to village within their own areas. This asymmetry of power, even within the Arab world as a whole – a world with which it has largely achieved peace, at least on the governmental level – thrusts upon Israel an asymmetry of responsibility.

A Settler Colonial Reframing

For their part, the natives are the victims who had no reason to fight before the colonial invasion; they are essentially irrelevant to the colonists' aims. The indigenous may be exploited as forced labor, but they are expendable: other sources of labor, slaves, hired workers, or other colonists can easily replace them.

In settler colonialism, which Zionism represents, the natives are destined to be eliminated either physically or by being displaced and marginalized. It is therefore more accurate to portray a colonial situation as an asymmetric invasion that meets inevitable resistance.

Why does this matter? Semantics may seem trivial, but the words we use determine the way we see things. The conflict paradigm turns an encompassing, pre-existing colonial situation into a mere struggle to “end the occupation.” Indeed, the legal paradigm underlying UN Resolution 242 — the laws of occupation — reduces a settler project to a limited problem of military control over 22 percent of historic Palestine. Whether seeking a two-state solution, a confederation, or a single “Jewish” state over the entire Land of Israel, a “conflict resolution” approach does not address the wider need for decolonization.

A settler colonial perspective restores the original and underlying problem of settlement that began in the late 19th century — one which asserts its claim to the entire country of Palestine. This is not to say that the occupied Palestinian territories are not occupied under international law, but that occupation is a sub-issue that must be addressed in the context of a wider process of decolonization, including the right of Palestinian refugees to return.

Because the conflict paradigm invokes the notion of “sides,” resolutions tend to focus on technical negotiations in which each side, through compromise or surrender, attempts to get the best deal possible in disputes over sovereignty, borders, refugees, resources, and the like. This is not so with colonialism. A people cannot compromise over the taking of their land, their displacement, their loss of freedom, and their way of life. Colonizers may attempt to suppress and pacify the colonized — sometimes successfully — but colonization can never be routinized or accepted by the oppressed, and the thirst for liberation can never be quenched.

In classic colonial situations where an external power takes control of a country to extract valuable resources, decolonization is a straightforward proposition: the colonial power leaves

together with whatever agents and population it imported, and political power is transferred to a new government of a postcolonial state governed by the indigenous population.

The decolonization of a settler society is much more complex and difficult. In some scenarios, the settler population leaves and turns the country back over to its native population (albeit often violently), as happened in Algeria, Kenya, Mozambique, Zimbabwe, Angola, and Ireland. In other scenarios, the native population is virtually eliminated, which renders decolonization irrelevant, as in Argentina. In most settler colonial situations, however, the settlers stay and become so entrenched that decolonization remains incomplete, as in South Africa, the United States, Canada, Australia, New Zealand/Aotearoa, Ukraine, and post-colonial Latin America.

In Palestine and South Africa, the settlers proved strong enough politically, economically, demographically, and militarily to establish a viable state of their own, but were ultimately unable to eliminate, defeat, or marginalize the indigenous population. South Africa eventually embarked on a process of decolonization, albeit an incomplete one. Israel, in contrast, has steadfastly refused to even entertain the prospect of decolonization.

Part of what makes settler colonialism so resilient, and so hard to end, is the depth of its embeddedness in the colonized land. Settlers come with the intent of not just living in another territory but taking it over — to thoroughly replace the existing society and to supersede it in a normalized settler state. Through myths of entitlement invented to legitimize their seizure of the land, the settlers strive to become the natives — that is, they assert *their* indigeneity — while rendering the real indigenous people invisible. The latter population are at best quaint, “exotic,” non-threatening pieces of folklore, and at worst security threats that must be contained, controlled, or eliminated. The indigenous are gradually erased from the national narrative and landscape, which are reconfigured to fit the claims of the settler usurpers.

The PLO’s shift from “total liberation” to limited sovereignty on 22 percent of the colonized homeland in 1988 represents a fatal error of the Palestinian strategy of compromise and negotiation, based on conflict-resolution rather than settler colonization. “Ending the occupation” does not, and cannot, address the wider issue of decolonization. The very legal paradigm underlying UN Resolution 242, the laws of occupation, mark the transformation of a country-wide settler project into a question of occupation over a small part of Palestine. “The Palestine question became the question of the future status of the Israeli occupied West Bank and Gaza Strip, rather than the issue of the indigenous Palestinian people and citizens of former British Mandate Palestine with substantial outstanding rights and claims in their homeland” (Birzeit Concept Note, quoted in Gunneflo 2019: 6). Retrieving a settler colonial perspective, one of liberation rather than “peace-making,” restores the original and underlying issue: Zionism’s exclusive claim to the entire country.

This is not to say that the OPT are not occupied according to international law, only that occupation is a sub-issue that must be addressed only in the context of a wider process of decolonization (including the right of the refugee population to return). Reducing that far-reaching process to technical negotiations over limited sovereignty over a small piece of the colonial territory, as the conflict resolution approach does, not only overshadows the issue of colonialism itself but does not offer a plan or process that would lead to decolonization, and thus to a genuine resolution.

Table 1: REFRAMING THE ISRAELI-PALESTINIAN CONFLICT

The Israeli Framing	The Political and Human Rights Framing
<ul style="list-style-type: none"> • The Land of Israel belongs exclusively to the Jewish people. • Since Israel is the victim fighting for its existence, it is exempt from accountability for its actions. • “Both sides” must end the conflict. • Israel’s policies are based on concerns for security. • The Arabs don’t want peace. • The problem is Arab terrorism, which must be ended before political talks can begin. • The Palestinians are our permanent enemies. • Israel is willing to give the Palestinians a state on pieces of the Occupied Territories. • States (Israeli government/ Palestinian Authority) have a monopoly over negotiations and the setting of terms of peace. • Israel has a right to use all the means at its disposal, military as well as political, to achieve terms suitable to its interests. • The answer to anti-Semitism and the conflict with the Arabs is a militarily strong Israel aligned with the United States. • Israel’s treatment of Palestinians is an internal matter. Internationals should stay out. 	<ul style="list-style-type: none"> • Two peoples reside in Israel/Palestine and each has rights of self-determination. • Israel is a major regional superpower that must be held accountable for its actions. • There is no symmetry of power between the sides. • Israel pursues a pro-active policy of expansion into the Occupied Territories based on settlement and control. • The Palestinians recognize Israeli sovereignty over 78% of the country; the Arab world has offered Israel regional integration. • The problem is Israel’s Occupation and Israeli state terrorism. Palestinian terrorism is a symptom of oppression; resistance will not end without a “political horizon.” • Israeli and Palestinian civil societies work closely for a just peace. We refuse to be enemies. • A Palestinian state has to be viable and truly sovereign, not merely a Bantustan. • Only states negotiate, but civil society plays a key role in monitoring the process, making certain that they conform to human rights, international law, justice and a sustainable peace. • Only a solution based on human rights and international law ensures a win-win solution. • Only respect for human rights, regional integration and a universal struggle against racism will effectively address anti-Semitism and Israel’s security concerns. • In a world of human rights, Israel’s treatment of the Palestinians should be the concern of everyone.

THE MATRIX OF CONTROL: ANNEXING LAND WHILE GETTING RID OF THE PALESTINANS

[W]hen 2.5 million people live in a closed-off Gaza, it's going to be a human catastrophe. Those people will become even bigger animals than they are today, with the aid of an insane fundamentalist Islam. The pressure at the border will be awful. It's going to be a terrible war. So, if we want to remain alive, we will have to kill and kill and kill. All day, every day. If we don't kill, we will cease to exist. The only thing that concerns me is how to ensure that the boys and men who are going to have to do the killing will be able to return home to their families and be normal human beings.

– Arnon Sofer, professor of Geography at Haifa University, father of Sharon's "separation plan," quoted in *The Jerusalem Post* weekend supplement *Up Front*, May 21, 2004, p. 9)

If it is true that every Israeli government since 1967 has sought to maintain control over the Occupied Territories, Israel nevertheless faces two fundamental dilemmas. First, the international community, including the United States, Israel's patron and firmest supporter, expects a Palestinian state to eventually arise alongside Israel. So Israel cannot annex the Territories outright; it must reserve some space for the semblance of a Palestinian state. Second, if Israel wants to preserve its "Jewish character," it must find a way to relieve itself of the 4.1 million Palestinians resident in the Occupied Territories.

After five decades of occupation, it is clear that, left to its own devices, Israel will not allow a truly independent and viable Palestinian state to emerge in the Occupied Territories. Assuming that mass transfer is ruled out, the question arises: How can it maintain complete control over the Occupied Territories while seeming to address the demand for a two-state solution? A key to Israel's attempt to finesse a "solution" was suggested by Netanyahu in a formula he put forth in his first term as Prime Minister: "autonomy plus-state minus." This means that the Palestinians will receive a mini-state with limited sovereignty in parts of the West Bank and Gaza yet Israel will remain firmly in control. It would require a deft sleight of hand, since establishing a truncated, semi-sovereign Palestinian state in a land fully controlled by Israel resembles nothing more than the Bantustans apartheid South Africa established to rid itself of the black majority. How, indeed, to finesse apartheid in the guise of a two-state solution and do so in a way in which a Palestinian leader will sign off on it and the international community will buy it?

The Matrix of Control

Enter the "Matrix of Control," a maze of laws, military orders, planning procedures, limitations on movement, Kafkaesque bureaucracy, settlements and infrastructure (plus prolonged low-intensity warfare) that serves a critical function: it conceals the Occupation – necessary since, again, Israel denies having one – and Israeli control behind a bland façade of "proper administration." The Matrix resembles the East Asian game of "Go." Unlike chess, where two opponents try to defeat each other by eliminating one another's pieces, the aim of Go is completely different. You win not by defeating but by immobilizing your opponent, by controlling key points on the matrix. This strategy was used effectively in Vietnam, where small forces of Viet Cong were able to pin down and virtually paralyze a half-million American troops possessing overwhelming superior fire-power. Israel's Matrix of Control accomplishes the same with the Palestinians. Maintaining the image of a democratic country only trying to defend its citizens from Arab terror, Israel uses seemingly innocuous and even benevolent policies and procedures to create a matrix of control and repression intended to lower the Occupation's military profile.

The Matrix operates on three interlocking levels:

1. *Military Controls and Military Strikes.* As much as Israel tries to present its Occupation as merely a benign “administration,” the only way it is able to rule over another people while expanding its own territory is through military force. In particular, Israel employs:

- *Outright military actions*, including attacks on civilian population centers and the Palestinian infrastructure. Although especially evident during the two Intifadas (December 1987-1993; September 2000-2004), military actions are not Israel's preferred means of control. They are too visual and by their outward brutality generate international as well as internal opposition; witness “Operation Defensive Shield” which resulted in scores of Palestinian dead, ravaged urban landscapes the virtual destruction of the Palestinian infrastructure in March/April 2002, “Operation Rainbow” which saw the demolition of some 300 houses of Palestinian refugees in the Rafah section of Gaza during one week of May, 2004, or “Operation Days of Penitence,” in October 2004, when over 160 Palestinian civilians were killed in northern Gaza (over 30 of them children) and over 500 injured and 90 homes were demolished (*Ha'aretz*, 1.11.04).

Still, though Israel might prefer a more discrete low-intensity warfare, military force is used massively and with impunity against civilian populations – in absolute contravention of international humanitarian law – to suppress outright resistance to the Occupation. As of this writing, the latest major eruption of such violence was the three-week assault on Gaza (late December, 2008, into mid-January, 2009), decried by UN, human rights and governmental spokespeople for the disproportionality of death and destruction rained upon its residents of in relation to the actual military threat. More than 430 children killed, another 1,870 wounded; hundreds of thousands of people without food, water or medical care; \$2 billion of infrastructure destroyed in an already poor and barren strip of land – including the destruction of 4000 homes with another 17,000 left damaged or uninhabitable (OCHA, Jan. 27-29, 2009; BBC, Jan. 19, 2009). The usefulness of periodic military action as a deterrent to uprising, for “teaching the Palestinians a lesson” or “conveying a message” of zero-tolerance to resistance, apparently outweighs the overall rationale of the Matrix of Control: normalizing Israeli rule through “quiet” bureaucratic and legal means.

- Collaborators and undercover “mustarabi” army units. Besides outright military rule, control of the local population rests upon thousands of Palestinians – estimated at 120-150,000 individuals, or about 5% of the population – being turned unwillingly (and occasionally willingly) into collaborators through threats, extortion and “incentives.” Simple things such as obtaining a driver's or business license, a work permit, a permit to build a house, a travel document or permission to receive hospital care in Israel or abroad is often conditioned on supplying information to the security services. Collaborators come in many varieties: land dealers, intermediaries between the military administration and the Palestinian population, informants, infiltrators into political organizations, even interrogators (Abdel Jawad 2002). Needless to say, collaboration undermines Palestinian society by diffusing fear and distrust. Armed collaborators, for example,

are those spies whose cover has been blown and who have become intermediaries or land dealers. In a state of isolation, however, they become fugitives and prepared to use arms against their own people. These collaborators terrorize the population. They guide Israeli forces or Israeli Special Forces (mustaribin) to the homes of activists and wanted persons or drive the cars that carry them. (Abdel Jawad 2002).

- *Mass arrests and administrative detention* are common features of Israeli control. According to Addameer, the Palestinian Prisoners' Support and Human Rights Association, over 650,000 Palestinians have been detained by Israel in the Occupied Territories since 1967 – approximately 20% of the total Palestinian population there (and considering that the majority of those detained are male, the number of Palestinians detained makes up about 40% of the total male Palestinian population). In the reoccupation of West Bank cities, towns, villages and refugee camps during 2002, about 15,000 people were detained; some 11,000 are still being held, 760 without charge or trial (B'tselem; Addameer).
2. *Creating "Facts on the Ground."* Here we enter into the steady but "quiet" process of routinizing Israel's Occupation. Beginning in 1977, upon his appointment as head of the Begin government's Ministerial Committee on Settlements, Ariel Sharon sought to create "facts on the ground" which would render Israel's Occupation irreversible. No matter what changes occurred in the political situation – new geo-political constellations, new American administrations, even an Israeli government willing to relinquish land for peace – the settlement blocs had to be made so massive, the West Bank so completely incorporated into the urban fabric of Israel proper, that the Occupation would be immune to outside forces. This policy has meant:
- *Massive expropriation of Palestinian land*, part of a systematic campaign designed to confine Palestinians to small and disconnected enclaves while expanding Israel's settlements. Since 1967 Israel has expropriated for settlements, highways, "by-pass roads," military installations, nature reserves and infrastructure some 24% of the West Bank. Expropriation, coupled with a severely restrictive policy of zoning, has removed 89% of Arab East Jerusalem from residential or commercial use by its Palestinian residents. Because Israel does not recognize Ottoman or British-era deeds, 72% of the West Bank is considered Israeli "state lands."
 - *Settlements.* More than 200 settlements have been constructed in the Occupied Territories. According to the Israeli Central Bureau of Statistics (2015), about 600,000 Israelis have moved across the 1967 boundaries (400,000 in the West Bank and 200,000 in East Jerusalem). The major goal of the settlement enterprise, together with laying an exclusive Jewish claim to the entire country, is to preclude the establishment of a viable Palestinian state. The settlements, the infrastructure serving them, the "Separation Barrier" necessary to protect all that plus large army bases and closed military areas have created Israeli-controlled territorial contiguity – today encapsulated in seven major settlement "blocs" – while fragmenting Palestinian areas into dozens of isolated enclaves.
 - *Carving the Occupied Territories into small, disconnected and impoverished enclaves.* With the signing of Oslo II in 1995, the Occupied Territories, which had been coherent geographical areas and whose integrity Israel was bound to respect, were atomized into more than 70 enclaves. The West Bank was divided into 64 islands: Areas A, B and C, plus a large "nature preserve" in the Judean Desert. Tiny Gaza, one of the most densely packed places on earth, was severed into four areas – Yellow, Green, Blue and White – with Israel keeping control of 40%, especially along the coastline, until Israel's "disengagement" in 2005. Many other devices further dismembered the Palestinian territories. Hebron was divided into "H-1" and "H-2," with 30,000 Palestinians living in the expanded Israeli-controlled section because of 400 settlers. In Jerusalem, most of the Palestinian lands in the eastern part of the city were declared "open green spaces" in which Palestinians were forbidden to build. Thus the Palestinians constitute a third

of Jerusalem's population but only have access to 7% of the urban land for residential and community purposes. "Nature preserves," closed military areas and security zones further locked Palestinians into islands encircled by the Israeli Matrix. Even seemingly innocuous holy places such as the Cave of the Patriarchs in Hebron, Joseph's Tomb in Nablus, a synagogue in Jericho and various sites around Jerusalem serve as pretexts for maintaining an Israeli "security presence," and hence military control reinforced by settlements. On the pretext of "securing" Rachel's Tomb in Bethlehem, Israel's Separation Barrier has incorporated it into Jerusalem proper.

- *A massive system of 29 highways and by-pass roads* has been constructed, mostly during the Oslo peace process. These highways, lined on both sides with "sanitary" margins that eliminate all Palestinian homes, fields and orchards in their path, are 300 miles in length and three to four football fields wide. Incorporating the West Bank into Israel's national highway system, they make it impossible to detach the Palestinian territories from Israel proper. The highways and "by-pass roads" create ribbons of fluid movement for settlers in and out of Israel while presenting formidable barriers to Palestinian movement.
- *The "Separation Barrier."* One of the most dramatic developments in Israel's Matrix of Control has been the construction of a massive barrier along almost the entire length of the western West Bank (Gaza was already fenced in during the late 1980s), with a possible extension to the east as well (Map 7). Construction of the Barrier began in June 2002. Officially named a "separation barrier" since it is intended to separate Jewish from Palestinian populations, it extends more than 680 kms (450 miles), encircling in a complex series of secondary barriers about 17% of the West Bank. An electronic fence fortified by watchtowers, sniper posts, mine fields, a ditch four meters deep, barbed wire, security perimeters, surveillance cameras, electronic warning devices and patrols of killer dogs along most of its length, the Barrier, upon approaching Palestinian cities, towns and neighborhoods, becomes a wall of solid concrete 8 meters (26 feet) in height.

Built to include the major settlement blocs and Greater Jerusalem (80% of the settlers fall on the Israeli side of the Barrier), it adversely affects 875,000 Palestinians: 263,000 are permanently confined to small encircled enclaves; 210,000 Palestinian residents of East Jerusalem are isolated from wider West Bank society; 402,000 Palestinians are enclosed in West Bank cantons. The Barrier *de facto* annexes 25-45% of the West Bank, including some of its richest agricultural and olive-growing land. 100 villages are separated from their agricultural lands. Some 350,000 Palestinians, trapped between the border and the wall, face impoverishment, alienation from their land and water, and eventual transfer. Entire cities like Qalqiliya and Tul Karm have been completely encircled. And the Barrier, described by Israel as a "temporary facility," has cost about \$2 billion.

The wall emerges directly from threats by Labor that it will pursue "unilateral separation" if the Palestinians object to Israeli dictates. The Likud, fearful that "separation" might create a space in which a Palestinian state could emerge, reluctantly accepted the wall's construction on "security" grounds alone. Seeing, however, that it could serve the wider purpose of incorporating the major settlement blocs of the West Bank, as well as "greater" Jerusalem, into Israel proper, Sharon, followed by Ehud Olmert, conceived the route of the Barrier as constituting a new "demographic border" for Israel. Combined with the settlement blocs and Israel's insistence on the Jordan River as its eastern "security border," the Barrier's route defined how Israel would expand eastward onto 85% of historic Palestine while also delineating the three or four

“cantons” that could make up a future Palestinian mini-state, or Bantustan, thus conforming to the ideas of a two-state solution while retaining Israeli control of the entire country. Said Ehud Olmert, then Acting Prime Minister after Sharon’s stroke, at the Herzliya Conference in January 2006:

[T]here is no doubt that the most important and dramatic step we face is the determination of permanent borders of the State of Israel, to ensure the Jewish majority in the country.... In order to ensure the existence of a Jewish national homeland, we will not be able to continue ruling over the territories in which the majority of the Palestinian population lives. We must create a clear boundary as soon as possible, one which will reflect the demographic reality on the ground. Israel will maintain control over the security zones, the Jewish settlement blocs, and those places which have supreme national importance to the Jewish people, first and foremost a united Jerusalem under Israeli sovereignty.

