Book reviews

Theorizing Israel's occupation

Lisa Hajjar, *Courting Conflict: The Israeli Military Court System in the West Bank and Gaza* (Berkeley, CA: University of California Press, 2005), 312 pp.

Yehezkel Lein, *Land Grab: Israel's Settlement Policy in the West Bank* (Jerusalem: B'tselem, 2002), 140 pp.

James Ron, *Frontiers and Ghettos: State Violence in Serbia and Israel* (Berkeley, CA: University of California Press, 2003), 262 pp.

Rafi Segal and Eyal Weizman (eds.), *A Civilian Occupation: The Politics of Israeli Occupation* (London: Verso, 2003), 191 pp.

Considering the vast number of books and reports written about Israel's occupation, it is surprising that, for over three decades, very few texts have actually theorized–as opposed to described–the system of control that Israel has set up in the West Bank and Gaza Strip.[1] The recent proliferation of books that analyze the occupation or different sites within it marks a noteworthy change, one that may actually help those interested in making sense of the logic informing Israel's military rule. The most daring among these is James Ron's *Frontiers and Ghettos*, which is, in many respects, a groundbreaking book.

Ron's basic and straightforward insight is that state violence is dramatically shaped by the institutional setting in which the violence takes place. He analyzes Serbian behavior in Bosnia, Kosovo, Sandzak and Vojvodina, and Israeli behavior in the West Bank, Gaza Strip and Lebanon, employing two spatial metaphors: frontiers and ghettos. One reads that the crucial difference between the two is the extent to which states

1 Important books that have described Israel's occupation include M. Benvenisti (1984), Benvenisti and Khayat (1987), Gazit (1995, 2003), Schiff and Yaari (1990), and Shashar (1997). Books that have analyzed the occupation include Aruri (1984), E. Benvenisti (1990), and Shehadeh and Kuttab (1980).

control these arenas–legally and bureaucratically–and feel a moral and political sense of responsibility for their fate:

> States enjoy an unrivaled level of control over the ghetto's borders and territory, suppressing challenges to their monopoly and force. Although this grants states some distinct advantages, it also implies important responsibilities. Ghetto residents are despised members of society, but both local and international rules stipulate that the state bears substantial responsibility for their welfare. Frontiers, by contrast, are perched on the edge of core states and are not fully incorporated into their zone of control. States do not dominate frontiers as they do ghettos, and they are not bound by the same legal and moral obligations. In times of crisis and uncertainty, frontiers more easily become sites of ethnic cleansing (p. 9).

In others words, ghettos are densely institutionalized by the core state, since they are within its legal sphere of influence, and serve as repositories for unwanted and marginalized populations. Frontiers, on the other hand, are distinguished from the core state by clear boundaries and are only thinly institutionalized arenas. The different institutional settings determine the kind of violence employed. Whereas ghettos are characterized by ethnic policing, mass incarceration and ongoing harassment, frontiers are more prone to brutal and lawless violence. State violence, Ron claims, is organized very differently at the core and within the infrastructural regime of power, than it is in regions which are not incorporated into the core state's bureaucratic-legal zone.

In the section that deals with Israel, Ron's research concentrates on the first Intifadah (December 1987 to 1993). His goal is to explain "why Israel engaged in ethnic policing rather than ethnic cleansing during the Palestinian uprising, despite the potential for more despotic measures" (p. 115). It is within this context that he distinguishes between the West Bank and Gaza Strip, which he characterizes as a ghetto, and Lebanon, which he considers to be Israel's frontier.

Ron begins, however, by reminding his readers that in 1948 "Jewish troops participated in the often forced removal of some 750,000 Palestinians over international borders in a campaign that today would be termed ethnic cleansing" (p. 127). He goes on to show that Israel has employed much more lethal methods on its frontier (Lebanon) than it has in the Occupied Territories. In the fifteen-day operation dubbed "Grapes of Wrath" (1996), the Israeli air force carried out 600 sorties, the military fired 25,000 artillery shells, killed 154 civilians, and displaced 400,000 Lebanese. Three years earlier, in "Operation Accountability", Israel killed 120 civilians and displaced 300,000 more. Ron traces these operations to the 1970s, showing how the more recent military campaigns are no different from operations Israel carried out in June 1974 and May 1975. He also discusses the Litani Operation of 1978, as well as the Lebanon war and its aftermath, highlighting some of the similarities to the Serbian experience in Sandzak, particularly Israel's use of the Phalange militias and the South Lebanese Army.