- *Imposing a total “closure.”* Since the start of the Oslo peace process, a permanent “closure” has been laid over the West Bank and Gaza, severely restricting the number of Palestinian workers allowed into Israel and impoverishing Palestinian society whose own infrastructure Israel has kept under-developed. The closure has many physical forms: permanent checkpoints and terminals, as well as hundreds of semi-permanent and “spontaneous” checkpoints – some 650 obstacles to movement both between Israel and the Occupied Territories and among and within the seventy enclaves. The closure may be more porous one day (a “breathing closure”) and the next, without any warning or explanation, prevent any movement (a “strangling closure”). Whatever form it takes, closure prevents the development of a coherent Palestinian economy, wreaks havoc on family and community life, creates constant points of friction and harassment, and precludes the rational planning of one’s individual life.
- *Economic warfare.* Just as the Oslo “peace process” in general preserved Israeli control over the Occupied Territories without constraining settlement or military activities in the slightest, so, too, did the Paris Economic Protocol, signed in 1995 as an annex to the Oslo II agreement, carefully preserve complete Israeli control over the Palestinian economy. Israel’s insistence on the right to stop all shipment of goods for security reasons and to hold and check those goods for as long as it wanted all but destroyed Palestinian commerce, as did its sole right to impose closures. In the first four months of 2015, Israel withheld almost \$700 million of Palestinian clearance revenue, which comes from taxes on imports into the Occupied Palestinian Territory, compounding a fiscal crisis for the Palestinian National Authority, on whose behalf Israel collects the revenues. Since 1997, Israel has withheld Palestinian clearance revenue on six occasions, for a total period of four years and one month, and amounting to \$3 billion withheld. At 75% of fiscal funds, this represents the main source of Palestinian public revenue. In addition, Israel does not pay interest on money it does not transfer to the Palestinian National Authority when withholding Palestinian clearance revenue, which is in the range of hundreds of millions of dollars (UNCTAD 2015).

The economic closure, deriving its supposed legality from the Paris Protocol, is today virtually total. It prevents Palestinian goods from moving quickly, thus ruining agricultural exports, while undermining the reliability of Palestinian business people to guarantee supply to their customers. In 2014, the movement of Palestinian people and goods in the West Bank was hindered by 490 barriers installed by Israel, including checkpoints, roadblocks, trenches and the Separation Barrier (UNCTAD 2015). The Paris Protocol also gives Israel control over the licensing of both industrial and commercial Palestinian enterprises, plus the authority to issue import/export permits, and

stipulate which Israeli import agents, clearing/shipping agents and insurance agents must be used, thus creating high transportation, storage, insurance and clearance costs for Palestinian traders. As a result, manufacturing has been reduced to only 10% of the Palestinian economy. Nearly 90 percent of industrial enterprises in the Occupied Territories employ less than five workers each, and 70% of Palestinian firms have either closed or have severely reduced production (UNCTAD 2006).

The economic situation of the Occupied Territory has reached emergency proportions. In 2014, unemployment reached 30%; among youth, the jobless rate is roughly 50%. Real wages, labor productivity, and labor participation rates all declined. The poverty rate in the OPT in 2011 was 26%: 18% in the West Bank and 30% in Gaza. Food insecurity also reached historically high levels, with one in three households in the Occupied Palestinian Territory struggling to put food on the table. Seventy-five percent of Palestinians, including two-thirds of the children, live in poverty, on less than \$2 a day, defined by the UN as “deep poverty.” More than 100,000 Palestinians out of the 125,000 who used to work in Israel, in Israeli settlements, or in joint industrial zones have lost their jobs (UNCTAD 2006; 2013). In the meantime, welfare payments, dependent on tax monies illegally withheld by Israel under the Paris Protocol, have fallen by \$180 million.

Israel also maintains control over utilities (such as water, electricity and phone services) in the Occupied Territories, even though Israel charges exorbitant prices for these utilities, despite the low income of the Palestinians. In fact, they actually pay more for electricity than Israelis. And so, in 2004, Israel confiscated \$15.8 million from humanitarian aid sent to the Palestinians for utility bills owed by Palestinian municipalities (Hever 2005a:7).

The upshot of all this is profound structural imbalances in the Palestinian economy and a high degree of artificial dependence upon Israel. Projected back over the past 40 years, the picture that emerges is one of deliberate de-development. Thus, today, 90% of Palestinian imports are from Israel and 88% of its exports go to Israel. Not only is the Palestinian economy prevented from developing, but it is unprotected from an Israeli economy 60 times its size. By the end of the Oslo “peace process,” the per capita Palestinian GNP had fallen to about one-eighth of what it had been at the beginning, only seven years before. Today, compounded by the siege declared by Israel and the international community in the wake of the election of a Hamas-led government in 2006, the Occupied Territories occupies third place on a list of the thirteen most urgent targets of international aid, all the rest being in Africa.

UNCTAD’s 2015 report “concludes that the prospects for the rest of 2015 are bleak, due to political uncertainty, reduced aid flows and the slow pace of reconstruction in Gaza.”

- *Construction of seven (of a planned twelve) industrial parks on the “seam” between the Occupied Territories and Israel.* At first glance this would seem a positive development. The industrial parks are intended, however, to blunt Palestinian aspirations for self-determination by giving the average worker employment and a living wage. By allowing some of its First World economy to trickle into the Palestinian areas, Israel can rob a Palestinian entity of its economic vitality, guaranteeing its continued dependence on Israel itself. The industrial parks allow Israel’s most polluting and least profitable industries (aluminum factories, metalworks, plastic and chemical concerns, slaughterhouses and the like) to exploit cheap Palestinian labor while denying it access to Israel. Because of lax environmental standards in the Occupied Territories, they also afford continued opportunities to dump industrial wastes into the West Bank and Gaza.

As economic anchors, the industrial parks breathe new life into isolated settlements, whose residents manage their plants. A major goal of the industrial parks, now achieved, is the virtual elimination of Palestinian labor in Israel, where it has been replaced by a cheaper source of labor: foreign workers.

- *Maintaining control over the main aquifers and other vital natural resources of the Occupied Territories.* Israel's Matrix of Control – characterized as a “vertical occupation” by the Israeli architect Eyal Weizman (2007) – extends underground and into the air, as well as over the ground's surface. In spite of international law that forbids an Occupying Power to utilize the resources of an occupied territory, Israel takes about 30% of its water from the West Bank and Gazan aquifers located under its main settlements. In fact, 80% of the water coming from the West Bank goes to Israel and its settlements; only 20% to its 2.5 million Palestinians. Massive rock quarries, whose materials are used in Israeli settlement and road construction, scar the historic and fragile landscape. And Israel controls the West Bank and Gazan airspace, including its electro-magnetic communications fields, enabling it to control and attack by means of an all-seeing and precise “aerial occupation.”
3. *Bureaucracy, Planning and Law as Tools of Occupation and Control.* In order to render its Occupation even more invisible, to cast it merely as a form of “proper administration,” Israel's Matrix of Control relies on bureaucratic and legalistic mechanisms that entangle Palestinians in a tight web of restrictions, triggering sanctions whenever Palestinians try to expand their life space. These most subtle of control mechanisms include:
- *“Orders” issued by the Military Commanders of the West Bank and Gaza.* Because an Occupying Power is forbidden by international law to replace the local laws with those of its own, Israel has imposed on the Occupied Territories almost 1400 military orders which, when supplemented by Civil Administration policies, effectively constitute a corpus of law hostile to the Palestinian population and designed to strengthen Israeli political control. Military Order 59 (1967), for example, grants the Israeli Custodian of Abandoned Properties the authority to declare uncultivated, unregistered land as Israeli “state land.” Since Israel refuses to recognize Ottoman- or British-era deeds and Order 291 (1968) stopped the process of land registration, Israel was able to classify a full 72% of the West Bank as “state lands,” making expropriation from their Palestinian owners an easy administrative matter. Order 270 (1968) designated a further million dunams (250,000 acres) of West Bank land as closed “combat zones,” which could then be handed over to settlements or used for Israeli infrastructure. Order 363 (1969) imposed severe restrictions on construction and land use in yet other areas zoned as “nature reserves.” Order 393 (1970) granted any military commander in Judea and Samaria the authority to prohibit Palestinian construction if he believes it necessary for the security of the Israeli army or to ensure “public order.” Order 977 (1982) authorized the Israeli army or its agencies (such as the Civil Administration) to proceed with excavation and construction without a permit, providing an avenue for settlement construction that bypassed legal and planning systems. Hundreds of other military orders prohibit Palestinian building around army bases and installations, around settlements and whole settlement areas, or within 200 meters on each side of main roads. They effectively curb the development of Arab communities and alienate tens of thousands of acres of land from their Palestinian owners.
 - *Administrative measures which severely restrict Palestinian freedom of movement, and which induce emigration.* The Civil Administration has divided the West Bank into eight “security zones” between which Palestinians need permits to travel. All the major roads of the West Bank are closed to private Palestinian vehicles. A system of magnetic cards

issued to each Palestinian worker tremendously enhances Israel's ability to monitor or control Palestinian movement. Palestinian residents of Jerusalem who seek affordable housing outside the municipal borders lose their Jerusalem IDs, thus locking them out of the city (and by extension, the entire country of Israel). Thousands of spouses live apart because they cannot get permits for “family reunification.”

- *“Transfer.”* Because Palestinians will outnumber Jews in the area between the Jordan River and the Mediterranean by the end of the decade, Israel considers the “demographic bomb” the greatest threat to its hegemony. To counter this trend, Israel actively pursues policies of displacement: exile and deportation of Palestinians, the revoking of residency rights, economic impoverishment, land expropriation, house demolitions and other means of making life so unbearable as to induce “voluntary” Palestinian emigration. Schemes of “transfer” have become an acceptable part of Israeli political discourse, being part of the official platforms of several major Israeli parties. Some policies of transfer are straightforward: thousands of Palestinians lose their right to return to the country if they go abroad to study, work or live.

The educated middle classes are targeted in particular, because their removal renders Palestinian society weak and leaderless. But often transfer is carried out in less visible ways. Take Jerusalem as an example, where Israel endeavors to maintain a 72% majority of Jews over Arabs. The municipality uses zoning and expropriation to severely restrict Palestinian construction, enforcing its policies with an aggressive policy of house demolitions. The result is an artificial housing shortage – 25,000 housing units lacking in the Palestinian sector – thereby raising the cost of scarce housing. Since 70% of Palestinians residing in Jerusalem live below the poverty line, they are forced to find affordable housing outside the city borders. Once they have shifted their “center of life” from Jerusalem, the Ministry of Interior revokes their Jerusalem residency, turning them into West Bank residents, thus bolstering the Jewish majority.

- *Discriminatory zoning and planning policies* are ideal vehicles for subtly obstructing the natural development of Palestinian towns and villages – and ultimately inducing emigration – because they hide Israel's political agenda behind a facade of technical maps, “neutral” professional jargon and seemingly innocuous administrative procedures. Thus Israel has taken two British Mandate planning documents – the Jerusalem Regional Planning Scheme RJ5 (1942) and Samaria Regional Planning Scheme RS15 (1945) – and uses them effectively to freeze Palestinian development in Jerusalem and the West Bank as it was in the 1940s. RS15, for example, zones the entire West Bank as “agricultural land.” Since it severely limits the construction of houses on such land, Israel can effectively deny Palestinians building permits, and demolish their houses if they build “illegally.” A little-noted provision of British planning law gave the District Commission (now the Civil Administration) the “power to grant a relaxation of any restriction imposed by this scheme.” This enables the Israeli authorities to construct hundreds of thousands of housing units for Jews on lands zoned for agriculture, while strictly enforcing the Regional Schemes in the case of the Palestinians. Thousands of Palestinian homes have been demolished by court order, with thousands of demolition orders outstanding (some 22,000 in East Jerusalem alone!).
- *Administrative restrictions that intrude into every corner of Palestinian life.* Control and restrictions penetrate into even the most intimate areas of personal life. Israel fears any kind of Palestinian self-sufficiency that would help the population weather its policies of impoverishment, collective punishment and intimidation. The planting and marketing of Palestinian crops, for example, is severely restricted; Palestinians need permits even to grow vegetable gardens next to their houses! The opening of banks and businesses is

severely curtailed, and even seemingly routine practices such as licensing and inspection of Palestinian businesses are exploited as a way to harass businesspeople and stunt the local economy.

To all of this must be added the “collateral damage” generated by the Matrix of Control, the debilitating costs of life under occupation.

The Matrix of Control, then, conceals behind a façade of seemingly innocuous administrative devices and ostensibly justified military and physical constraints a repressive regime intended to permanently deny the Palestinians self-determination, citizenship and basic human and civil rights. It lowers the military profile of the army and its “Civil Administration,” thereby giving the impression that the Palestinians are merely resisting “proper administration.” By resorting to public displays of military control only when the Palestinians revolt against the Occupation, as in the two Intifadas, Israel is able to shift the blame for the “violence” onto the Palestinians. The Occupation disappears, the Palestinians are successfully portrayed as mere “terrorists,” Israel’s military repression comes off as merely “self-defense,” and Israel preserves its image as the only peace-loving state in the region. The Matrix allows Israel to appear forthcoming – as in Barak’s mythical “generous offer” of 95% – whereas in reality Israel retains control, ensuring that a Palestinian state will be neither economically viable nor truly sovereign. The Matrix of Control represents the most sophisticated expression of the “Iron Wall,” the Zionist doctrine that says the Arabs will submit to Jewish domination only when it has become so overwhelming, so permanent, that they will despair of ever having a viable state of their own. Laid out on a map (see Map 10), the Matrix clearly defines the outlines of a dependent mini-state, a Bantustan.

DEMOLISHING HOMES, DEMOLISHING FAMILIES, DEMOLISHING PEACE

Why the Focus on House Demolitions?

ICAHN has been working on the issue of house demolitions since 1997. Every time we think: “OK, we’ve exhausted the subject, let’s go on to other, perhaps more pressing issues,” the wholesale destruction of Palestinian homes returns to the center of the conflict with a vengeance. It happened in the Jenin refugee camp in March 2002. There, at the onset of Operation Defensive Shield, the indomitable drivers of the massive D-9 Caterpillar bulldozers, army reservists, labored for three days and nights without getting down from their cabs. More than 300 homes in the densely packed camp were razed. The once lowly bulldozer drivers became the heroes of the invasion, earning medals of valor from the army command. Said one driver, Moshe Nissim, who did not get down from the cab of his two-story D-9 Caterpillar bulldozer for 75 hours straight:

For three days I just erased and erased. The entire area. I took down any house from which there was shooting. To take it down, I would take down several more. The soldiers warned with a speaker, that the tenants must leave before I come in, but I did not give anyone a chance. I did not wait. I didn’t give one blow, and wait for them to come out. I would just ram the house with full power, to bring it down as fast as possible. I wanted to get to the other houses. To get as many as possible. Others may have restrained themselves, or so they say. Who are they kidding? Anyone who was there, and saw our soldiers in the houses, would understand they were in a death trap. I thought about saving them. I didn’t give a damn about the Palestinians, but I didn’t just ruin with no reason. It was all under orders.

Many people were inside houses we set to demolish. They would come out of the houses we were working on. I didn’t see, with my own eyes, people dying under the blade of the D-9, and I didn’t see houses falling down on live people. But if there were any, I wouldn’t care at all. I am sure people died inside these houses, but it was difficult to see, there was lots of dust everywhere, and we worked a lot at night. I found joy with every house that came down, because I knew they didn’t mind dying, but they cared for their homes. If you knocked down a house, you buried 40 or 50 people for generations. If I am sorry for anything, it is for not tearing the whole camp down.

I didn’t stop for a moment. Even when we had a two-hour break, I insisted on going on. I had plenty of satisfaction. I really enjoyed it. I remember pulling down a wall of a four-story building. It came crashing down on my D-9. My partner screamed at me to reverse, but I let the wall come down on us. We would go for the sides of the buildings, and then ram them. If the job was too hard, we would ask for a tank shell. I couldn’t stop. I wanted to work and work. There was this officer who gave us orders by radio – I drove him mad. I kept begging for more and more missions. On Sunday, after the fighting was over, we got orders to pull our D-9’s out of the area, and stop working on our ‘football stadium’, because the army didn’t want the cameras and press to see us working. I was really upset, because I had plans to knock down the big sign at the entrance of Jenin – three poles with a picture of Arafat. But on Sunday, they pulled us away before I had time to do it.

I had lots of satisfaction in Jenin, lots of satisfaction. I kept thinking of our soldiers. I didn’t feel sorry for all those Palestinians who were left homeless. I just felt sorry for their children, who were not guilty....(quoted in “7 Days,” *Yedioth Ahronoth* Supplement, May 31, 2002)

(Amnesty International (2004:4) comments on this: “The largest single wave of destruction carried out by the Israeli army was in the Jenin refugee camp in April 2002. The army completely destroyed the al-Hawashin quarter and partially destroyed two additional quarters

of the refugee camp, leaving more than 800 families, totaling some 4000 people, homeless. Aerial photographs and other evidence show that much of the house destruction was carried out after clashes between Israeli soldiers and Palestinian gunmen had ended and Palestinian gunmen had been arrested or had surrendered.”)

More recently, in the space of three weeks, during the assault on Gaza (December, 2008-January, 2009), 4000 Palestinian homes were completely demolished, and 17,000 more severely damaged or made uninhabitable; in Operation Protective Edge in 2014, another 18,000 were destroyed in Gaza – and have never been rebuilt.

All this, we have noted, takes place against the background of Israel’s systematic destruction of tens of thousands of Palestinian homes in villages, towns and urban neighborhoods throughout what became after 1948, as well as its ongoing policy of demolishing thousands of more homes of Arab Israeli citizens in what are known as “unrecognized villages.” Indeed, house demolitions seems something of a national obsession, the most concrete expression of Israel’s declared policy of “judaizing” the country.

Although exact figures are impossible to arrive at, the stages in Israel’s demolition campaign are as follows:

Stage 1: Inside Israel (1948-1960s)

- Between 1948 and into the 1960s Israel systematically demolished between 531 Palestinian villages and eleven urban neighborhoods inside of what became the State of Israel, two-thirds of the villages of Palestine (Pappe 2006). This was not done in the heat of battle, but well after the residents fled or were driven out, so that the refugees could not return and their lands could be turned over to the Jewish population.

Stage 2: In the Occupied Territories (since 1967)

At the very start of the Occupation in 1967 the policy of demolition was carried across the “Green Line” into the West Bank, East Jerusalem and Gaza. As of 2020, more than 55,000 Palestinian homes have been destroyed – homes, we must add, of people who had already lost their homes inside Israel in 1948 and after, some 140,000 in total (see the statistics in Appendix 1).

- At least 6000 houses were demolished immediately following the 1967 war. Four entire villages were razed in the Latrun area (now known as “Canada Park”), while dozens of ancient homes were destroyed in the Mughrabi Quarter of Jerusalem’s Old City to create a plaza for the Wailing Wall.
- In 1971, Ariel Sharon, then Commander of the Southern Command, cleared 2000 houses in the Gaza refugee camps – some say 6000 – to facilitate military control. (Since he was elected Prime Minister in early 2001 he has overseen the demolition of another 1500 homes in Gaza.)
- At least 2000 houses in the Occupied Territories were destroyed in the course of quelling the first Intifada in the late 1980s and early ‘90s.
- Almost 1,700 Palestinian homes in the Occupied Territories were demolished by the Civil Administration during the course of the Oslo peace process (1993-2000)

- Since the start of the second Intifada in September 2000, between 4000-5000 Palestinian homes were destroyed in military operations, including hundreds in Jenin, Nablus, Ramallah, Bethlehem, Hebron and other cities of the West Bank, more than 2500 in Gaza alone. Tens of thousands of other homes were left uninhabitable. Altogether around 50,000 people were left homeless (Human Rights Watch, *Razing Rafah*, October 2004). Hundreds of shops, workshops, factories and public buildings, including all the Palestinian Authority ministry offices in all the West Bank cities, were also been destroyed or damaged beyond repair. According to Amnesty International more than 3000 hectares of cultivated land – 10% of the agricultural land of Gaza – was cleared during this time. Wells, water storage pools and water pumps which provided water for drinking, irrigation and other needs for thousands of people, were also destroyed, along with tens of kilometers of irrigation networks.
- During the same period about 900 Palestinian homes were demolished by the Civil Administration for lack of proper permits.
- More than 628 Palestinian homes were demolished during the second Intifada as collective punishment and “deterrence” affecting families of people known or suspected of involvement in attacks on Israeli civilians. On average 12 innocent people lost their home for every person “punished” for a security offense – and in half of the cases the occupants had nothing whatsoever to do with the acts in question. Though the Israeli government insisted that it pursued this punitive to “deter” potential terrorists, 79% of the suspected offenders were either dead or in detention at the time of the demolition (B’tselem *Summary* 2004:1,3).
- In sum, during the second Intifada (September 2000-2004), 60% of the Palestinian homes demolished in the Occupied Territories had been destroyed as part of military “clearing operations;” 25% were demolished as being “illegal,” not having permits; and 15% for collective punishment (B’tselem *Summary* 2004:2)
- Since the end of the Second Intifada (2005-2009), another 900 homes have been demolished by the Civil Administration for lack of proper permits (see Appendix 1).
- During the invasion of Gaza in December 2008-January 2009, according to the UN organization OCHA, 4,247 homes were demolished and almost 17,000 damaged, many of them rendered uninhabitable.
- During the invasion of Gaza in July-August 2014, according to the UN organization OCHA, some 18,000 homes were demolished, 89,000 damaged and 60,000 people left homeless.

Stage 3: Back Inside Israel (1990s-present)

- Throughout Israel proper, in the “unrecognized” Palestinian and Bedouin villages, as well as in the Palestinian neighborhoods of Ramle, Lod and other Palestinian towns, houses continue to be demolished at an ever accelerating rate. Some 100,000 “internal refugees” from 1948 and their families still live in more than 100 “unrecognized villages” located in the vicinity of their now-destroyed villages, where they suffer from inadequate living conditions and constant threats of demolition. Entire Bedouin communities in the Negev, numbering some 60,000-70,000 residents, are threatened with demolition. Indeed, whereas Arabs comprise almost 20% of the population of Israel, they are confined by law and zoning policies to a mere 3.5% of the land. In mid-2004 the Israeli government announced the formation of a “Demolition Administration” in the Ministry of Interior to oversee the demolition of these homes of Israeli Arab citizens – between 20,000-40,000 in number.

Palestinian homes are demolished for various and sundry reasons: the land they own has been declared by Israel “agricultural land” or “open green space;” they have no building permit (which the Israeli authorities refuse to grant Palestinians); the slope of their land is adjudged as “too steep;” their houses are too near settlements or Israeli-only highways (although the houses were there first); out of collective punishment for some action the punished people had nothing to do with; the “clearing” of vast tracts of land for military/security purposes; destruction for the sake of expanding roads, settlements and the “Separation Barrier;” houses “cleared” to make passage safe for settlers or for other security purposes; homes representing “collateral damage;” and more.

The policy of house demolitions uses administration, planning, zoning and the law for overt political purposes: to quietly transfer Palestinians out of the country or, alternatively, to confine them to small enclaves, thereby leaving the land (*their* land) free for Israeli settlement and annexation. Most people think, of course, that Palestinians houses are demolished because their inhabitants performed some terrorist acts. This is not the case. In fully 95% of the cases the residents had absolutely nothing to do with security offenses: they neither committed illegal acts nor were even accused of doing so. (It should be noted, however, that demolishing homes belonging to families of terrorists is a form of collective punishment against innocent people that itself constitutes a war crime.)

The actual demolition of homes is only part of the story, of course. We must also take into account the tens of thousands of Palestinian families who own land and possess the financial resources to build modest homes who do not do so because they cannot obtain permits and do not want to risk demolition. In the Palestinian sector of East Jerusalem alone there are 25,000 “missing” housing units – a completely artificial and induced housing shortage that condemns thousands of families to crowded and inadequate living conditions. Again, this is part of what Israel calls “the quiet transfer,” making life so difficult for the Palestinians that they will leave the country altogether.

The vacuum created by halting Palestinian construction is filled, of course, by Israel itself. Amidst the demolitions, some 150,000 housing units have been built for almost 800,000 Israeli Jews living across the 1967 border.

The Message of the Bulldozers

Israel’s policy of house demolitions certainly plays a key role in maintaining the Occupation by confining the Palestinians to small islands, or driving them from the country altogether. But it goes beyond the Occupation, to the very heart of the conflict itself. This became clear to us when we began asking Why? Why does Israel pursue its house demolition policy so aggressively, even during times of negotiations when one would expect a more gracious approach towards its Palestinian interlocutors? Why does it remain at the center of the conflict?

To answer this question we must realize that the house demolition policy did not originate with the Occupation in 1967. The British Mandate authorities demolished Palestinian homes before 1948 as forms of “deterrence” against attacks, appreciative of the fact that this was the most painful punishment for Arabs (and, probably, for anyone). It was Israel, however, that applied the house demolition policy widely and systematically. House demolitions have stood at the center of Israel’s approach to “the Arab problem” since the state’s conception. The house demolition policy goes far beyond mere administrative and military means to contain or force out an entire population. In the aggregate, from 1948 till the present, it represents a policy of displacement, of one people dispossessing another, taking both their lands and their right to self-determination. Since people cannot survive or function without a house, the Message of

the Bulldozers is clear: “Get out. You do not belong here. We uprooted you from your homes in 1948 and prevented your return, and now we will uproot you from all of the Land of Israel.”

ICAHN resists demolitions of all kinds. As Israelis we block bulldozers coming to demolish, we chain ourselves in the houses, we conduct campaigns to mobilize opposition to the policy in Israel and abroad, we turn to the courts and, when demolitions finally occur, we rebuild demolished homes with the Palestinians as political acts of solidarity and resistance. We have come to see house demolitions as the very essence of the conflict between our two peoples: Israel’s exclusive claim to the entire country in the name of the Jewish people at the expense of another people living in the country, a people being dispossessed by our own country. This is what gives the policy of house demolitions its special significance. When, as Israelis, we resist home demolitions and rebuild demolished homes as acts of civil disobedience, we are acknowledging the rights of both people to share the country. We are affirming our recognition that Palestinian claims carry equal authority to our own. And we are proclaiming loudly: We refuse to be enemies!

What is the Process of Demolition?

The motivation for demolishing Palestinian homes is purely political, although it employs an elaborate system of planning, laws and administrative procedures to lend it a proper facade. The goal is to confine the 3.6 million Palestinians of the Occupied Territories, together with the million Palestinian citizens of Israel, to small enclaves on only about 8% of the country – rising to 15% if a truncated Palestinian mini-state is established. In this way, Israel can effectively control the entire country, Palestinian state or not.

When homes are demolished in military actions or as acts of deterrence and collective punishment, there is no process. No formal demolition orders, no warning, no time to remove furniture or personal belongings, often barely time to escape the home falling down around your ears. This can happen to your home, or to the home of a neighbor whom the Israeli authorities have targeted. Nuha Maqqdmeh Sweidan, a Gazan mother of 10 and nine months pregnant, was killed when the house next to hers was dynamited by Israeli troops. “We were in bed, the children were asleep,” her husband related to Amnesty. “There was an explosion and walls collapsed on top of us. I pulled myself from under the rubble....I started to dig in the rubble with my hands. First I found my two little boys and my three-year-old girl....One by one we found the other children, but my wife remained trapped under the rubble with our youngest daughter, who is two. She was holding her when the wall fell on her....” (Beit Arabiya is dedicated to the memories of Nuha and Rachel Corrie.) Writes Amnesty in its report *Under the Rubble* (2004:3):

The Israeli authorities claim that these demolitions are not intended as punishment, but rather to “deter” Palestinians from getting involved in attacks. Israel has never destroyed the homes of Israeli Jews who committed serious attacks, such as the murder of Prime Minister Rabin, or bomb attacks against Palestinians or Israeli Arabs. These punitive forced evictions and house demolitions are a flagrant form of collective punishment and violate a fundamental principle of international law, which stipulates that collective punishment is never permissible under any circumstances.

On August 6, 2002, the Israeli High Court of Justice gave its consent to demolishing houses of families of people accused of terrorism without warning or a chance to appeal to the court. From that time until the Ministry of Defense itself, in early 2005, ended its policy of punitive demolitions, 620 homes were demolished without recourse to the Israeli legal system.

Demolitions are executed for “administrative” reasons (lack of a permit) by the Civil Administration in the West Bank and Gaza, by either the Ministry of Interior or the Jerusalem

municipality in East Jerusalem. Regardless, the overall process is similar. Master plans and zoning regulations have been carefully prepared so as to limit Palestinian building, all carefully based on legal requirements. The entire West Bank has been designated “agricultural land,” while most of the unbuilt-upon land owned by Palestinians in East Jerusalem has been zoned as “open green space.” In both cases it is therefore possible to deny building permits to Palestinians on supposedly professional planning grounds and, if they nevertheless build on their own land (everyone must live *somewhere*), to demolish their “illegal” homes without appearing to discriminate. (While Jews may in rare cases receive a demolition order for an illegal porch or shed, there has never been a Jewish house demolished in either Jerusalem or the Occupied Territories, the removal of a few temporary trailers set up by settlers on remote hillsides excepted.) And the policy is explicit: “Our policy is not to approve building in Area C,” an Israeli Army spokesperson said openly to Amnesty International delegates in 1999. “There are no more construction permits for Palestinians,” reiterated Colonel Shlomo Politus, legal advisor to the Civil Administration, to the Israeli Parliament on 13 July 2003 (Amnesty 2004:4).

Since Palestinians do not have home mail delivery (including in East Jerusalem), demolition orders are distributed in a very haphazard manner. Occasionally a building inspector may knock on the door and hand the order to anyone who answers, including small children. More frequently the order is stuck into the doorframe or even left under a stone near the house. On many occasions Palestinians have complained that they never received the order before the bulldozers arrived, and thus were denied recourse to the courts. In Jerusalem a favored practice is to “deliver” an order at night by placing it somewhere near the targeted home, then arriving early in the morning to demolish. ICAHD has a case pending against David Schneider, the chief building inspector of the Ministry of Interior, who makes it a practice to keep lawyers or families who have obtained a last-minute injunction from the court from approaching him until the demolition has been completed.

If they do manage to reach the court in time, Palestinians may occasionally delay the order’s execution (at considerable expense). We are not aware, however, of any order that has actually ever been overturned. Once it is affirmed, the bulldozers may arrive at any time – the same day, weeks or years later, or never. Palestinians, barred from any possibility of obtaining decent, affordable and legal housing, do a simple, cold arithmetic: thousands of demolition orders are outstanding, the various Israeli authorities destroy “only” 200-500 homes a year (military attacks and punitive demolitions aside), so if I build the chances are that I might buy a year or two or three before the bulldozers arrive. As in a perverse reverse lottery, I might even “win” and escape demolition altogether.

This gamble comes at a high emotional cost as well as financial. Imagine the anxiety families endure during the weeks, month and years of waiting for bulldozers to arrive. “My morning routine,” says Neimah Dandis, whose home in Anata was finally demolished in November 2004 after a wait of eight years, “consisted of getting out of bed, going to the window to see if the bulldozers were approaching, then going to the bathroom.” Whether the home is demolished or not, the psychological tensions often lead to stress-related health problems, domestic violence and trauma, all aggravated by poor living conditions and financial strain. Men who fear for the safety of their homes and their families often quit their day jobs to be present if the bulldozers come. The Israeli authorities know all this and even incorporate it into the “planning” process. ICAHD members have been told explicitly by legal officials in the Civil Administration that fear and intimidation are effective in deterring Palestinians from building.

When the dreaded day finally arrives, it does so almost without warning. Though families know their homes are targeted, actual demolitions are carried out at random, without pattern, and can

strike anywhere at any time. (Normally demolitions do not occur on Fridays or Saturdays due to the Jewish Sabbath, or on Jewish holidays. These are the only times Palestinians can truly relax – an ironic twist on the idea of the “Day of Rest.”) Randomization is part of the generalized fear that underlies the policy of “deterrence.” The wrecking crews, accompanied by tens of soldiers, police and Civil Administration officials, usually come in the early morning hours just after the men have left for work. The family is sometimes given a few minutes to remove their belongings before the bulldozers move in, but because family members and neighbors usually put up some kind of resistance – or at least protest – they are often removed forcibly from the house. Their possessions are then thrown out by the wrecking crews (often foreign guest workers). Amnesty’s report *Under the Rubble* (2004:4) relates the story of As’ad Mu’yin and his cousin Ziad:

On 21 August 2003, on the morning of his wedding, As’ad Mu’yin had his house demolished; the house of his cousin Ziad As’ad, who had married a week earlier, was demolished at the same time. The two adjacent houses were in the West Bank town of Nazla ‘Issa. As’ad Mu’yin had been living on the ground floor of the house with his parents and three brothers and had furnished and prepared the second floor to move in with his wife. The house was demolished before he could do so. The new furniture and the wedding gifts disappeared under the rubble, along with the content of the family home on the ground floor. He told Amnesty International: *“The army came early in the morning, at about 7am. I was getting ready for the wedding, for a very happy day. They had bulldozers ...they gave us 15 minutes to leave the house. We had no time to salvage anything. They said that we did not have building permits.... But everyone knows that Israel does not give building permits to Palestinians in Area C.”*

In addition to the emotional suffering of seeing their most personal possessions broken, ruined and thrown out in the rain, sun and dirt, demolitions constitute a serious financial blow, especially to the poor families who make up the vast majority of demolition victims. About 70% of Palestinians living in both Jerusalem and the West Bank/Gaza live below the poverty line. Families whose monthly income is around \$500 are burdened by the Israeli courts with hefty fines in the range of \$10-20,000, to be paid in monthly installments whether the house is demolished or not. In Jerusalem families must also pay for the demolition of their own homes; at the end of the demolition they are presented with the wrecking company’s bill, around \$1500.

When the bulldozer finally begins its systematic work of demolition, the whole process takes between five minutes (for a small home of concrete blocks) to six hours (for a five-story apartment building). At times demolition is resisted amidst violence; people are beaten, jailed, sometimes killed – and always humiliated. At other times the family and their neighbors watch sullenly as their home is reduced to rubble. One can only imagine their feelings and thoughts.

House Demolitions in Jerusalem

A key “front” in the struggle to contain or expel Palestinians is Jerusalem, and especially “East” Jerusalem where some 200,000 Palestinians reside. Although Israel insists that the city is now “united,” deriving its legitimacy from its history as Israel’s capital, “East” Jerusalem is in fact a fiction. During Jordanian rule (1948-1967), the Arab city of Jerusalem consisted of only six square kilometers – the Old City and its immediate surroundings. To this, Israel added another 64 square kilometers of West Bank land, gerrymandered to include as much unbuilt upon land as possible for future Israeli settlements while excluding large Palestinian populations, calling the whole “united Jerusalem.” Since that time all urban policy has been directed towards maintaining an artificial 72%-28% majority of Jews over Arabs, the proportion that existed when the two sides of the city were unilaterally “united” in 1967. A complex system involving the partisan use of planning and zoning mechanisms, of land expropriation and house demolitions, of bureaucratic means of revoking Jerusalem residency has been developed to ensure the “Jewish character” of the city. In Jerusalem, explains Amir Cheshin, the long-

serving Advisor on Arab Affairs for the Jerusalem Municipality under Kollek and, for a time, under Olmert,

Israel turned urban planning into a tool of the government, to be used to help prevent the expansion of the city's non-Jewish population. It was a ruthless policy, if only for the fact that the needs (to say nothing of the rights) of Palestinian residents were ignored. Israel saw the adoption of strict zoning plans as a way of limiting the number of new homes built in Arab neighborhoods, and thereby ensuring that the Arab percentage of the city's population - 28.8% in 1967 - did not grow beyond this level. Allowing "too many" new homes in Arab neighborhoods would mean "too many" Arab residents in the city. The idea was to move as many Jews as possible into east Jerusalem, and move as many Arabs as possible out of the city entirely. Israeli housing policy in east Jerusalem was all about this numbers game (Cheshin *et al.* 1999:10, 31-32).

(Despite this, the Jewish majority has dwindled to about 66%.)

Palestinian residents of "East" Jerusalem are confined to highly circumscribed parts of "East" Jerusalem. Since 1967, 35% of the Arab-owned land of "East" Jerusalem has been expropriated for Israeli settlements, roads and other facilities, while another 54% of Palestinian-owned land, designated as "open green space" reserved for "public purposes," is forbidden for Palestinian construction). Cheshin writes:

Planners with the city engineer's office, when drawing the zoning boundaries for the Arab neighborhoods, limited them to already built-up areas. Adjoining open areas were either zoned "green," to signify they were off-limits to development, or left unzoned until they were needed for the construction of Jewish housing projects. The 1970 Kollek plan contains the principles upon which Israeli housing policy is based to this day - expropriation of Arab-owned land, development of large Jewish neighborhoods in east Jerusalem, and limitations on development in Arab neighborhoods (Cheshin 1999:37).

That leaves only 11% of East Jerusalem available for Palestinian housing and communal needs, only 7% of the city's total urban space.

This set the stage for what in Israel is known as the "Quiet Transfer." The goal is to confine Palestinians to small enclaves of "East" Jerusalem, to remove them from the city altogether, and ultimately to induce their emigration from the country. The system works like this:

- Since Palestinian residents of Jerusalem cannot acquire permits to build on the 89% of "East" Jerusalem that they own, some 25,000 housing units are currently lacking in the Palestinian sector. Since the Palestinians own land and have the resources to build at least modest homes, the shortage is artificial and induced, a way to force Palestinians out of the city.
- The scarce stock of housing in "East" Jerusalem thereby raises the price of buying or renting to unaffordable levels. 70% of the Palestinian residents of "East" Jerusalem live below the poverty line. In order to secure affordable housing, they must cross the city's boundaries to less expensive accommodations found in the West Bank – in Palestinian areas that were cut out of the municipal borders in 1967.
- Unlike Jewish residents of the city, Palestinians wishing to retain their Jerusalem residency must continually prove to the Israeli Ministry of Interior that Jerusalem remains their "center of life." Moving to affordable housing just beyond the municipal border invalidates that status, leading the Interior Ministry to revoke the Jerusalem residency of those "emigrants." It is estimated that since 1967 about 6000 Jerusalem ID cards have been confiscated, forcing some 25,000 Palestinian Jerusalemites into exile or illegal residency in their own homes.

Thousands of other Palestinian Jerusalemites cannot obtain permission for their spouses coming from other places to reside in the city.

According to B'tselem (1998), Israel's policy in East Jerusalem works as follows:

The Jerusalem Municipality expropriates land, prevents preparation of a town planning scheme for Palestinian neighborhoods, and refuses to grant building permits, CAUSING a severe housing shortage, FORCING residents to build without a permit, AFTER WHICH the Ministry of Interior and the Municipality demolish the houses, SO the residents move into homes outside the city, AND THEN the Ministry of Interior revokes their residency and banishes them from the city forever.