Ron concludes this section by noting that Lebanon has always been external to Israel's formal zone of responsibility, separated by a sovereign border from the norms and laws of Israeli state and society. As Israeli rights group B'tselem noted, the Israeli public debate "almost completely ignored the suffering and injustice inflicted on Lebanese civilians," suggesting that unlike the West Bank and Gaza Palestinians, Lebanese civilians were not "part of the collective Israeli consciousness" (p. 176). Put differently, had Israel used the same methods in the Occupied Territories as it had in Lebanon, it would have been "tearing at the fabric of its own state" (p. 178).

Whereas the Israeli military in Lebanon was distant and ferocious, striking with great intensity but making little effort to penetrate and manage Lebanese society, in the West Bank and Gaza, Israel created a system of control devised to circumscribe each and every Palestinian within an intricate grid of surveillance. Shortly after the 1967 war, Israel realized that it could not properly control the Occupied Territories if it did not seal its boundaries. Simultaneously, it rapidly worked to suppress internal resistance, and began rationalizing its mechanisms of control by installing a complex bureaucratic-legal apparatus within the regions it occupied. It also incorporated Palestinian laborers into the Israeli workforce (Arnon and Weinblatt, 2001).

Ron illustrates how the military government monitored Palestinian society, surveying the precise number of "licensed carpenters, printing presses, fire trucks and water wells." There were even detailed inventories of Palestinian workshops for cement, furniture, cigarettes, soap, metals, olive products and sweets. "Nothing was too small to count, and no object was too minor to register. Perhaps most significant was the state's registration of the Palestinian population itself and its creation of detailed document-verification procedures" (p. 132). The crucial point is that by inscribing Palestinian lives into Israel's bureaucratic registries, they became objects of state responsibility. The "ghettoization" of the West Bank and Gaza functioned, in other words, as a mechanism of restraint, limiting Israel's options with respect to the employment of violence.

As we will see momentarily, the more recent process whereby the Israeli government has been turning the Occupied Territories into a frontier entails a qualitative change in the kind of violence Israel uses. Here, though, it is important to underscore that the complex legal system set up in the territories served as the nuts and bolts of a controlling system until the Oslo process. And while Israel used harsh violence to suppress resistance, its actions were subordinate to the "rule of law" and therefore constrained. The Israeli security forces used "police style" methods in their attempt to quell the first uprising, incarcerating tens of thousands of Palestinians while subjecting thousands of them to torture; Israel refrained, however, from employing the kinds of methods it used in Lebanon. Ron's theoretical model accordingly helps explain why, despite Israel's overwhelming firepower and the constant confrontations between demonstrators and the military during the first Intifadah, "soldiers killed only 204 Palestinians between December 9, 1987, and November 15, 1988, the most intense phase of the uprising" (p. 158).

While Ron's argument is persuasive, it is crucial to keep in mind that the institutional apparatus which constrains the use of violence, is, in and of itself, a form of violence. Ron fails to emphasize this point in his book, thus eliding an important aspect of Israel's occupation. This form of violence may not be as lethal, but its effects are often no less devastating. In the West Bank and Gaza, for example, one of the consequences of the bureaucratic-legal system that Israel introduced has been the complete fragmentation of Palestinian society. Social fragmentation may, at first, appear to be less brutal than artillery, but in many respects its long-term ramifications are more destructive to the fabric of Palestinian society.