- Refusal to issue building permits confines Palestinians to small patches of "East" Jerusalem. In order to give "teeth" to its hostile zoning practices, the Jerusalem Municipality, together with the Ministry of Interior, demolishes "illegal" Palestinian houses. (Except for an occasional porch or other minor addition, Jewish-Israeli homes are never demolished, although 80% of the building violations take place on the western side of the city.) Thus, despite an induced shortage of 25,000 units, the Municipality grants only between 150-350 permits a year for Arab housing and demolishes 20-50 homes a year. 8000 Palestinian housing units have been declared "illegal;" some 2000 demolition orders are outstanding. According to the Jerusalem Municipality itself, 335 Palestinian houses have been demolished in "East" Jerusalem in the past decade; none in Israeli "West" Jerusalem.
- Because of the protests the house demolition policy arouses in Israel and abroad, the authorities cannot demolish the thousands of houses they would like to. They have therefore adopted a policy of "randomization." In order to diffuse the fear of demolition and deter Palestinians from building altogether, houses are demolished throughout "East" Jerusalem in a completely unpredictable way. Thus someone receiving a demolition order might have his or her home destroyed immediately, while a neighbor might live for a year, or five, or forever, in a home that received a demolition order long before. Besides the financial ruin of the demolition itself, Palestinian families are required to pay fines of up to \$25,000 and even to pay for the cost of demolishing their own houses (some \$1500). This "deterrence" factor requires us not only to look at the number of houses actually demolished or the houses built "illegally," but also at the thousands of needed houses not built by Palestinians on their own land out of fear of demolition.
- Permits, even when possible to acquire, are far too expensive for the average Palestinian resident. Because Jews do not own land privately in Israel, all construction is based on commercial considerations. Thus the government will release a certain amount of "state land" for a new neighborhood, and contractors bid on rights to build hundreds of apartment units. Costs involved in acquiring permits, often reaching \$20,000-60,000 (fees, surveys, engineering plans, connection to infrastructure), are simply built into the price of the many units. In places where the government wishes to encourage construction (the large settlements in East Jerusalem), fees are often waived entirely and building costs are subsidized to make the housing units affordable. None of this exists in the Palestinian sector, where most building is done for private family needs. Palestinians must not only assume the astronomical costs of securing the permit and connecting to the infrastructure, but their costs are often higher, since their residences are far from the Israeli infrastructure, making connection to sewage, electricity, water and telephone lines prohibitive.
- Even securing a building permit does not guarantee adequate housing, however. While Israeli contractors are allowed to build hundreds of percent the size of the property (that is, two to six or more stories), Palestinian building is confined to just 25% of their land. Jewish-Israelis, then, are able to acquire roomy apartments in medium- or high-rise buildings, or

are able to purchase spacious “villas,” (some of them, ironically, marketed as “Arab-style” housing), while Palestinians with large families are forced to live in small single-story houses. Additional rooms added as the family grows – or because of the inability of married sons to obtain building permits for their own families – are often demolished. Palestinians thus suffer from overcrowded conditions: 2.2 persons per room on the average for Arabs; 0.8 person per room in the Jewish sector.

- Although Palestinians are confined to 7% of the city's urban area in inadequate housing, Jewish-Israelis have access to spacious accommodation on both the eastern and western sides of the city. Between 1967-2003, some 90,000 housing units were built in East Jerusalem for Jews, almost all with government subsidies. None were built for Palestinians with public financing. New settlements arise regularly, on confiscated Palestinian land: for the Har Homa project separating Jerusalem from Bethlehem; for expansion of existing settlements; for 17 new settlements to be established around the Old City (in Silwan, now named by the Israelis “the City of David;” in Sheikh Jarrah; in Ras el-Amud, in Kidmat Tzion (the “front-line of Zion) in Abu Dis, in “Nof Zahav” in Jabal Mukaber, among others); and in the Old City itself, where Ateret Cohanim, a religious-messianic-settler organization seeking to expel the Muslim population from the Old City altogether, has been given license and resources to carry out its program.
- Discrimination against Palestinians exists also in the provision of municipal services. The Palestinian population comprises some 30% of the city's population but receives only 8-11% of the municipality's budget. Much of East Jerusalem is lacking such basic services as sewage systems, roads, parks, lighting, post offices, schools and community services.
- The “neighborhoods” built on “East” Jerusalem serve to isolate Palestinian populations in small and disconnected enclaves, and to prevent the development and expansion of the Palestinian side of the city. Together with a new system of Israeli “ring roads” and the creation of a “Greater” Jerusalem enveloped by a wall, Jerusalem is being transformed from a city into a region dominating the entire central portion of the West Bank.

What Does It Mean to a Palestinian Family to Have Its Home Demolished?

The human suffering entailed in the process of destroying a family's home is incalculable. A home is not only a physical structure; it is the center of our lives, the site of our most intimate personal life, an expression of our identity, tastes and social status. It is a refuge, a physical representation of the family, an extension of our very selves. It is “home.” For Palestinians, homes carry additional meanings. Upon marriage, sons construct their homes close to that of their parents, thus maintaining not only a physical closeness but continuity on one's ancestral land. The latter aspect is especially important in the world of farmers, and even more so as Palestinians have faced massive displacement in the past half century. Land expropriation is another facet of home demolition, an attack on one's very being and identity.

Demolition is an experience different for men, women and children. Men are probably the most humiliated, since demolition means you can neither protect your family nor provide for their basic shelter and needs. It also means losing a living connection to your family land, your personal patrimony and that of your people. Men often cry at demolitions (and long after), but they are also angered, swear revenge and intend to build again (although some men withdraw emasculated from active family life). Since men usually have jobs and access to the world outside the home, they also have a certain outlet for their frustrations.

Demolitions alter, even destroy, a woman's entire *persona* and role in the family. Palestinian women generally do not have careers outside the home. Their identity and status as wives,

mothers and, indeed, persons is wrapped up in their domestic life. When their homes are demolished, women often become disoriented, unable to function without that organizing domestic sphere. Some sink into a kind of mourning, although in some cases, especially if the husband has withdrawn, they take on more assertive roles in the family. Demolition represents a double tragedy for women. Not only do they lose their own domestic space, but they are forced to move into the homes of other women, their mothers- or sisters-in-law. The overcrowding and tension this generates is exacerbated by the fact that the “guest” woman has little control over the domestic sphere, over the care of her own husband and children, further diminishing her role and status. In many cases this results in severe tensions within the families, including domestic violence spawned by the wife’s demands (even unspoken) for a home of her own, and the husband’s inability to provide it. Eventually families may move into their own rented quarters – another expense – or even rebuild their home, having no choice but to risk another demolition. Whatever the case, for many women a demolished home, like a loved one, can never be replaced, and the wound never heals.

For children, the act of demolition – and the months and years leading up to it – is a time of trauma. To witness the fear and powerlessness of your parents, to feel constantly afraid and insecure, to see loved ones (relatives and neighbors) being beaten and losing their homes, to experience the harassment of Civil Administration field supervisors speeding around your village in their white Toyota jeeps—and then to endure the noise, violence, displacement and destruction of your home, your world, your toys—these mark children for life. Psychological services are largely absent in the Palestinian community and there are many signs of trauma and stress among children: bed-wetting, nightmares, fear to leave home lest one “abandon” parents and siblings to the army, dramatic drops in grades and school-leaving, as well the effects of exposure to domestic violence that occasionally follows impoverishment, displacement and humiliation. In the words of Salim Shawamreh, a resident of the village of Anata whose home has been demolished four times: “The demolition of a home is the demolition of a family.” According to the research of Eyad Serraj, a Palestinian psychologist who heads the Gaza Community Mental Health Program, a strong correlation exists between young people who become suicide bombers have had their homes demolished.

Why, then, do Palestinian families decide to build without a permit? First, many of those facing demolition began building during the initial phase of the Oslo process when thousands of Palestinians, encouraged by the prospects of peace, returned to their home towns and villages and built homes, or when local people, suffering severe housing shortages since 1967, felt that demolitions would cease. Indeed, Israeli leaders encouraged this kind of thinking (Prime Minister Peres announced a freeze on demolitions towards the end of his term). Palestinians report that the Civil Administration, too, led them to believe that since most of the land was going to be handed back anyway, they would face no demolition problems—even if the process had not formally changed. This attitude is reflected in the wording of Article 27(2) (“Planning and Zoning”) of the 1995 Interim Agreement (Oslo II): “In Area C, powers and responsibilities related to the sphere of Planning and Zoning will be transferred gradually to Palestinian jurisdiction that will cover West Bank and Gaza Strip territory, except for the issues that will be negotiated in the permanent status negotiations.” After Netanyahu’s election in 1996 (and thereafter), the rules of the game suddenly changed, and many Palestinians found themselves victims of the “peace process” and of bad faith.

Despite repeated inquiries to the various authorities, it is impossible to obtain accurate figures as to how many permits are granted, what percentage of applicants are turned down, how many families even apply. The Civil Administration claims it has granted 3000 permits retroactively; a reliable source tells us that only two or three building permits a year are issued in the entire Hebron area, comprising a third of the West Bank. If the Civil Administration claims there are 5000 “illegal” structures on the West Bank and has issued 2000 demolition orders, and if the

Jerusalem Municipality claims there are 10,000 “illegal” structures and has issued 2000 orders (affecting 4000 housing units), a major problem exists even if the planning and licensing procedures were non-political.

While every country has planning regulations, zoning and enforcement mechanisms, Israel is the only Western country that systematically denies permits and demolishes houses of a particular national group. Similarly, Jerusalem is the only city that systematically denies permits and demolishes houses of a particular national group. These actions, reminiscent of apartheid-era South Africa and the Serbs in Kosovo, other cases in which the homes of a particular ethnic group were destroyed for clearly racist or nationalistic reasons, violate the fundamental human rights of the Palestinian people. The Universal Declaration of Human Rights states that “Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing” (Article 25.1). The International Covenant on Economic, Social, and Cultural Rights “recognize[s] the right of everyone to an adequate standard of living...including adequate food, clothing, and housing” (Article 11.1). The International Convention on the Elimination of All Forms of Racial Discrimination obligates state parties “to guarantee the right of everyone, without distinction as to race, color, or national or ethnic origin, to equality before the law..., in particular the right to housing” (Article 5). Moreover, the Fourth Geneva Convention requires occupying powers such as Israel to protect the well-being of civilian populations under their control. Under the Hague Regulations of 1907 and the Fourth Geneva Convention of 1949, for example, Israel is enjoined as an occupying power to protect and ensure the needs of the Palestinian population. Human rights organizations agree that Israel’s policy of house demolition constitutes a war crime.

Given the massive scale and prolonged time period that the house demolition policy has characterized Israel's relationship with the Palestinians on both sides of the “Green Line,” the bulldozer certainly deserves to take its rightful place alongside the tank. The Israeli public knows almost nothing about the cruel and Kafkaesque system the Palestinians live under. Uri Savir, the Director-General of the Foreign Ministry under Rabin and Peres, “discovered” this reality only after the Oslo process was well underway. He writes:

The negotiations [with the Palestinians at Oslo, in 1995] over the powers Israel has exercised over a whole generation, opened an entire world before me. Over the years Israelis has cultivated a self-serving myth that ours was an ‘enlightened occupation.’ I knew this was a contradiction in terms, but I did not know -- and I think few other Israelis did – how thoroughly we had invaded the lives of our Palestinian neighbors. We repressed this knowledge as we may have been the first conquerors in history who felt themselves conquered. Our self-image as a humane society and history’s eternal victim, as well as Arab antagonism, blinded us to what was going on in the territories. What I discovered [in Oslo] was that a Palestinian could not build, work, study, purchase land, grow produce, start a business, take a walk at night, enter Israel, go abroad, or visit his family in Gaza or Jordan without a permit from us. The apparatus for managing this octopus was huge.

Some of these restrictions stemmed from legitimate security concerns. But many were the products of inertia and a burgeoning bureaucratic monster with a bottomless budget to feed on. During the twenty-eight years of occupation [until 1995], about a third of the Palestinian population in the territories had, at one time or another, been detained or imprisoned by Israel. And the whole of the population had, at some time, been grossly humiliated by us...

The personification of the occupation, according to many Palestinians, was an officer in the Civil Administration named Moskovitch. If Moskovitch approved, you could build. If Moskovitch didn’t approve, you could not, and until Moskovitch approved you could tear your hair out. Moskovitch had become an institution in himself. When I finally met

him – a thin, religiously-observant, amiable man – he in no way impressed me as tyrannical. ‘Moskovitch is a good man,’ one of his superior officers told me. And this was just the problem – a good man carrying out the orders of an unfeeling bureaucracy makes an impossible situation, for there is no way under such conditions for goodwill or common sense to function.” (Savir 1999:207-208).

BARAK'S "GENEROUS OFFER"

OK, this is all terrible. But what about Ehud Barak's "generous offer?" Didn't he offer to relinquish 95% of the Occupied Territories at the Taba Conference in January 2001? Wasn't it the Palestinians who rejected the Camp David and Taba negotiations, followed by a violent Intifada, orchestrated by none other than Yassir Arafat himself? Didn't the Israelis do their part? They were forthcoming, they tried to "give them" a state, they were generous. Doesn't the fact that the Palestinians rejected Barak's generous offer prove they really do not want peace? If that is the case, then let Israel off the hook. The Palestinians are to blame for everything. The Israelis, freed from responsibility, needn't feel any guilt over the destruction of thousands of Palestinian homes during the Intifada or in Israel's repeated invasions of Gaza, over the deaths of 5000 people and the killing of more than a 1000 children in the Occupied Territories since 2000, or over the suffering caused by the Wall. Far from deserving sympathy, the Palestinians are merely getting what they deserve.

This has become the single most influential argument used to cast Israel as the champion of peace and the Palestinians as rejectionists, simple "terrorists." By now, however, we should be in a position to critically evaluate the truth and accuracy of these claims, to judge whether there was, in fact, a "generous offer" or merely clever PR designed to deflect public attention from the fact that Palestinians live under an ever-expanding occupation which Israel shows no sign of relinquishing. Break through here, through the most persuasive argument for Israel's good faith, and we can see through all the subsequent ploys as well: "disengagement" from Gaza, Israel's plan for a two-state solution based on "convergence" into settlement blocs, blaming non-state Palestinians for terrorism while engaging in a "legitimate" war on a civilian population which constitutes nothing less than a form of State Terrorism, trying to create a "Jewish democracy" while disenfranchising the country's Palestinian majority.

What, then, of this "generous offer?" First of all, it never was. In an interview with the Israeli newspaper *Ha'aretz* (Shavit, 2002), Barak stated candidly: "It was plain to me that there was no chance of reaching a settlement at Taba. Therefore I said there would be no negotiations and there would be no delegation and there would be no official discussions and no documentation. Nor would Americans be present in the room. The only thing that took place at Taba were non-binding contacts between senior Israelis and senior Palestinians." The 95% figure comes from the "Clinton Parameters," a proposal made by the President and accepted by both sides on January 7, 2001, in which the vast majority of the Occupied Territories would become a Palestinian state. No specific figure for withdrawal was given (although it seemed the Palestinians would receive between 94-96% of the land, excluding East Jerusalem and the Dead Sea) and vague territorial "swaps" were suggested. No map, however, accompanied the proposal. Both sides felt the need to respond favorably, but realizing, as Clinton himself did, that he would be out of office in two weeks, did so knowing that the Parameters were irrelevant. According to Barak, Israel's reservations filled 20-pages (*Ha'aretz*, January 8, 2001).

In fact, by the time the Taba "non-negotiations" (as the EU envoy Miguel Moratinos termed them) were convened, Barak had no government, no mandate to negotiate and was facing certain defeat by Sharon in the up-coming Israeli elections in March. His coalition partners had already quit and he controlled only 42 of the 120 seats in the Knesset. Even if a breakthrough had been achieved, everyone knew an agreement would never be approved by the parliament. So why, then, did Barak send his team to Taba? Well, he didn't. Having been elected on a platform of peace and concerned over losing his liberal and left-wing voters if he was seen abandoning the peace process, he sent instead three of the most "peace-oriented" members of the government: Shimon Peres, Yossi Sarid and Yossi Beilan. Yet they had no mandate to actually negotiate, which is why Barak characterized Taba as "non-binding contacts between senior Israelis and senior Palestinians." They had, however, a task: to produce a letter from the

Palestinians telling the Israeli electorate that peace was in sight and could be achieved quickly *if* Barak was re-elected. Barak intended to go to the electorate with that letter hoping it would change the tide of the election and allow him to defeat Sharon.

That ploy did not work. Barak hinted at – but never actually tabled – a “generous offer” intended to elicit the letter from the Palestinians without any assurance that Palestinian acceptance would, in fact, lead to such concessions. When it became clear that the letter would not be forthcoming, it was Barak, we must recall, who broke off the Taba negotiations, the last breath of the Oslo peace process, not Arafat. In the end Barak was soundly defeated. The letter would not have helped and, as the Palestinians knew, Barak could never have won parliamentary backing for the concessions at which he had hinted. But from the rubble arose the notion that he had extended a “generous offer” to the Palestinians and they had declined.

What has been lost in the cloud of self-serving Israeli PR is the fact that the Taba talks *did* reveal a willingness – even an eagerness – to make peace if the Palestinians were assured a genuinely sovereign and viable state on even most of the Occupied Territories. In fact, the Taba negotiations eventually led to the Geneva Initiative in which Yossi Beilan and Yasser Abed-Rabo, two of the more far-sighted Oslo negotiators, sought to show the Israeli public and the world that despite what Barak and Sharon said, Israelis and Palestinians were partners for peace. Taba, however, came too late in the process, and it is doubtful that Barak himself would have supported the eventual outcome (he certainly is not among the supporters of the Geneva Initiative). Just before his decisive defeat by Sharon in March, 2001, Barak declared all the tentative agreements reached at Taba “null and void.”

So, in the end, Taba became nothing more than a tool of Israeli PR to accuse the Palestinians of rejecting Barak's “generous offer,” a mythical event that has played a supremely destructive role in the public debate by laying the blame for the failed peace process squarely, exclusively and unfairly on the Palestinians.

But let's go a step further. Say, for a moment, that the “generous offer” of 95% *had* been made. Should the Palestinians have accepted it? Let's step back for a moment and look at Palestinian needs. The attention paid to Barak's generous offer has eliminated from view Arafat's even more “generous offer” to Israel. On two occasions, that of the declaration of Palestinian independence in Algiers in 1988 and again at the start of the Oslo process in 1993, the PLO formally recognized Israel within the 1967 borders. That entailed a far-reaching concession that has never been recognized or appreciated. By so doing, the Palestinians relinquished political claim to 78% of their historic homeland – a concession virtually unheard of among colonized peoples. Not only would the Palestinians accept the loss of 56% of Mandatory Palestine allocated – unjustly and illegally, in their view – to the Jews by the UN in 1947, but they would also accept the loss of the additional 22% of Palestine, more than half the area granted to the Palestinians, conquered by Israel in the 1948 war. In the Oslo peace process, the Palestinians offered Israel full peace and recognition in return for only 22% of the country: the West Bank, East Jerusalem and Gaza. All discussions of “generous offers” must take this into account. To compromise on even that 22% (and the Clinton Parameters, we must remember, spoke of 96% – or even less in actuality – of 22% of historic Palestine) would eliminate any possibility of a Palestinian state which is truly sovereign and viable. The facts that a Palestinian majority must make do with less than a quarter of the land, that all Palestinian refugees (at Israel's insistence) must be repatriated solely in the Palestinian state and that more than 60% of Palestinian are under the age of 18 make the issue of viability a critical one.

Thus, upon examination, even the 94-96% figure for Israeli withdrawal proves inaccurate. Making corrections for East Jerusalem, the Latrun salient, No-Man's Land, the Palestinian area under the Dead Sea and various other “exceptions” not included in the Clinton Parameters, then

add in the settlement blocs and certain “security zones” claimed by Israel, plus land to be “leased,” the territory Barak was willing to concede adds up to only 80-85% of the Occupied Territories. On paper, of course, even this sounds “generous” – and it is repeatedly presented as such, most recently in Olmert’s “offer” of 93% to PA President Mahmoud Abbas in late 2008. But we must be careful not to equate territory with sovereignty or sustainability. Although gaining control of 85% or so of the territory would have been an achievement, it would not have provided the prerequisites of national self-determination: coherent territory, economic viability and genuine sovereignty.

Here is where the Matrix of Control comes into play. Israel could relinquish 85%, perhaps even 90%, of the Occupied Territories and still retain its main settlement blocs, still control the entire country, still preclude the rise of a viable and truly sovereign Palestinian state. Looked at through the Matrix of Control, these are what the various and sundry “generous offers” would allow Israel to retain:

- *Strategic Settlement Blocs.* In the mid-1990s Israel began a major strengthening and consolidation of its settlement presence (Map 5). In order to avoid international opposition to the establishment of new settlements, the government shifted to building new settlements within the expansive master plans around each settlement. In that way it was able to argue that it was simply “thickening” existing settlements to meet natural population growth (an outright falsification), not establishing new ones. It also began to merge discrete settlements into large settlement blocs. Although the fate of some of these blocs remains uncertain (the Jordan Valley settlements, for example, as well as the Kiryat Arba bloc near Hebron and settlements in heavily populated Palestinian areas), Israel is unmovable in this insistence on retaining seven large blocs comprising today some 150,000 Israeli settlers – or 80% of the West Bank settlers. (Barak has often said that he strove for a peace “that even the settlers would be happy with.”)
 - *The city of Ariel and its surrounding “Western Samaria” bloc* control a strategic area on the western side of the West Bank, seriously compromising territorial contiguity and the coherent flow of people and goods between the major Palestinian towns of Kalkilya, Nablus and Ramallah. It would also severely restrict the urban development of the Kalkilya area. No less important than its strategic location on the ground is Ariel’s location *vis-a-vis* Palestinian resources under the ground: the Ariel bloc sits atop the major aquifer of the West Bank and would control the flow and distribution of water.
 - *The central Givat Ze’ev-Pisgat Ze’ev-Ma’aleh Adumim-Beit El bloc* stretches across much of the central West Bank from the Modi’in area to within 20 kilometers of the Jordan River. It effectively divides the West Bank in two, compelling north-south Palestinian traffic (especially from Ramallah to Bethlehem and Hebron areas) to pass through Israeli territory – the funnel-like Eastern Ring Road. It also keeps the Palestinians of the West Bank far from Jerusalem, isolating the 200,000 Palestinians of East Jerusalem from their wider state and society, and cutting the natural urban link between Jerusalem and Ramallah. In terms of viability, this bloc, a main component of Israeli “Greater Jerusalem,” constitutes the greatest threat to a coherent Palestinian state.
 - *The Efrat-Gush Etzion-Beitar Illit bloc* to the southwest of Jerusalem, connected the Ma’aleh Adumim bloc through Har Homa, Gilo and the newly-planned city of Givat Yael, is the other key component of “Greater Jerusalem.” It also impacts seriously on the viability and sovereignty of any Palestinian state. The bloc severs any coherent connection between the major cities of Bethlehem and Hebron, as well as traffic using the “safe passage” from Gaza. It forces Palestinians moving between these areas to use

Israeli-controlled “security” roads passing through dense areas of settlement, continually exposed to disruption and closure. It locks in Bethlehem to the extent of preventing its normal urban development. And, like the Ariel bloc, it sits astride and brings into Israeli control a major West Bank aquifer.

- *A “Greater [Israeli] Jerusalem.”* The Givat Ze'ev-Adumim and Gush Etzion settlement blocs, 250 square kilometers containing some 80,000 settlers, when annexed to Israeli-controlled “Greater Jerusalem,” will dominate the entire central region of the West Bank and obstruct the territorial contiguity necessary for a viable Palestinian state. They also function as a buffer, to separate Jerusalem from its wider West Bank surroundings, thus keeping the Palestinians at a considerable distance away. Because some 40% of the Palestinian economy revolves around Jerusalem in the form of tourism, commercial life and industry, removing Jerusalem from the Palestinian realm carries such serious economic consequences as to call the very viability of the Palestinian state into question. And in general the “Greater Jerusalem” concept neutralizes Jerusalem as a major Palestinian urban, religious and cultural center (see Map 14).

Greater Jerusalem is tremendously important to Israel. So important that Barak claims it was the issue that “broke” the Camp David negotiations. “Arafat’s position on the issue of Jerusalem,” he said in a taped interview in Hebrew immediately after the talks’ collapse,

Is what prevented the reaching of an agreement....Ideas were raised more than once during the course of the negotiations [by the Israeli delegation] of the definition and growth of Jerusalem to dimensions that it never had at any stage of Jewish history, with extremely significant strengthening of its Jewish majority and a guarantee of a solid [Jewish] majority for generations through exchanging some of the cities surrounding Jerusalem – Ma’aleh Adumim, Givat Ze’ev, the Etzion Bloc – attaching them to Jerusalem and placing them under Israeli sovereignty, thus creating a situation in which the whole world recognizes this expanded and great Jerusalem as Israel’s capital, at a price of transferring a few villages and neighborhoods situated within the municipal boundaries to Palestinian sovereignty....{Transcribed by the author}.

- *An Israeli Metropolitan Jerusalem.* The ring roads and major highways being built through and around Jerusalem are intended to create a regional infrastructure of control, turning Jerusalem from a city into a metropolitan region. “Metropolitan” Jerusalem covers a huge area. Its boundaries, incorporating a full 10% of the West Bank (440 square kilometers), stretch from Beit Shemesh in the west up through Kiryat Sefer until and including Ramallah, then southeast through Ma'aleh Adumim almost to the Jordan River, then turning southwest to encompass Beit Sahour, Bethlehem, Efrat and the Etzion Bloc, then west again through Beitar Illit and Tsur Hadassah to Beit Shemesh. It also provides a crucial link to Kiryat Arba and the settlements in and around Hebron. In many ways “Metropolitan” Jerusalem is the Occupation. Within its limits are found 75% of the West Bank settlers and the major centers of Israeli construction.

By employing a regional approach to the planning of highways, industrial parks and urban settlements, an Israeli-controlled metropolis can emerge whose very power as a center of urban activity, employment and transportation will render political boundaries, such as those between Jerusalem and Ramallah or Jerusalem and Bethlehem, absolutely irrelevant. A good example of how this is already happening is the new industrial park, Sha'arei Binyamin, now being built at the “Eastern Gate” to metropolitan Jerusalem, southeast of Ramallah. In terms of Israeli control this industrial park provides an economic anchor to settlements – Kokhav Ya'akov, Tel Zion, Ma'aleh

Mikhmas, Almon, Psagot, Adam, all the way to Beit El and Ofra – that otherwise would be isolated from the Israeli and Jerusalem economy. More to the point, it robs Ramallah of its economic dynamism, providing jobs and perhaps even sites for Palestinian industry that would otherwise be located in or around Ramallah. Again, looking at Israel's strategy from the point of view of control rather than territory, "Metropolitan Jerusalem" virtually empties a Palestinian state of its meaning in terms of viability and sovereignty (see Map 14).

- *An East Jerusalem Patchwork.* Between the negotiations at Camp David and Taba, various options were explored to give the Palestinians more of a presence in East Jerusalem, which they claim as their capital. The peripheral villages and neighborhoods to the north and south of the city might have been ceded, although the Palestinians might receive less than full sovereignty over them – "functional autonomy," "administrative control" or "limited sovereignty." In Taba, Israel considered ceding some parts of the core areas as well: some of the "Holy Basin" between the Old City and the Mount of Olives, downtown East Jerusalem, the Sheikh Jarrah Quarter, and in the Old City the Muslim and Christian Quarters. The Temple Mount/Haram issue remained unresolved, with Israel prepared to cede "functional sovereignty" (though not official) to the upper area of the mosques, while retaining sole sovereignty over the lower Western Wall.

Regardless of the size of the territorial compromises, Israel will not cede the entire area of East Jerusalem, where Israelis (about 225,000 in number) outnumber Palestinians. Since the settlements there were situated strategically for maximum control of territory and movement, and since they are today in the process of being connected, any Palestinian patches will become only tenuous connections to each other and to the Palestinian capital in Abu Dis. The Palestinian presence in Jerusalem will be fragmented and barely viable as an urban and economic center. Moreover, it would be entirely surrounded by the "outer ring" of Israeli "Greater Jerusalem," hemming it in and preventing East Jerusalem's normal urban and economic development. (Indeed, functionally ceding Palestinian areas of East Jerusalem to the Palestinians – relinquishing an "unwanted" population of some 200,000 people without relinquishing control – while incorporating the surrounding settlements into a Greater Jerusalem would increase the majority of Jews in the expanded city from the current 66% to 85%.) (See Map 14.)

- *Israeli Control over Highways and Movement.* Over the past decades (and especially during the Oslo process), Israel has been constructing a system of major highways and "by-pass roads" designed to link its settlements, to create barriers between Palestinian areas and to incorporate the West Bank into Israel proper. Even if physical control over the highways is relinquished, strategic parts will remain under Israeli control – the Eastern Ring Road, Jerusalem-Etzion Bloc highway, Road 45 from Tel Aviv to Ma'aleh Adumim, a section of Highway 60 from Jerusalem to Beit El and Ofra, and the western portion of the Trans-Samaria highway leading to the Ariel bloc. In terms of the movement of people and goods, this will effectively divide the Palestinian entity into at least four cantons: the northern West Bank, the southern portion, East Jerusalem and Gaza. There are other restrictions as well. Israel refuses to grant extra-territorial status to the "safe passages" from Gaza to the West Bank, crucial to the viability of a Palestinian state. It will only allow Palestinian administration of the passages, meaning that Palestinians traveling from Gaza to the West Bank could be detained, or arrested, at any time. Israel also insists on retaining rights of "emergency deployment" to both the highway system and to the Jordan Valley, severely compromising Palestinian sovereignty. Indeed, the highways would retain the status of Israeli "security roads," meaning that Palestinian development along them would

remain limited.

To fully understand the role of the highway grid in completing the process of incorporation, one must link these West Bank developments to the ambitious Trans-Israel Highway project. Already in 1977, in his Master Plan for the settlement and incorporation of the West Bank, Sharon presented his “Seven Stars” plan calling for contiguous Israeli urban growth straddling both sides of the Green Line. The Trans-Israel Highway, which hugs the border of the West Bank, provides a new demographic spine to 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. (In August 2003 the government published a map of 30 new settlements to be built inside Israel along the route of the Trans-Israel Highway.) New and expanded Israeli cities, towns and settlements on both sides of the Green Line will form a new “metropolitan core-region” in which Metropolitan Tel Aviv (including the Modi’in area settlements, Rosh Ha’Ayin and the Ariel bloc) meets Metropolitan Jerusalem (stretching from Modi’in, Kiryat Sefer, Beit Shemesh and the Etzion Bloc across most of the central West Bank to the settlements east of Ma’aleh Adumim. The Trans-Israel Highway, articulating as it does with the highways and settlement blocs of the West Bank, moves the entire population center of the country eastward, reconfiguring the entire country. It reconfigures the entire country from a north-south orientation in which two parallel states were possible to an east-west one in which each Palestinian canton is integrated independently into Israel, thus further weakening the viability of any future Palestinian state.

- *A “Secure” Israel Versus a Palestinian State of Limited Sovereignty.* “Security” is defined by Israel in such maximalist terms that it ensures Israeli political, military and economic control. Israel insists that a Palestinian state would be demilitarized and only semi-independent, unable to enter into pacts with other states without Israeli approval. Israel would continue to control Palestinian airspace and the electro-magnetic sphere crucial for communications. It would “supervise” the borders. It would reserve the right to unilaterally deploy forces in the Jordan Valley in the indeterminate event that it unilaterally perceives a threat of invasion. It would continue to control Palestinian labor and commercial movement through the imposition of “security borders,” part of Israel’s declared policy of separation that isolates the 20%-minus of Palestine that would be the state from the 80%-plus that is Israel.

All these sources of Israeli control can be contained within the 10-15% envisioned in any “generous offer.” In order to help people make the switch from the common sense view that 95% is indeed generous to the view that 5% is enough to frustrate Palestinian aspirations for self-determination, it is useful to use a prison analogy. If one looks at a blueprint of a planned prison, it appears as if the prisoners own the place. They have 95% of the territory: the living areas, the work areas, the exercise yard, the cafeteria, the visiting area. All the prison authorities have is 5%: the prison walls, the cell bars, the keys to the doors, some glass partitions. The prison authorities do not have to control 20-30% of the territory in order to control the inmates. Similarly, Israel only needs a few control points taking a limited amount of territory to completely neutralize a Palestinian state.

This was well illustrated by a comment of Netanyahu's when he was Prime Minister. During the Wye negotiations of 1998, the Americans were pressing for an Israeli withdrawal from the West Bank of “double digits” (around 11%), while Israel refused to go beyond 9% (and in the end withdrew from only 2%). As the negotiations teetered on the brink of crisis, Netanyahu was asked why he was quibbling over just a percent or two. Each percent of the West Bank, he answered, is equal to an area the size of Tel Aviv. Looked at in this way, relinquishing 95% would leave the equivalent of five Tel Avivs in the tiny, truncated territory of Palestine – ten

Tel Aviv if we include East Jerusalem and various other areas Israel does not include in its calculations. Together the prison analogy and Netanyahu's comments on the significance of each percentage of land help us grasp how *ungenerous* was Barak's – or Sharon's or Olmert's – “generous offers” if the goal is indeed a viable, sovereign Palestinian state.

THE ISSUE OF HAMAS: DO PALESTINIANS HAVE TO BECOME ZIONISTS BEFORE THERE IS PEACE?

The supposed reasons for not recognizing the elected Hamas government are well known: non-recognition of the State of Israel, an unwillingness to negotiate with it and its being, essentially, a “terrorist organization.” Accordingly, Hamas would have to take three basic steps before it would be allowed into the political process: renounce violence, recognize Israel (as has the PLO, although in the Annapolis negotiations Israel has been demanding recognition as a *Jewish* state), and accept previous agreements between Israel and the Palestinian National Authority.

Now the question is: if Hamas is willing to constructively participate in a peace process, even if from a distance, should it also be required to change its fundamental ideology, program and character? Does it have to accept as a fact – indeed, as a *legitimate* fact – that more than 80% of the Palestinians’ historic (Israel and the settlement blocs at minimum) homeland now “belongs” to another people, as does the Holy City of Jerusalem? Does Hamas have to become a Zionist organization before it obtains the right to participate in fateful decisions affecting its own people?

It will never be. To understand where Hamas is coming from, we must leave the Zionist “box” and enter into the world – still alive – of anti-colonialism. Like all colonized peoples – and Hamas, like all Palestinian organizations, considers Zionism a European colonial movement, even if Jews consider it a movement of “return” – it steadfastly refuses to acknowledge Israel’s fundamental legitimacy. Khalid Mish’al, the leader of Hamas, has put his organization’s principles clearly and forcefully:

Hamas has been elected mainly because of its immovable faith in the inevitability of victory; and Hamas is immune to bribery, intimidation and blackmail. While we are keen on having friendly relations with all nations we shall not seek friendships at the expense of our legitimate rights. We have seen how other nations, including the peoples of Vietnam and South Africa, persisted in their struggle until their quest for freedom and justice was accomplished. We are no different, our cause is no less worthy, our determination is no less profound and our patience is no less abundant.

We shall never recognize the right of any power to rob us of our land and deny us our national rights. We shall never recognize the legitimacy of a Zionist state created on our soil in order to atone for somebody else’s sins or solve somebody else’s problem. But if you are willing to accept the principle of a long-term truce, we are prepared to negotiate the terms. Hamas is extending a hand of peace to those who are truly interested in a peace based on justice (The Guardian, Jan. 31, 2006).

The Hamas leadership also rejects the notion that to be anti-Zionist is to be anti-Semitic. “Our message to the Israelis,” writes Mish’al,

is this: we do not fight you because you belong to a certain faith or culture. Jews have lived in the Muslim world for 13 centuries in peace and harmony; they are in our religion “the people of the book” who have a covenant from God and His Messenger Muhammad (peace be upon him) to be respected and protected. Our conflict with you is not religious but political. We have no problem with Jews who have not attacked us - our problem is with those who came to our land, imposed themselves on us by force, destroyed our society and banished our people.

For all that, Hamas nevertheless is a pragmatic political organization which recognizes, if not legitimizes, realities on the ground. It is even willing to accept a two-state solution (although like all other Palestinian organizations, it considers Israel an unsustainable entity in the long-

run and expects it to evolve into a single democratic state). Thus, in January 2006, senior Hamas official Abdel Aziz al-Rantissi (who was subsequently assassinated) offered Israel a ten-year *hudna*, or truce, in return for a complete withdrawal from the Occupied Territories and the establishment of a Palestinian state. After winning the 2006 elections Hamas repeated the offer, accepting the Arab Peace Initiative (the Saudi Initiative). Around the same time Hamas leader Sheikh Ahmed Yassin (also assassinated soon after) affirmed that his organization could accept a Palestinian state in the West Bank and Gaza. And Mish'al (who Israel tried to assassinate in 1997) publicly stated that in return for a genuine two-state solution – including a recognition of the refugees' right of return (the actual implementation of which, according to both the PLO and the Saudi Initiative, can be negotiated) – Israel could live in peace with its neighbors.

Perhaps the most significant political document attesting to the pragmatism of Hamas, Islamic Jihad and, in fact, all the Palestinian factions is what is called the Prisoner's Document. Drafted in May, 2006, by prisoners (Israeli prisons is, after all, where the genuine Palestinian leadership is found, at least that which has not been assassinated) representing every party from the left to right. The Prisoners' Document, officially known as the National Reconciliation Document, is remarkably moderate, essentially supporting a two-state solution. The 18-point paper opens with implicit recognition of Israel within the 1949/1967 borders:

The Palestinian people in the homeland and in the Diaspora seek to liberate their land and to achieve their right to freedom, return and independence, and to exercise their right to self determination, including the right to establish their independent state with al-Quds al-Shareef [Jerusalem] as its capital on all territories occupied in 1967; to secure the right of return for the refugees and to liberate all prisoners and detainees according to the historical right of our people on the land of the fathers and grandfathers as based on the UN Charter and the international law and international legitimacy.

Point 3 affirms the Palestinians' right to resist, although it, too, restricts that to the Occupied Territories:

The right of the Palestinian people to resist and adhere to the option of resistance by various means, focusing the resistance in the Occupied Territories of 1967, alongside political action, negotiations, diplomatic action and continuation of popular and mass resistance against the Occupation in its various forms and policies, making sure there is broad participation by all sectors and masses in the popular resistance.

In Point 7 of the Prisoners' Document, Hamas and Jihad reiterate their principled refusal to negotiate with Israel or recognize its legitimacy. Nevertheless, they do agree to negotiations if led by the PLO and the Palestinian Authority:

Administration of the negotiations is the jurisdiction of the PLO and the President of the PNA on the basis of clinging to the Palestinian national goals and to achieve these goals on condition that any final agreement must be presented to the new PNC for ratification or to hold a general referendum wherever it is possible.

Taken together with Point 1, the Prisoner's Document indicates that *all* the factions will abide by the outcome of negotiations with Israel if (1) they lead to an Israeli withdrawal from all the Occupied Territories and (2) the results of the negotiations are approved in a national referendum.

The Prisoners' Document concludes by calling on all political factions

to work on expanding the role and presence of the international solidarity committees and the peace-loving groups that support our people in their just struggle against the occupation, settlements, the apartheid wall politically and locally and to work towards the implementation of the International Court of Justice decision at The Hague pertaining to the removal of the wall and settlements and their illegitimate presence.