If *Frontiers and Ghettos* suggests that Israel has employed police-style methods to control the West Bank and Gaza Strip due to the dense bureaucratic-legal apparatus it set up in these regions, *Courting Conflict* provides the first in-depth analysis of what Lisa Hajjar claims to be the institutional centerpiece of Israel's controlling system in the Occupied Territories: the military courts. Hajjar explores the discriminatory and frequently absurd logic underlying these courts, uncovering how they have served as an extremely important component within the broader range of governing institutions and practices in which Palestinians are tracked and monitored, subjected to restrictive codes of conduct, and physically immobilized through the use of closures, curfews, checkpoints, walls and prisons.

Hajjar convincingly argues that the military courts have had a major impact on the occupation. During the first Intifadah, between 20,000 and 25,000 Palestinians were arrested every year, the highest per capita incarceration rate in the world at the time. Even though arrest rates later declined, the estimated number of prosecutions since the beginning of occupation–half a million out of a population of 3.5 million–is staggering (pp. 185-186). Daily activities ranging from transporting goods and traveling to education and health care were regulated, and criminal sanctions were imposed for breaches and violations. Thus, it is not surprising that virtually all Palestinians have had some experience with the military court system, whether personally or through the arrest and prosecution of relatives, friends or neighbors.

While the bulk of Hajjar's book discusses the workings of the military courts, she begins her investigation with an analysis of the complex legal system that Israel put in place in the Occupied Territories, showing how this system serves as the backdrop for the courts themselves. Immediately following the 1967 war, Israel formulated a policy that rejected the applicability of the 1949 Fourth Geneva Convention to the West Bank and Gaza, the most important humanitarian law pertaining to the occupation of conquered territories and their civilian populations. Next, it set up a legal system composed of Ottoman, British Mandatory, Jordanian and Egyptian law, and Israeli military orders. The military orders are decrees issued by the military commander and immediately become law for all Palestinians living in the area. Over the years, the military commanders have issued at least 2,500 such orders–orders that regulate every aspect of the occupied population's life, from publishing newspapers and traveling

abroad to grazing sheep and using donkeys for transferring goods. The commanders were vested with powers not only to enact laws, but to cancel and suspend them, which enabled them to continuously reshape the legal system in accordance with Israel's political objectives. Thus, even though the book deals with the courts, the role of law in the context of conflict is one of the central issues *Courting Conflict* addresses.

In her discussion of the military courts, Hajjar concentrates on the different actors that make them tick. One chapter is dedicated to the judges and prosecutors, while another concentrates on defense lawyers, some of whom are motivated by a powerful conviction that the law is a crucial tool for producing justice. There is, of course, a chapter on the defendants themselves, and one on Druze soldiers, who spend three years of military service as translators in the courts, responsible–ostensibly–for facilitating communication between Jewish judges and prosecutors and the Palestinian defendants and their lawyers.

In these chapters, Hajjar takes the reader on a journey to the courts themselves, providing her audience with a sense of the random bargaining, humiliation and seemingly endless tension informing the judicial interactions. There is, for example, the story of a Gaza lawyer who lost a case after a soldier testified that he had seen the attorney's client throwing stones at 9:15 a.m. in the Jabalia refugee camp. Several days later the same soldier appeared in court and testified against another client, reporting that he had seen the man throwing stones at 9:30 a.m. on the same day as the earlier case, only this time in the Rafah refugee camp. Asked by the Palestinian lawyer how long it takes to get from Jabalia to Rafah, the soldier said no less than 45 minutes. When the lawyer then asked the judge to dismiss the case because the soldier could not possibly have been in both places, the judge threw the lawyer out of court on the grounds that his line of questioning insulted the soldier. *Courting Conflict* is full of such stories, but it also underscores that not all judges rule in favor of the prosecution, and that the efforts of defense attorneys are not entirely in vain.

The book is an illuminating and original study, but from time to time the reader has to think with Hajjar against Hajjar. She characterizes the courts not only as a site of control, oppression and subordination, but also as a site of Palestinian resistance; yet, her descriptions do not lend themselves to this claim. The Israeli prisons, rather than the courts, were the sites where Palestinian resistance was engendered. They were considered universities of sorts, where thousands of Palestinians deepened their ideological convictions, received operational training, improved their Hebrew skills and created alliances with the members of other political factions–all of which prepared the inmates for the struggle once they were released.