The document walks a fine line between seeking a political settlement with Israel and refusing, understandably, to give up claim to Palestine as a whole. In this, however, it is far ahead of the Likud Party Charter adopted in 1999 when the Netanyahu government was still in power, which claims the entire Land of Israel exclusively for the Jews but leaves no opening whatsoever for any compromise with the Palestinians. It flatly states:

The Jewish communities in Judea, Samaria and Gaza are the realization of Zionist values. Settlement of the land is a clear expression of the unassailable right of the Jewish people to the Land of Israel and constitutes an important asset in the defense of the vital interests of the State of Israel. The Likud will continue to strengthen and develop these communities and will prevent their uprooting....The Government of Israel flatly rejects the establishment of a Palestinian Arab state west of the Jordan river.

Though understandably nuanced, Hamas has signaled to Israel many times and in many forms its willingness to reach a just political solution that leaves it sovereign over 78% of historic Palestine. This is a very different picture from that painted by Sharon, Gilad, Barak and all the rest – and the Israeli leadership knows it. Thus, Olmert's knee-jerk dismissal of the Prisoners' Document as "meaningless" and unacceptable because it calls for full withdrawal from the Occupied Territories and the right of return (The Independent, June 10, 2006) represents nothing less than demagoguery – even a betrayal of both the Palestinian and Israeli peoples by not following through on every opening towards peace. Again, despite the "spin," the problem seems to be with Israel, not with the Palestinians, or even with Hamas.

TERRORISM “FROM BELOW,” TERRORISM “FROM ABOVE”

“The battle against Palestinian terrorism” is the lynchpin of Israel’s framing of its policies. But the issue of terrorism is more nuanced than blanket (and usually self-serving) statements of condemnation imply. First we should ask: What is terrorism? Amnesty avoids the term, finding it far too loaded to be useful. After all, one person’s terrorist is another person’s freedom fighter. People suffering from oppression have a recognized right to resist. They cannot be expected to abrogate their own human rights, indeed, their very lives, without resistance. We often call upon oppressed people to adopt non-violent tactics (which, of course, they should do); here, however, is where the double standard becomes part of the system of oppression. Since only states can go to war and “legitimately” use massive military force, people accept their actions, even if they are critical of them. We seldom demand that oppressive states cease their violent means of repression. We might call for “peace” and we might condemn the excessive use of force, but for some reason states are not expected to adopt non-violent policies.

Oppressed non-state peoples, by contrast, can only “resist,” and since armed resistance on their part is illegitimate, it is easy for states to frame it as “terrorism.” Regardless of how we feel about it, armed resistance to oppression is just as “legitimate” as the use of arms by countries. This is at the core of what is being called “asymmetrical warfare”: the difficulty of states to “defeat the enemy,” since they are the people, not a government with an army, or to distinguish between combatants and civilians – a distinction which doesn’t exist in popular warfare. The danger is that in their frustration, states, guided by the likes of Mofaz, Ya’alon and Kasher, will simply ditch all laws and rules of engagement that protect non-combatants, thereby legitimizing massacres such as we saw in Gaza. We, the civil society, must resist this temptation. We should insist that military thinking go another way: if there is a likelihood that civilians will be killed, injured or traumatized by a particular attack, do not carry out that attack. Military people, of course, cannot place civilians’ lives over their “mission.” It is thereby incumbent upon us to create public opinion, to support international law and to resist “Georgia Rules” so that our political leaders will overrule their militaries.

Most useful would be to adopt Amnesty’s rights-based blanket condemnation of “attacks against civilians,” which are unacceptable in any context and by any party. “Attacks on civilians are not permitted under any internationally recognized standard of law, whether they are committed in the context of a struggle against military occupation or any other context,” Amnesty argues. “Not only are they considered murder under general principles of law in every national legal system, they are contrary to fundamental principles of humanity which are reflected in international humanitarian law.” What this does allow us to do is condemn all terror, whether “from above” by states or “from below” by non-state parties. It brings state terror into the picture and promotes efforts to hold countries accountable for their policies and actions. In fact, state terrorism is a much greater problem – though far less discussed – than non-state terror. In his book *Death By Government* (1994:13), R.J. Rummel writes: “In total, during the first eighty years of this century, almost one hundred and seventy million men, women and children – conceivably nearly three hundred and sixty million people – have been shot, beaten, tortured, knifed, burned, starved, frozen, crushed or worked to death; buried alive, drowned, hung, bombed or killed in any other of the myriad ways governments have inflicted death on unarmed helpless citizens and foreigners.” And that doesn’t include Bosnia, Somalia, Sudan and Rwanda.

In fact, “terrorism from below” pales in comparison to the “terrorism from above” of states. Except for the year 2001, terrorists have claimed less than a thousand victims per year worldwide, while the killing of civilians by states reaches into the hundreds of thousands. This is why state actors frame their “war against terrorism” in moralistic terms (the “axis of evil”) or as self-defense, rather than in terms of human rights. Able to distance themselves from their

victims and hide behind the statesmen-like paraphernalia of their mahogany offices, moralism from on high allows them to evade responsibility. A human rights accounting does not distinguish between perpetrators of terror, and is therefore to be avoided.

There is no doubt, of course, that Palestinian organizations have resorted to terrorism in their struggle against the Occupation. But so has Israel in its attempt to suppress the Palestinians' struggle for freedom and perpetuate its control. Alongside more than 1000 Israelis that were killed (including more than 113 children and youths) and approximately 6000 injured during the second Intifada, some 3500 Palestinians died in Israeli attacks (85% of them non-combatant civilians; 650 children or youth), with more than 29,000 injured (Palestinian Red Crescent Society; The Palestine Monitor). All are victims of terrorism. If we accept Binyamin Netanyahu's definition of terrorism as "the deliberate and systematic murder, maiming and menacing of the innocent to inspire fear for political purposes," then the long list of attacks on Palestinian civilians – attacks that either cannot be justified on grounds of defense or security, or are so disproportionate as to constitute grave violations of human rights – places Israel squarely in the category of state terror.

In its series of attacks on Gaza between 2006-2014, Israel employed "innovative" tactics and weaponry that has seldom, if ever, been used in warfare against the people. Most prominent was the use of unmanned aerial vehicles (UAVs or drones), an increasingly important weapon in counter-insurgency of which Israel is the world's leader. UAVs provide critical surveillance and remote strike capability.

According to Defense Technology International, Operation Cast Lead marked the first time that infantry commanders on the ground were allowed to direct UAVs, helicopters, and warplanes independently, without having to run operational orders through air force command. Each brigade commander at the front was assigned a dedicated UAV squadron and an air-support controller team to provide them with real-time surveillance data from UAVs and other assets. Commanders on the ground could then immediately call in air strikes from attack helicopters waiting on standby or from drones and warplanes already over the combat zone. At least a dozen UAVs were kept in the air over Gaza at all times in order to detect Palestinian movements and to direct aircraft, tanks, and artillery (including naval artillery) to the targets. Action time was so quick that Israeli intelligence sources reported that F-16 aircraft could identify and fire air-to-ground missiles within 30 seconds of surveillance data being sent (Esposito 2009:176).

In part, Operation Cast Lead resembled conventional warfare. It sent into Gaza three paratroop/infantry brigades and one armored brigade (a little more than 10,000 troops), called in 1,500 air strikes, used its navy for intelligence and shelling, and employed extensive heavy artillery, including antipersonnel bombs (the US-produced M170 shell sprays 2,000 pieces of shrapnel). Israel also tested for the first time in battle the GPS-guided mortar, which it developed jointly with US manufacturer Raytheon. It was this mortar that struck the UNRWA school in which 43 Palestinians seeking shelter there were killed. But while Israel deployed innovative war equipment in novel tactical formations, it was the use of weaponry of counterinsurgency, much of it for the first time, that is most noteworthy. Esposito (2009:186–189) chronicles some of these:

- *Robots*: The IDF used Israeli-made Viper miniature robots for the first time during OCL. These small, lightweight, portable robots were designed for use in urban warfare to negotiate obstacles typical in such conditions, such as climbing stairs and surmounting rubble. Vipers are remotely operated by a single soldier wearing a special harness and helmet-mounted display.

- “*Football photo cameras*” are placed in units as small as a tennis ball that troops can drop by hand or roll inside a building and then remotely operate. The cameras transfer 360-degree live footage with a 15-second delay to troops located close by.
- *The man-portable antitank, anti-door short-range anti-armor weapon (MATADOR)* is an RPG-sized, portable, disposable anti-armor weapon jointly developed by Israel and Singapore that was first used in combat during OCL. It was developed to destroy APCs and light tanks but was used during OCL particularly to breach walls in structures, allowing IDF troops to pass through and/or attack targets inside. According to the Singapore defense Ministry, MATADOR is especially designed to offer “a nonconventional entry point for the soldier when fighting in built-up areas” and essentially acts as [an] antipersonnel weapon against anyone behind a wall. It is so accurate that Israel’s Rafael Corporation promotes its “mouse-holing capability” for targeting enemy combatants inside bunkers or buildings.
- *White phosphorous*: Fired by infantry, artillery, or helicopter to explode either in the air or on impact, white phosphorous (WP) is commonly used for signaling, screening, and incendiary purposes to eliminate the enemy’s resources or to obscure his vision.... WP causes rapid, deep, painful chemical burn injuries similar to napalm and simultaneously causes delayed wound healing. Spraying WP fires with water increases the fire’s intensity. The munitions are legal under international law when used for their intended purposes, but their use in densely populated urban/civilian areas may legally constitute a war crime. Israel’s use of WP during OCL was highly controversial, and it was only after the operation ended that Israel acknowledged having used it.
- *DIME*: Created by the U.S. Air Force specifically for use in crowded urban areas, dense inert metal explosives (DIME) [create] an explosion that is extremely powerful but of limited (5–10 meter) range to reduce collateral damage, but it is also believed to be highly cancerous to those injured. DIME munitions are packed with a fine mix of 25% TNT and 75% tungsten alloy (tungsten with small amounts of nickel and either cobalt or iron) that forms a dust cloud that ignites upon impact, similar to a fuel air explosive device. Victims in the immediate range are hit by ... micro-shrapnel made up of the cancerous tungsten. DIME is not illegal under international law, but its use is discouraged because of its cancer-causing effects. During OCL, Gazans reported seeing bombs that produced a reddish mushroom cloud of dust, and doctors reported treating injuries, such as bloodless amputations, that are consistent with DIME. Experts in DIME technology who have viewed photos of Gazans’ injuries suspect that Israel did use DIME during OCL, but this has not been proved conclusively. Israel is also suspected of having used DIME in Lebanon in 2006.
- *Depleted uranium*’s density makes it an effective coating for bullets and missiles to give them armor piercing capability.... Its use is highly controversial, however, because it has potentially devastating long-term health effects. DU is not illegal under international law but is discouraged because of the potential health hazards to civilians through inhaling uranium dust and shrapnel embedded in the ground leeching uranium into soil and groundwater. Israel has long been suspected of using DU munitions and has been accused of doing so again during OCL, with doctors in Gaza reporting removing shrapnel with traces of DU from casualties. Bolstering suspicions, experts highly suspect that U.S. TOW missiles and GBU-28 bombs used in Iraq contained DU, and the U.S. has sold both types of munitions to Israel.
- *Flechettes*: While most artillery shells in Israel’s arsenal are designed to disperse shrapnel when they explode to “increase lethality” (giving them a “dual use” as antipersonnel weapons), flechette rounds (also known as sabot rounds) are primarily intended as antipersonnel devices. Each shell is packed with 5,000–8,000 razor-sharp, nail-like metal

darts, each about 4 cm long. Shells explode in the air, scattering the darts in a cone-shaped pattern 300 yards long and 90 yards wide. Flechettes are intended for use against massed infantry attacks or squads of troops in the open. They are not banned under international law, but their use in built-up civilian areas could be ruled illegal.

- *Mini-Cube Shrapnel Missile*: Amnesty International reported Israeli use of a mystery weapon fired by drones that dispersed “tiny [2-4 mm], sharp-edged cubes of purpose-made shrapnel” similar to a flechette round. Some sources believe that this describes the Viper Strike anti-armor weapon that disperses tungsten micro-cubes, though these were not previously believed to be in Israel’s arsenal. Other experts speculate that the cubes could be part of a “fragmentation sleeve” fitted to a Hellfire or Spike missile to increase its lethality; Spikes and Hellfires are light enough to be mounted on a UAV. At least two children were killed and two severely injured by mini-cubes, which Amnesty International called “a more sophisticated version of the ball-bearings or nails and bolts which armed groups often pack into crude rockets and suicide bombs.”

The demolition of thousands of homes of Palestinians for “administrative” and planning reasons, the wholesale destruction of homes in the Jenin and Rafah refugee camp, of businesses and infrastructure in Bethlehem and Ramallah, the disproportionate use of violence against non-combatant civilian populations, and the impoverishment and displacement of Palestinians through land expropriation and closure – all these clearly add up to a policy that conforms to Netanyahu’s definition. The demand that Palestinians cease their terror campaign must be linked to the demand that Israel do the same. If terrorism is unjustifiable, then it must be unjustifiable across the board.

In all this the international community bears prime responsibility. The Palestinians have no history of terrorism; they have never been known as an especially fierce or belligerent people. Indeed, the turn to terrorism on the part of some Palestinian groups obscures the fundamentally non-violent nature of their resistance over the years, including during the two Intifadas. Thousands of acts of non-violent Palestinian resistance to the Occupation go unnoticed. Rebuilding demolished homes, jumping over high “separation walls” to (“illegally”) seek employment in Israel, demonstrating with Israeli and international peace activists against the Barrier, appealing to both Israeli and international courts against human rights violations, or simply remaining *sumud* (“steadfast”) in one’s house or farm despite threats, administrative policies and harassment – not to mention years of futile negotiations and diplomacy. If the international community demands that oppressed peoples renounce terrorism as a weapon of resistance, it must provide them with alternative legitimate means of achieving their freedom and rights. Equality before the law and the universality of human rights (including their obligations) must be enforced. The international community may condemn Palestinian terrorism only if the legitimate avenues for throwing off the Occupation and securing their rights to self-determination are made available to them.

Those “legitimate” avenues of redress are two. The Palestinians can either enter into a process of negotiations intended to resolve the conflict, or the Occupation can be made to collapse by the weight of its own illegality if the international community will only apply existing international law (such as the Fourth Geneva Convention). Both avenues have been closed to them, however. Israel and the United States refused to base the Oslo negotiations on international law because they knew that every element of the occupation was illegal and that Israel would lose. Instead, Oslo was based on power negotiations, in which case the Palestinians clearly lose. Not only was Israel allowed to strengthen its occupation during negotiations, prejudicing the very outcome of the talks, but its massive and blatant violation of human rights and international law were allowed to continue, including ever greater resort to violence, repression and state terror.

No one can justify terrorism, but moral outrage must be balanced by responsibility for the suffering of oppressed people. Instituting an international system of laws based on agreed-upon covenants of human rights will eliminate two of the worst forms of terrorism. Political terrorism, considered a legitimate form of resistance by groups like Hamas, will wither away as their adherents achieve the level of freedom, personal security and well-being guaranteed them by human rights conventions. State Terrorism, such as that waged by Israel against the Palestinian civilian population, will end as conflicts are resolved on the basis of each party's rights and the principles of international law. State Terrorism employed as a weapon of conquest, domination or exploitation will, in a world based on universal standards of civil behavior, be exposed as the illegitimate action it is. What's more, strengthening mechanisms of enforcement will end both forms of terrorism by holding offenders accountable for their actions. Only the third major form of terrorism, ideological terrorism of groups like al-Qaida, will remain intractable.

Accountability and justice based on universal human rights are not merely slogans, ideals or technicalities; they represent the most efficacious means of resolving conflicts in "win-win" ways that promote reconciliation and sustainable co-existence in a conflicted global reality. In the meantime, if we are going to condemn terrorism, we would do well to employ the language of human rights that includes *all* forms of terror, state and non-state.

THE DEATH OF THE TWO-STATE SOLUTION, THE RISE OF WAREHOUSING

If an official date could be given for the ultimate, virtually official, death of the two-state solution, it would be the first months of 2014 when the Kerry initiative simply sputtered out. Although Israel has managed to maintain a steady-state situation with the help of the Palestinian Authority and the unwillingness of international community to intervene in a meaningful way – a steady-state that survived the assault on Gaza immediately following the collapse of the Kerry negotiations – Kerry’s failure nonetheless has a significant impact on the Israeli-Palestinian conflict. The end of any meaningful political process, even a futile one, confronts us with a stark alternative: either Israel will succeed in permanently warehousing the Palestinians, an outcome it believes it has already achieved, or, if that proves unsustainable, as we think it is, a single democratic and bi-national state must emerge as the only possible just and workable alternative.

The end of the Kerry initiative marked the culmination of a decades-old campaign, systematically pursued by all Israeli governments, left, right and center, of eliminating the two-state solution. From the start, in 1967, successive Israeli governments, beginning with Labor, officially denied that there even was an occupation, claiming that since the Palestinians had never had a state of their own they had no national claim to the land. They denied the very applicability of the Fourth Geneva Convention that protects civilian populations finding themselves under hostile rule with no means of self-defense – and which had been formulated specifically with the intent of providing the protection denied to Jews during the Holocaust. And they embarked on a project of establishing settlements, in clear violation of the Fourth Geneva Convention that prohibits an Occupying Power from moving its civilian population into an occupied territory, in order to “judaize” the entire country and permanently extend Israeli control over it all.

In many ways the Labor Party (the “Zionist left”) bears more responsibility for eliminating the two-state solution than does the Likud. It was Labor, after all, that did the original conquering in 1967, created the legal, political, economic and physical “facts on the ground” upon which the Occupation has expanded all these years, and failed to negotiate a just peace during the Oslo negotiations, which was eminently possible to obtain. It was Labor that doubled the settler population during Oslo and which in fact imposed the Wall on a resistant Prime Minister Sharon. The Likud and Kadima of Sharon and Olmert were, of course, willing partners in perpetuating the Occupation, as were all the Zionist parties from Meretz to the extreme right. It has fallen to Netanyahu, however, to drive the stake into the heart of the two-state solution once and for all. He decisively blocked the last conceivable attempt to wring a two-state solution – Kerry’s abortive initiative of 2013-14 – by raising impossible demands. The Palestinians were required to relinquish their own national narrative and civil rights by recognizing Israel as a *Jewish* state and agree that Israel would retain permanently East Jerusalem, the Jordan Valley and Israel’s main settlement blocs (about a third of the West Bank), as well as the water and natural gas resources, the country’s electro-magnetic sphere (communications) and all of its airspace.

Netanyahu left the Palestinians with less than a Bantustan, a non-viable and non-sovereign set of enclaves comprised of the 70 cells of Areas A and B of the West Bank and the cage which is Gaza – just 15% of historic Palestine, in which half the population will be confined, and the five million refugees of the camps left to rot, many in war-torn Lebanon and Syria. Operations Brothers’ Keeper and Protective Edge in the summer of 2014 represented the declaration of the regime of warehousing. The seemingly blind and atavistic destruction unleashed on the Palestinians was not merely another “round of violence” in an interminable struggle but the

start of a new political reality. Israel's "message" to the Palestinians was clear: "We have completed the process of judaizing the Land of Israel; after 'east' Jerusalem was thoroughly dismantled and incorporated into Israel, it is time to do the same with Judea and Samaria. 'East' Jerusalem and the "West Bank" no longer exist. You Arabs (or 'Palestinians' as you call yourselves) are not a people and have no national rights, certainly no right to *our* exclusively Jewish country. You are not a 'side' to a 'conflict.' Once and for all we must disabuse you of the notion that we are actually negotiating with you. We never have and never will. You are nothing but inmates, and we hereby declare through our military and political actions that you have three options before you: You can submit as inmates are required to do, in which case we will allow you to remain in our Jewish country, though with limited autonomy only. Or you can leave, as hundreds of thousands have done before you. You will live in a prison, but the back door out will always be open. Or, if you choose to resist, you will die."

We often use the term "apartheid" to describe the political situation Israel has created, but the reality is worse. The term that best describes how Israel envisions the Palestinians' future is "warehousing." Warehousing is a concept used to describe the situation of millions of inmates in the world's prisons who have "disappeared" from mind and sight behind concrete walls. It was then expanded to include the plight of the world's poor (a billion people are locked permanently into the world's 29 largest urban slums, a kind of open-air prison), of "illegal" immigrants and, indeed, of the large majority of humanity rendered superfluous to the free-market system – all "surplus humanity" to be "contained." When applied to entire peoples such as the Palestinians, warehousing refers to a static situation of virtual imprisonment emptied of all political content and resolution. "What Israel has constructed," argues Naomi Klein in her seminal book *The Shock Doctrine*,

is a system,...a network of open holding pens for millions of people who have been categorized as surplus humanity....Palestinians are not the only people in the world who have been so categorized....This discarding of 25 to 60 percent of the population has been the hallmark of the Chicago School [of Economics] crusade....In South Africa, Russia and New Orleans the rich build walls around themselves. Israel has taken this disposal process a step further: it has built walls around the dangerous poor.

A policy of warehousing relies on successfully de-politicizing and normalizing control. This Israel does by creating a physical reality of control by its "facts on the ground," while removing any reference to occupation or political conflict. By casting its actions simply as a "war on terrorism" in which the Palestinians (de-nationalized as "Arabs") are nothing more than one front in a morally just battle with the forces of evil, part of a "clash of civilizations," Israel justifies warehousing on the grounds of "containing terrorism," of "security." Needless to say, such an effort is supremely defensive, meaning that the warehoused are to blame for their warehousing. In this way, the imprisonment of the Palestinians in enclaves surrounded by Israeli settlements is rendered permanent, immune to any solution and or process of negotiation. Like inmates, they become a problem to be dealt with rather than people whose grievances, needs and rights deserve to be addressed. Calling Gaza the "world's largest prison," then, becomes tragically but ultimately accurate, prisons being one of the most manifest representations of warehousing.

Like South African bantustans under apartheid, which comprised 11% of the country, the Palestinian bantustan comprises only about 15% of historic Palestine. Unlike the black African workers Palestinian workers for whom the bantustans serves as a source of cheap labor in "white" South Africa, Palestinian inhabitants of the Israeli bantustan are locked out of the Israeli economy. Having discovered a cheaper source of labor, some 300,000 foreign workers imported from China, the Philippines, Thailand, Rumania and West Africa, augmented by its own Arab, *Mizrahi*, Ethiopian, Russian and Eastern European citizens, Israel can literally lock the Palestinians out of the economy while confining them to the enclaves of Areas A, B and

Gaza without a viable economy of their own. Palestinians will become wards of the international community. Having defined them as “surplus humanity,” nothing remains but to warehouse them, an option that the international community appears willing to allow Israel to institute.

On January 28, 2020, Donald Trump issued his “Deal of the Century,” with Netanyahu at his side. The “Deal” was nothing if not predictable; it merely reaffirmed the realities imposed by Israel “on the ground” over the past 53 years. In fact, ICAHD put out a map 15 years ago that corresponds closely to Trump's map (see the comparison in Map 8). Besides a few cosmetic changes, all the Kushner/Netanyahu team did was color in the area enclosed by the wall. Once we knew the route of the separation barrier, the Apartheid Wall, it was easy to draw the map that would eventually emerge.

Needless to say, the plan is a non-starter. Rather than even a mini-state on 22% of historic Palestine as proposed in the two-state option, the Palestinians -- who are both the indigenous and the majority population in the country -- will have to do with only 15% of their country, and that truncated into 4 cantons: three in the West Bank separated by Israeli settlements, and Gaza. The “refugee problem” will be solved by denying them the right to return to their homeland, or to somehow squeeze the 5-6 million strong refugee population to the tiny enclaves of the Palestinian “state.” Few, if any, of the 700,000 Israeli settlers in the OPT will be removed, nor will the matrix of control of massive settlement blocks, highways and military bases be dismantled.

While Israel expands from 78% to 85% of the country, the Palestinians are left with a sterile bantustan: no contiguous territory, no border with the Arab states, no control over water or other vital resources, loss of Jerusalem as a religious, cultural and political center, not to mention its loss as a tourist site -- economically non-viable patches of barren land, whether you call it a state or a prison.

Israel, of course, continues to rule the entire country militarily, the Palestinians bereft not only of an armed force but even of the right of defending themselves, any opposition to Israeli repression being characterized by Trump (following Israel) as “terrorism.” He spent a lot of time, as Netanyahu does, condemning Palestinian terrorism and demanding security for Israelis. Not a word about guaranteeing Palestinians *their* security, a much more urgent issue.

Trump also threatened the Palestinians that if they did not accept his plan in 4 years, Israel would be allowed to build settlements in the land they would have received.

One of the most sinister parts of the plan was revealed outside the formal plan itself. As part of an “exchange of territory,” Israel will transfer the “Triangle to the Palestinian bantustan, an area in the eastern Galilee adjoining the Green Line that is home to 350,000 (Arab) Israeli citizens. By ridding of this population, Israel believes it has made apartheid viable. Some 95% of the Palestinians of the Palestinian “state” will be confined to tiny enclaves in the West Bank and Gaza, Israel will shed 350,000 “non-Jewish” citizens and a Greater “Jewish” Jerusalem will be disconnected from the West Bank.

Anone item that journalists missed because it was raised by Netanyahu and not Trump: before any negotiations, the Palestinians must recognize Israel as a *Jewish* state, a demand that goes beyond the mere recognition of Israel by Arafat in the Oslo process. This not only prejudices the civil rights of the 25-30% of Israelis who are not Jewish, but forces the Palestinians to legitimize Jewish colonial claims over their country.

There is one silver thread to Trump's Plan: it puts to bed once and for all the two-state solution that Israel never intended to implement and which it buried under its settlements decades ago. For Zionism never considered itself in a “conflict” with the Palestinians. As the native people, they were irrelevant to the Zionists' goal of judaizing the country, of turning an Arab country into a Jewish one. They had to be displaced or confined or eliminated, but they were not a “side” with national rights equal to those of the Jews.

Trump's plan -- which is actually Netanyahu's (and agreed upon by opposition leader Benny Gantz and 95 out of the 120 members of Israel's parliament) – simply recognizes the judaization of Palestine begun 125 years ago and gives the green light to completing it.

HOW DOES ISRAEL GET AWAY WITH IT?

We're in the midst of a great revolution, a revolution in Israel's standing among the nations. This is happening because so many countries around the world have finally woken up to what Israel can do for them. Those countries now recognize what brilliant investors like Warren Buffet and great companies like Google and Intel, what they've recognized and known for years: That Israel is the innovation nation – the place for cutting-edge technology in agriculture, in water, in cyber security, in medicine, in autonomous vehicles – you name it, we've got it.

Those countries now also recognize Israel's exceptional capabilities in fighting terrorism. In recent years, Israel has provided intelligence that has prevented dozens of major terrorist attacks around the world. We have saved countless lives. You may not know this, but your governments do, and they are working closely together with Israel to keep your countries safe and your citizens safe.

I stood here last year on this podium and I spoke about this profound change in Israel's standing in the world and just look at what has happened since in one year: Hundreds of presidents, prime ministers, foreign ministers and other leaders have visited Israel, many for the first time. After 70 years, the world is embracing Israel, and Israel is embracing the world. One year. [I have visited] Six continents. Now, it's true. I haven't yet visited Antarctica, but one day I want to go there too because I've heard that penguins are also enthusiastic supporters of Israel. You laugh, but penguins have no difficulty recognizing that some things are black and white, are right and wrong.

--- Benjamin Netanyahu at the UN, September 19, 2017

Netanyahu has a point. Over the past few years Israel seems to have broken out of the diplomatic isolation caused by its occupation policies. The complete cutting of relations by all African countries following the 1973 war is long past, and there is even talk of Israel becoming an observer in the Organization of African States. Israel is the first non-Latin American country to have formal affiliations with Mercosur, In 2007 Israel became the first country outside of Latin America to be affiliated with MERCOSUR, the continent's emerging common market. In Europe, the EU constantly up-grades its relations with Israel even while (mildly) criticizing its settlement policies; its Horizon 2020 program has so far granted Israeli companies like Elbit Systems and the Israeli Aerospace Industry €500 million for research and development, much of that for military-related projects. Countries traditionally sympathetic to the Palestinian cause, including China, India and Nigeria, have developed extensive trade ties with Israel, particularly in the military field and its related hi-tech sector. Most surprisingly (perhaps), Israel's relations with the Arab world have largely normalized despite the Occupation: Israel is a close ally of Egypt, Jordan and Morocco, and is beginning formal diplomatic relations with the Gulf States and even Sudan and Saudi Arabia. Internationally, NATO has designated Israel as a major non-NATO ally. And the OECD, the exclusive club of advanced economies, voted Israel a member in 2010 despite a human rights record that should have excluded it. And the US under Trump, as under all previous administrations, continues to lend Israel its full diplomatic, economic and military support, even moving its embassy to Jerusalem.

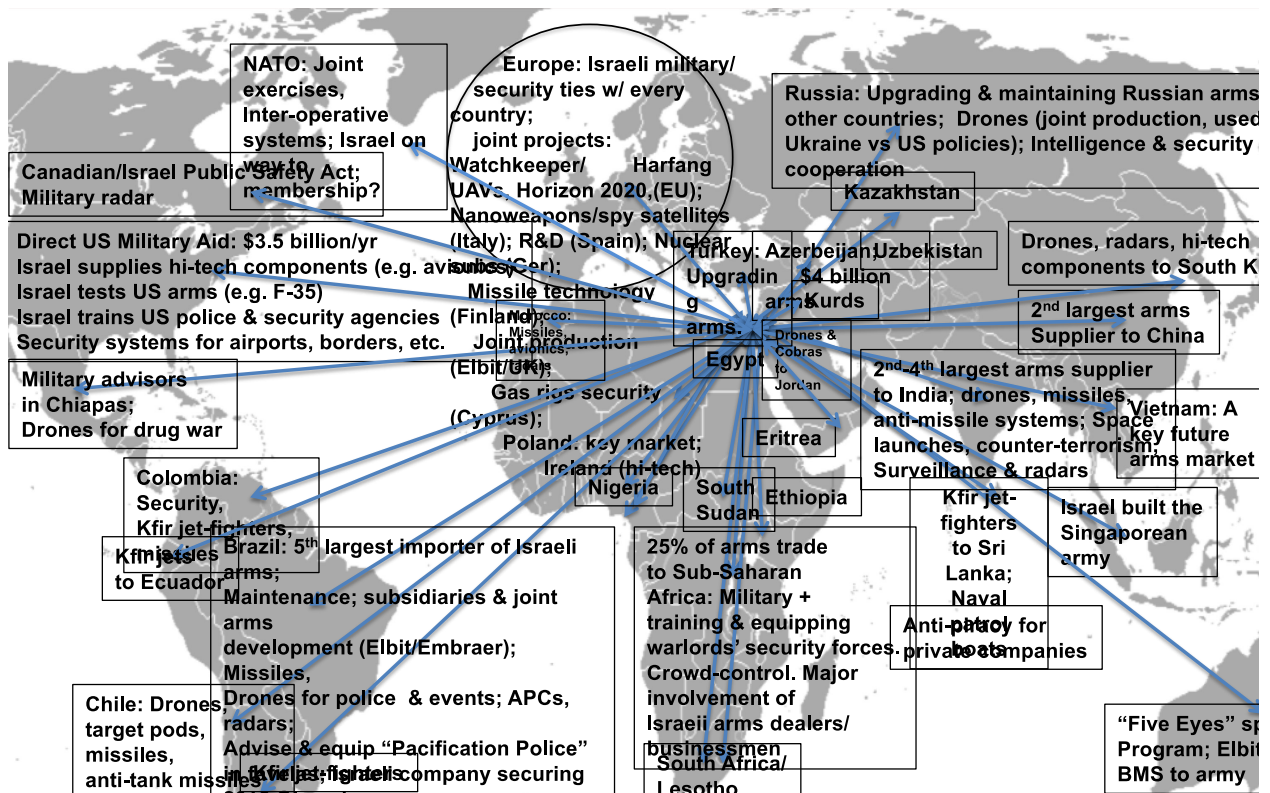
How can we explain this? The usual common-sense explanations make only partial sense, and then only in particular countries. The clout wielded by the Jewish and Christian fundamentalist communities in the US is considerable, but it does not explain China's support (although it does partially explain that of Saudi Arabia and that of many shady regimes, for whom AIPAC is willing to lobby in the US in return for supporting Israel in the UN and elsewhere). The perception that Israel is one of "us," a white European nation fighting Muslim terrorism and sharing "our" moral values, plays a role as well, but that doesn't explain Indian or Sudanese relations.

Guilt over the Holocaust may affect European, and especially German, support, but it, too, does not extend to most of the world.

Something else is going on here. Netanyahu hints at it when he says: “You may not know this, but your governments do, and they are working closely together with Israel to keep your countries safe and your citizens safe.” So, what is the genuine *quid pro quo*, the Big Reason for supporting Israel? Israel, I would submit, has succeeded diplomatically by parlaying its military and securocratic prowess into political clout. I call this *security politics*. And in this the Occupation represents a *resource* for Israel in two senses. Economically it provides a testing ground for the development of weapons, security systems, models of population control and tactics without which Israel would be unable to compete in the international arms and security markets. Diplomatically, the military prowess that Israel has developed – and particularly in what I call War Against the People, counterinsurgency and population control, the forms of warfare Israel has perfected over its years of fighting the Palestinians – has put it in a position of being a major military power serving other militaries and security services the world over. Israel is a small country scrambling to carve out a niche in the transnational military-industrial complex. Where would it be without the Occupation and the regional conflict it generates?

A glance at Israel military, security and police relations with countries of the world reveals its impressive global reach (and the following illustration is only suggestive; it does not show *most* of Israel’s security relationships). It is Israel’s success in carving out for itself a niche between conventional warfare, the waging of “asymmetrical” wars abroad and securocratic war at home, all based on its ongoing war against the Palestinians, that explains how it gets away with it. Israel has made itself useful enough to the powers-that-be throughout the world that in return for military and security weapons, technologies and tactics they are willing to let Israel get away with its Occupation. I go into great detail on this in my book *War Against the People: Israel, the Palestinians and Global Pacification* (Halper 2015).

Having said all this, we should note that while Israel’s position among *governments* may be strong, the same cannot be said about the *peoples* of the world. The fact that “pro-Israel” voices have become shriller the greater their isolation, and Israel’s great fear of the BDS movement, shows that Israel has already lost in the Court of Public Opinion. We have succeeded in mobilizing people internationally. Now we have to lead them, and through their pressures lead their governments, into a campaign for a just political settlement.



GLOBALIZING PALESTINE

ISRAEL AS A PROTOTYPE OF A TRANSNATIONAL SECURITY STATE

Jeff Halper, TPN/ICAHD

SO WHERE DO WE GO FROM HERE? TOWARDS A SINGLE DEMOCRATIC STATE

The two-state solution, we submit, is simply dead and gone. Zionism's 120-year quest to Judaize Palestine – to transform Palestine into the Land of Israel – has been completed. The Palestinians, now becoming the majority in the country, have been confined to 10% of the country's land, and that in dozens of impoverished, non-viable enclaves. The right of the Palestinian refugees, today between 5.5-7.5 million in number, to return has been categorically denied. Any possibility of a viable Palestinian state in the OPT has long been buried under the massive "facts on the ground;" the Matrix of Control has rendered Israeli control permanent. *Every* Israeli government since 1967 has refused to seriously entertain the notion of a genuinely independent and viable Palestinian state alongside the state of Israel. (Whether in the end Rabin would have agreed to such a settlement and his government would have had the ability to pass it through the parliament remains an imponderable we will never know the answer to.) As it is, Israel has never recognized the very existence of a Palestinian people or its national rights; in fact, it denies that an occupation even exists. The present Likud government is on record as opposing the establishment of a Palestinian state, preferring some form of "autonomy," while the Labour opposition argues that "now is not the time" for a two-state solution. Internationally, no will exists in the governments to pressure Israel into withdrawing from the Occupied Territory; on the contrary, the US, which has already declared Jerusalem Israel's capital and has "taken it off the agenda," is poised to make the Occupation permanent in one form or another.

The two-state solution continues to be the program supported by governments, of course, because it is a perfect vehicle for endless conflict management. Negotiations over negotiations or merely holding out slim prospects of negotiations lead nowhere but can be dragged on indefinitely, which is the point. Indeed, it is a trap in which the Palestinian Authority is caught, since disavowing the two-state solution casts it as the intransigent party.

The time has come to formulate a genuinely just and workable political settlement, then follow it up with an effective strategy of advocacy within Israel/Palestine and abroad.

Toward a Multi-Cultural Democracy

What, then, would the decolonization of Palestine entail? Like in most settler situations, the Zionist settlers of what became Israel are now too numerous and embedded in Palestine to dislodge; they will not be leaving. Nonetheless, decolonization must be based on liberation — in this case, of the indigenous Palestinians and the settler Israelis alike.

This process requires specific steps. First, it requires an end to settler entitlement and its hegemony over the land and its resources, over sources of political and economic power, over the national culture and narrative, and the rise of a new, inclusive, and shared polity. Second, it demands the restoration of the indigenous peoples' sovereignty — their ability to define their own place as equals in the new society, and to carry on a sustainable indigenous life. And third, it portends the integration of the settler population into a society of equals. Once the colonized and colonizers reach a certain parity, then normalization, even reconciliation, becomes possible. And with the assent of the indigenous, the settlers may finally become indigenized.

In order to arrive at post-coloniality — the ultimate end of settler colonialism — the process of decolonization must unfold in tandem with a detailed program of reconstructing the country in an inclusive manner. This program rests on six indispensable requirements, which form the

basis of the One Democratic State Campaign (ODSC) program, a one-state project which both authors are active members of:

1. Replacing ethno-religious nationalism with a constitutional democracy based on common citizenship, thus enabling and fostering the emergence of a shared civil society;
2. Fully implementing the right of refugees and their descendants to return to their homeland under conditions that facilitate their full re-integration into society;
3. Offering constitutional guarantees to the country's national, ethnic, religious, and other communities to protect their right to their collective identities, associations, cultures, and institutions;
4. Restoration to the expelled, excluded, and oppressed of their rights, properties (actual or through compensation), identities, and social position, followed by reconciliation;
5. Establishing an inclusive economy offering financial security, sustainability, meaningful employment, and just compensation; and
6. Acknowledging a connectedness to the Arab world and the international community by creating new regional and global structures of equality and sustainability.

Toward a Political Program

So, what is the plan? A great deal of work has already been done to understand the nature of Zionist/Israeli settler colonialism and decolonization, but remains largely confined to the academic realm. This massive academic literature must be “translated” into forms that are accessible and prioritized for political activists, strategists, and the public.

The ODSC program is a first step in that direction, and provides both a conceptual and operational basis for integrating academic analysis into a political program. Other steps in this direction might be to produce a detailed vision document along the lines of the Freedom Charter of the African National Congress (ANC), and to convene a working group to draft a constitution. A detailed plan of action is also required for bringing this new society into being, and for promoting a form of strategic co-resistance, joint resistance, that can overcome Israel's disciplinary power and that enlarges the participation of both Palestinians and critical Israeli partners.

A second step involves adopting a common framing that not only counters Israeli *hasbara* (state propaganda), but offers an equally compelling alternative logic for political struggle. These should be based on three elements: diagnosing the problem as one of decolonizing a settler colonial state, rather than technically resolving a “conflict” between two symmetrical sides; shifting the discourse away from the focus on Israeli “security” to centering structural colonial relations of dominance and subordination; and overturning the view of Israel as the victim that requires an exclusive “Jewish” state, to the understanding of Israel as the stronger party, architect, and enforcer of an apartheid regime existing over a one-state reality, which must be transformed into a single democracy.