This struggle is generally understood as a classic national conflict. Hajjar, however, seeks to recast it as a struggle over human rights–from the right to health, education and a livelihood to freedom of speech, association and movement. It is a well-intentioned effort, given how foul nationalist politics can be, but her own descriptions challenge this theoretical assertion, since the national divide figures on every other page. Although

numerous rights have been invoked by Palestinians to codify their demands, at least since the 1970s, the national aspiration for statehood ultimately overshadows and informs all other rights claims.

But these flaws in no way diminish the value of the book. The chapter I enjoyed most was on the Druze translators, since it reveals both the complexity and insidious nature of Israeli rule. In order to grasp their position in court, Hajjar persuasively maintains that one must first understand the particular niche which the Druze (Arabs who practice an offshoot of Shiism established in Cairo in the eleventh century by followers of Caliph al-Hakim) occupy within the sociopolitical order of Israel/Palestine. Immediately after independence Israel began distinguishing Druze from all other non-Jewish sectors of Israeli society. By 1962, a distinct national category was officially created, and Israeli ID cards accorded the Druze their own unique identity separating them from "Arab" citizens.

This engineered "non-Arabness" of the Druze was crucial for incorporating them into the military. "Arab Arabs" are not conscripted, as they are closely associated with the state's enemies. Thus, Druze became preferred candidates for the role of translators, since they have both bilingual skills and a "non-Arab Arab" status. Not unlike the natives who lent their services to the colonizers of old, Druze soldiers accept the state's authority and the legitimacy of its policies. Having been given a stake in the system, they tend to become complicit with Israel's oppression of Palestinians. "Palestinians are guilty," one Druze translator blithely told Hajjar. "They hate us. They throw stones. If they don't throw stones today, they will throw stones tomorrow" (p. 148). Like many of his fellow translators, this Druze has become a mimic man, adopting the worldview of the prosecution.

But just as the reader begins to comprehend the precarious position of the Druze translator, Hajjar adds another twist, showing that translation within the courts is less about communication between people who speak different languages and more about establishing the legitimacy of the judicial process. The Druze soldiers are not professional legal translators and they only translate the general meaning of the proceedings so that each party will get a sense of the argument made by the other side. The defendant often does not know what is being said, as the translators frequently fail to translate the interactions between the judge and the two lawyers, leaving him (and in some cases her) completely in the dark.

The cruel irony is that the lack of adequate translation is unimportant, since the legal argumentation has few, if any, implications for the defendant. The outcome is predictable, if only because some 90 to 95 percent of Palestinians who are charged with crimes are convicted and over 97 percent of all cases in which charges are brought are determined outside the court in a plea bargain. Hajjar likens the judicial process taking place outside the courtroom to a marketplace or souk, where the defense lawyers bargain for a better deal like merchants. One lawyer suggests that his role is simply to beg for mercy in a merciless environment (p. 230).

Despite the staggering percentage of defendants whose convictions have been determined by plea bargains outside the military courts, Hajjar shows how the courts and the complex legal system that Israel established in the territories set out to sanction the legality and morality of the occupation. This is crucial; Israel has always been wary of rejecting the law outright, attempting to project an image of an occupation informed by the rule of law and principles of justice. *Courting Conflict* thus undermines simplistic conceptions regarding the significance of the rule of law, by laying bare how the judiciary institutions in the West Bank and Gaza were used to legitimize egregious human rights violations and the use of violence. The importance of the book is that it exposes an essential part of the institutional dimension of Israel's mechanisms of control.