A third step is to formulate the political strategy itself. It must begin with the fact that, like whites in South Africa during the anti-apartheid struggle, the majority of Israeli Jews will never be active partners in a struggle for the decolonization of Palestine. As settler colonials they have no motivation to decolonize, which they view as a form of national suicide. The best we can aim for strategically is to “soften” them through an inclusive plan of decolonization to a

point where, as in South Africa, they will not actively resist the necessary transition to post-colonialism.

Taking a leaf out of the ANC's playbook, this means forging a Palestinian and international civil society alliance in which Israeli Jewish allies play a key role. The goal of such an alliance is to generate broad-based support among the international public — trade unions, churches, intellectuals, academics, students, activists, and the broader public — that will “trickle up” and gradually change unfavorable government policies into support for a single democratic state.

A Single State is Not Utopian

Is this a pipe-dream? It may have been, had any other viable option been kept open. But as it stands, the other option besides apartheid — some form of a two-state solution or a confederation — has been buried under massive settlements that Israel has used to absorb the occupied territories into Israel proper. Israelis must accept the bitter pill of their expansionist ambitions: there can be no Jewish state without apartheid, and apartheid is politically and morally unacceptable, and ultimately unsustainable. By the same token, the Palestinians must accept that their aspirations for a Palestinian state, even a tiny one in the occupied territories, is also gone.

Looking beyond these daunting realities, however, is an achievable vision and a program that is good for both peoples: a single democratic state with a shared civil society, a flourishing economy, security and peace, in which both peoples can find a significant measure of self-determination and expression.

The one state's moment may not have arrived; but the tectonic plates are shifting. At some point in the not-too-distant future, as the international community casts about for a solution, the one-state alternative will inevitably make the most sense — but only if civil society — Palestinian-led and supported by critical Israelis — works now to make it a genuine political option.

One democratic state. Elegant, simple, just, and doable. It's a vision worth considering, and a vision worth fighting for.

A Last Word

ICAHD has played a seminal role in formulating the ODSC program and in organizing around it. ICAHD has always been a *political* organization, dedicated to advancing a just peace between Palestinians and Israelis, rather than merely protesting, resisting and critiquing — all important and activities in which ICAHD also engages, but inadequate without a political agenda, a program, an end-game and a strategy for achieving it. This we resist the demolition of Palestinian homes, rebuild demolished homes with our Palestinian partners as political acts of resistance and disseminate our analysis and what's happening on the ground through guided tours of the OPT, publications, actions, working with the media, speaking tours and more. But the issue of home demolitions is for us a vehicle to exposing what is happening in the OPT (and colonized Israel), clarifying Israel's intentions, showing how settler colonialism, apartheid and occupation work and, not least, highlighting the human cost of oppression. Our involvement in the campaign for a single democratic state is only the natural extension of our political work. We thank you for your support and value your solidarity.

APPENDIX 1

STATISTICS ON HOUSE/STRUCTURE DEMOLITIONS (November 1947-December 2019)

ICAHD estimates that about 52,000 Palestinian homes were demolished in the Naqba and more than 55,000 in the Occupied Territory since 1967, based on information gleaned from the Israeli Ministry of Interior, the Jerusalem Municipality, the Civil Administration, OCHA and other UN sources, Palestinian and Israeli human rights organizations, Amnesty International, Human Rights Watch, ICAHD's own field work and other sources (updated as of February 2018.) Additional thousands of homes have been demolished inside Israel between the Naqba and today, although the figures we have are fragmentary.

It should be noted that neither Israel nor such monitoring agencies as the UN's OCHA keep figures on home demolitions alone, but lump them into the demolition of "structures." Thus, structures needed for livelihood such as barns, sheep-pens, cisterns or fencing are included in our figures. On the other hand, an apartment block of 30 or more apartments is counted in the statistics as "one" demolition. The figures we have collected then balance (although no one knows to what degree) between "structures demolished" and actual housing units. The figures, then, provide a rough estimate of actual house demolitions, which may be somewhat more or less than the figures given.

Types of demolitions

1. **Punitive demolitions:** Houses demolished as punishment for the actions of people associated with the houses. This policy was suspended by the Israeli army in February 2005 after it reached the conclusion that rather than deterring attacks, punitive demolitions only enflame the people and lead to more attacks. The practice was resumed on 19 January 2009, and was reaffirmed as a policy by the Netanyahu government in November 2014. Although this is thought of by most people as the main reason why houses are demolished, in fact punitive demolitions account for only 3% of all defined demolitions.
2. **Administrative demolitions:** Houses demolished for lack of a building permit. This happens in Area C and in East Jerusalem, under exclusive Israeli authority, though prior to the existence of Areas A, B & C it occurred in other areas as well. It is important to point out that in almost all cases, Palestinians have no choice but to build "illegally" as permits will not be granted. It is also the case that in Area B, if a house is in close proximity to a military base or a road used by the military or settlers, it may also face administrative demolition. This type of demolition accounts for approximately 20% of defined demolitions.
3. **Land-clearing operations/Military demolitions:** Houses demolished by the IDF in the course of military operations for the purposes of clearing off a piece of land (for whatever reason), achieve a military goal or to kill wanted persons as part of Israel's policy of extrajudicial executions. Military demolitions characterized the massive destruction of Palestinian communities during the Naqba, and in the Occupied Territory they account for about 66% of defined demolitions carried out since 1967.
4. **Undefined demolitions:** ICAHD is collecting information and investigating the status of many demolitions carried out between 1967-1982, when the Civil Administration begins its work. These include mainly demolitions resulting from land-clearing operations and removal of Palestinian populations.

NUMBERS OF DEMOLITIONS

Year	Punitive	Administrative	Military	Undefined	Total
Demolitions Inside the “Green Line”					
1936-39	2000 (by the British)				2000
1947/48		52,000 ⁱ			52,000
Post-Naqba-2019 ⁱⁱ		966 ⁱⁱⁱ al-Araqib in the Negev alone was demolished 146 times as of August 2019, conservatively 3000 homes			
Demolitions in the Occupied Palestinian Territory					
1967	-	-	2,187 ^{iv}	5,367 ^v	7,554
1968	-	-	-		
1969	-	-	-		
1970	-	-	-	191	191
1971	-	-	6000 ^{vi}	231	2,231
1972	-	-	-	35	35
1973	-	-	100 ^{vii}	34	134
1974	-	-	-	61	61
1975	-	-	-	77	77
1976	-	-	-	24	24
1977	-	-	-	1	1
1978	-	-	-	2	2
1979	-	-	-	18	18
1980	-	-	-	30	30
1981	-	-	-	24	24
1982	-	-	-	35	35
1983	12 ^{viii}	-	-	-	12
1984	2	-	-	-	2
1985	44	-	-	-	44
1986	49	-	-	-	49
1987	1	103 ^{ix}	-	-	104
1988	164	423	-	-	587
1989	220	347	-	-	567
1990	204	102	-	-	306
1991	80	227	-	-	307
1992	33	160	-	-	193
1993	19	111	-	-	130
1994	4	149 ^x	-	-	153
1995	1	68	-	-	69
1996	11	157	-	-	168
1997	8	249	-	-	257
1998	-	180	-	-	180
1999	-	142	-	-	142
2000	-	59	-	-	59
2001	10	227	-	-	227
2002	251	319 ^{xi}	878 in WB 2,540 in Gaza ^{xii}	-	3,988
2003	227	405		-	632
2004	177	291		-	468
2005	4	211	75	-	290
2006	-	146	256	-	402
2007	-	286	73	-	359
2008	-	291	79	-	377

2009	1 ^{xiii}	275 ^{xiv}	4,247 ^{xiv}	-	4,523
2010		439			439
2011		622			622
2012		604	450 ^{xv}		604
2013		663			663
2014	4	515	18,000 ^{xvii}		18,519
2015		511 ^{xviii}			511
2016		1094			1094 ^{xix}
2017		423			423 ^{xx}
2018		457			457 ^{xx}
2019		623 ^{xxi}	30 ^{xxii}		653
Total in OPT Since 1967	1,523	9,783	30,915	6,130	55,407

ⁱ Beginning already in 1947 and extending throughout the 1948 war and into the next decade, Israel systematically demolished some 52,000 Palestinian homes, 531 entire urban neighborhoods and rural towns and villages. This was done not in the heat of battle but after the fighting had ended (in many cases years later), as a deliberate policy of displacement, of preventing any return of refugees and of taking the land. Sources: Walid Khalidi (ed), *All That Remains: The Palestinian Villages Occupied and Depopulated by Israel in 1948*. Washington DC: Institute for Palestine Studies, 1992; Ilan Pappé, *The Ethnic Cleansing of Palestine*. Oxford: One World Publications, 2006.

ⁱⁱ The number of homes demolished in 1948 Israel until today, not connected to the Naqba – virtually all of them Palestine/Bedouin – is still unknown and needs research. The few figures we can glean are presented here, but they are obviously fragmentary at best. The figure here is for demolitions in the Bedouin communities of the Negev. Orli Almi, *The Ramifications of House Demolitions in Israel on the Mental Health of Children*, 2005. Unrecognized Negev Villages Project.

ⁱⁱⁱ Demolitions in the Bedouin communities of the Negev. The Negev Coexistence Forum, *The House Demolition Policy in the Negev-Naqab*, 2014. Retrieved at: <http://www.dukium.org/wp-content/uploads/2014/12/HDR_2014_English_web.pdf>.

^{iv} The Israel League for Human and Civil Rights (1970), “The United Nations Commission on the Israeli Practices in the Occupied Territories,” Retrieved at: <<http://domino.un.org>>; United Nations General Assembly (1967) “Report of the Secretary-General Under General Assembly Resolution 2252 and Security Council Resolution 237 (1967),” Retrieved at: <<http://www.domino.un.org>>; Thomas Abowd (2000), “The Moroccan Quarter: A History of the Present,” Jerusalem: *Jerusalem Quarterly*, Retrieved at: <<http://www.jerusalemquarterly.org>>; Palestine Remembered (n.d.), “Imwas,” “Bayt Nuba,” “Yalu,” Retrieved at: <<http://www.palestineremembered.com>>. The UN Report refers to 850 houses demolished in Qalqilya and 360 in Beit Awa. It also states that the Beit Mersim (Beit Marsam) was entirely demolished and had an original population of approximately 500. We averaged just over 8 people per house to arrive at the figure of 60 houses for this village. Also quoted in the report is the demolition of 18 houses in Surif. Abowd’s articles states that 135 houses were demolished in the Moroccan Quarter of Jerusalem’s Old City but a UN Report from 1980 raises that number to 160. We have used the lower number. The villages of Imwas, Yalu and Beit Nuba were entirely demolished in 1967. The website “Palestine Remembered” cites the 1931 British census listing 224 houses in Imwas, 245 in Yalu and 226 in Beit Nuba. According to the 1961 Jordanian census, the populations of the towns increased by 91, 70 and 43%. An extremely conservative estimate would be a 10% increase in the amount of housing by the 1961 census, adding a total of 69 more houses for a three-village-total of 764. This total does not include the numbers from the Jordan Valley villages of Nuseirat, Jiftlik, and Arajish, all of which were leveled, as those numbers are currently unavailable.

^v United Nations General Assembly (1984), “Report of the Secretary-General, Living Conditions of the Palestinian People in the Occupied Palestinian Territories,” Retrieved at: <<http://www.domino.un.org>>. This is the source for all statistics on undefined demolitions between 1967 and 1982. In the actual report these are listed as punitive demolitions though a UN source states all demolitions were classified as “Collective Punishment.”

- ^{vi} Human Rights Watch (2004), *Razing Rafah*. New York: Human Rights Watch, Retrieved at: <<http://www.hrw.org/reports/2004/rafah1004/rafah1004images.pdf>>; Jeff Halper (2005). *Obstacles to Peace* (2005) Jerusalem: PalMap. This number is from a mass demolition that took place in the Jabaliyya and al-Shati refugee camps of the Gaza Strip, in military operations led by Ariel Sharon.
- ^{vii} UNISPAL (30 March 1979), Special Unit on Palestinian Rights, Bulletin no. 3. Retrieved at: <<http://www.domino.un.org>>. The 100 houses were from Beit Ikse, and were demolished for the Ramot settlement. The majority of the populace of Beit Ikse are refugees which helps to explain why there was a small distance between the village proper and the collection of houses now under Ramot. This is also mentioned in the 25 May 1984 document from the UN General Assembly, “Living Conditions of the Palestinian People in the Occupied Palestinian Territories. Report of the Secretary-General.”
- ^{viii} Talmor, Ronny (1989), *Demolition and Sealing of Houses as a Punitive Measure in the West Bank and Gaza Strip During the Intifada*. Jerusalem: B’Tselem. This report is the source for the data on punitive demolitions from 1983-86.
- ^{ix} B’Tselem (2014), “Statistics on demolition of houses as punishment 1987-2005.” Retrieved at: <http://www.btselem.org/punitive_demolitions/statistics>. All the statistics on punitive house demolitions from 1987-2005 come from this.
- ^x B’Tselem (2006) “Statistics on Demolition of Houses Built Without Permits.” Retrieved at: <<http://www.btselem.org>>. All the statistics on administrative demolitions between 1987-1993 come from this.
- ^{xi} Meir Margalit (2006), *Discrimination in the Heart of the Holy City*. Jerusalem: IPCC (Dr. Margalit is a field researcher for ICAHD).
- ^{xii} *Report of the Secretary-General on Recent Events in Jenin and Other Palestinian Cities*. Retrieved at: <<http://www.un.org/press/en/2002/SG2077.doc.htm>>; Human Rights Watch (2004), *Razing Rafah: Mass Home Demolitions in the Gaza Strip*; B’Tselem (2006), “Statistics on Houses Demolished for Alleged Military Purposes.” Retrieved at: <<http://www.btselem.org/razing/statistics>>; UN Office for the Coordination of Humanitarian Affairs (2005-2008), Weekly Humanitarian Briefings, #s 86-240.
- ^{xiii} Demolition witnessed by ICAHD staff on 19 January 2009.
- ^{xiv} Figures for 2009-2014 compiled by AIDA, OCHA, ICAHD and other monitoring organizations.
- ^{xv} Total for houses demolished in Gaza during Operation Cast Lead, provided by UN OCHA. Retrieved at: <<http://www.ochaopt.org/annual/c2/8.html>>. OCHA adds that an additional 2870 homes were severely damaged. All demolitions occurring during Cast Lead are listed in 2009, despite several hundred occurring just before the new year.
- ^{xvi} OCHA, *The Monthly Humanitarian Report, October-November 2012*. Retrieved at: <<http://unispal.un.org/UNISPAL.NSF/0/6FFA3F199915CD2585257AD9006DD704>>.
- ^{xvii} Total for houses demolished in Gaza during Operation Protective Edge, provided by UN OCHA. Retrieved at: <http://www.ochaopt.org/documents/humanitarian_Snapshot_31_august_2014_oPt_V4.pdf>. Before Operation Protective Edge, 71,000 housing units were needed in Gaza to bring housing to an adequate level (OCHA: <<http://www.ochaopt.org/annual/c2/8.html>>).
- ^{xviii} OCHA, *Protection of Civilians*. Retrieved at: <<http://www.ochaopt.org/poc24november-30november-2015.aspx>>.
- ^{xix} OCHA, *Monthly Figures*. Retrieved at: <<http://www.ochaopt.org/content/monthly-figures>>.
- ^{xx} OCHA, *Monthly Figures*. Retrieved at: <<http://www.ochaopt.org/content/monthly-figures>> and <<https://app.powerbi.com/view?r=eyJrIjojOGFIMmRhYjgtYmMxMC00YTtyLTg3ZmEtZGY1ZDExODk5ZDU5IiwidCI6IjBmOWUzNWRLTU0NGYtNGY2MC1iZGNjLTViYTQxNmU2ZGM3MCIslmMiOjh9>>.

APPENDIX 2:

ISRAELI VIOLATIONS OF THE FOURTH GENEVA CONVENTION

Virtually every element of Israel's Occupation violates human rights conventions – and especially the Fourth Geneva Convention that forbids an occupying power from making its presence a permanent one.

- Articles 50 and 51 of the “Protocols Additional to the 1949 Geneva Convention” emphasize the protection of civilians in time of war. “The civilian population comprises all persons who are civilians. The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations.”
- Article 3 prohibits “outrages upon personal dignity, in particular humiliating and degrading treatment,” a routine element of Palestinian life under Israel’s Occupation.
- Article 32 forbids assassinations, and any brutalization of the civilian population, including their treatment at checkpoints and in “security searches.”
- Article 33 prohibiting pillage would obtain to Israel's extensive use of West Bank and Gazan water resources, especially as they are denied the local population. It also prohibits the use of collective punishment, as represented by the imposition of closure, curfew, house demolitions and many other routine actions of the Occupation authorities.
- Article 39 stipulates: “Protected persons [residents of occupied lands] who, as a result of the war, have lost their gainful employment, shall be granted the opportunity to find paid employment.” It thereby prohibits the imposition of a permanent “closure” on the Occupied Territories, such as Israel has done since 1993.
- Article 49 forbids deportations and any “forcible transfers,” which would include such common practices as revoking Jerusalem IDs or banning Palestinians from returning from work, study or travel abroad. It also stipulates that “The Occupying Power shall not transfer parts of its own civilian population into territories it occupies” – a clear ban on settlements.
- Article 53 reads: “Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons is prohibited.” Under this provision, the practice of demolishing Palestinian houses is banned, but so is the wholesale destruction of the Palestinian infrastructure (including its civil society institutions and records in Ramallah) destroyed in the reoccupation of March-April 2002.
- Article 64 forbids changes in the local legal system that, among other things, alienate the local population from its land and property, as Israel has done through massive land expropriations.
- Article 146 holds accountable individuals who have committed “grave breaches” of the Convention. According to Article 147, this includes many acts routinely practiced under the Occupation, such as willful killing, torture or inhuman treatment, willfully causing great suffering or serious injury, unlawful deportation, taking of hostages and extensive destruction and appropriation of property. Israeli courts have thus far failed to charge or prosecute Israeli officials, military personnel or police who have committed such acts.

The PLO also bears a measure of responsibility for the violations of its own people’s rights under the Fourth Geneva Convention. According to Article 8, it had no right in the Oslo Agreements to abrogate their rights and suspend the applicability of the Convention, since

“Protected persons may in no circumstances renounce in part or in entirety the rights secured to them by the present Convention.”

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SOME USEFUL WEBSITES

Al-Haq: <alhaq.org>

Alternative Information Center: <www.alternativenews.org>

Arab Association for Human Rights: <www.hra.com>

Badil: <www.badil.org>

B'tselem: <www.btselem.org>

Christian Peacemaker Team: <www.prairienet.org>

Coalition of Women for Peace: <<http://www.coalitionofwomen.org>>

The Electronic Intifada: <electronicintifada.net>

Foundation for Middle East Peace: <www.fmep.org>

Gush Shalom: <www.gush-shalom.org>

Ha'aretz newspaper: <www.haaretzdaily.com>

The Israeli Committee Against House Demolitions (ICAHD): <www.icahd.org>

Jerusalem Media and Communication Center: <www.jmcc.org>

Jewish Voice For Peace: <www.jewishvoiceforpeace.org>

Palestinian National BDS Committee <<https://bdsmovement.net/bnc>>

Palestine Monitor: <www.palestinemonitor.org>

Palestinian Center for Human Rights (PCHR): <www.pchrgaza.org>

PASSIA: <www.passia.org>

Stop the Wall: <www.pengon.org>, <www.stopthewall.org>

Who Profits? <<http://www.whoprofits.org>>

Yesh Gvul <yeshgvul.org>