Using an array of tables, graphs, maps and aerial photos, both Yehezkel Lein's *Land Grab* and Rafi Segal and Eyal Weizman's *A Civilian Occupation* also lay bare part of the complex bureaucratic-legal system in the Occupied Territories, only these books concentrate on the seizure of Palestinian land and Israel's massive settlement project. The two studies complement each other. While *Land Grab* uncovers the intricate legal system Israel created to gain control of some 50 percent of the West Bank and the bureaucratic apparatus used to establish settlements on confiscated Palestinian land, *A Civilian Occupation* offers significant historical background (e.g. Sharon Rotbard's chapter on "Wall and Tower" or Zvi Efrat's on Drafting the Israeli National Space) and provides the political analysis which is largely missing from the human rights report.

In Lein's *Land Grab*, one reads that during the first years of the occupation Israel seized land by declaring it absentee property, property belonging to a hostile state or agent, or land needed for public use. The human rights researcher exposes the elaborate workings of the legal and bureaucratic system that Israel used in order to confiscate land, revealing that, by 1979, 687,000 dunams, or about 13 percent of the West Bank had been expropriated (pp. 58-59). But in June of 1979, due to a series of miscalculations made by the settlers, the Israeli High Court of Justice ordered the military to dismantle one settlement, Elon Moreh, and return the seized land to its Palestinian owners. The immediate result of this ruling was the establishment of Elon Moreh on an alternative site. Beyond this, however, Lein shows how the ruling became a watershed in terms of the legal tools that would henceforth be used by Israel in building and expanding settlements.

The 1979 legal defeat led the Israeli government to devise a new method for seizing land: applying an Ottoman Land Law from 1858 which "converted" Palestinian land into state land. According to the Ottoman law, a person may secure ownership of land close to his place of settlement by working the land for ten consecutive years. If a landowner of this type fails to farm the land for three consecutive years, the sovereign may take possession of it or transfer it to another person. The Ottoman law also stipulates that land which is half an hour walking distance from a place of settlement, or is located at such a distance where the loudest noise made by a person in the closest place of settlement will not be heard, should remain empty and not used by any person. Within

a number of years, 2,150,000 dunams or 39 percent of West Bank land that could potentially be seized using this law were located. By mid-1984, 800,000 dunams of this "new land" was seized using the Ottoman law.

While West Bank land was appropriated using an array of judicial methods, the de facto annexation has been carried out by the Jewish settlements. As *A Civilian Occupation* shows, in many ways these settlements are a continuation of a pre-state strategy known as "wall and tower" (*homa u-migdal*). In the 1930s, the Zionist leadership in Palestine took advantage of an Ottoman law that forbid the demolition of a house whose roof had been built, and used this law in order to grab and hold on to land that it considered strategically important. Relatively small groups of Jewish settlers were sent to sites which had been determined in advance, and within a period of 24 hours, they would build a settlement comprised of a small number of prefabricated shacks, a watch tower, and a wall that surrounded them–hence, the name "wall and tower." The structure of the settlement was designed to provide defense against potential attacks by local inhabitants who may have been unhappy with the appearance of their new neighbors. The rationale informing this pre-state campaign was plainly articulated in a prominent Zionist slogan: "Where the ploughshare stops the border starts."

During the late 1960s and early 1970s and throughout the 1980s, the new settlement projects in the West Bank and Gaza Strip were informed by the same rationale as "wall and tower," only they received authorization by government and military officials in advance, even though a clear policy regarding these authorizations did not exist. In the mid-1970s, when the settlers began building outposts that were not part of the government's programs, the logic was also the same; however, authorization was not always given and when it was, it was provided after the settlement was erected. In an interview which appears in *Civilian Occupation*, Thomas M. Leitersdorf, the Israeli architect who planned Emanuel and Ma'ale Edumim (the largest Jewish settlement), corroborates that the strategy was to capture land:

> [Y]ou capture as much area as possible by placing a few people on numerous hills. The underlying political idea was that the further inside the Occupied Territories we placed settlers, the more territory Israel would have when the time came to set the permanent international borders... (p. 152).

Land Grab also describes in great detail the institutional system that has enabled the establishment of new settlements. The report reveals that the erection of settlements depends on the approval of the Joint Settlement Committee, which is made up of representatives of the Israeli government and of the World Zionist Organization. In addition to granting formal approval for the establishment of new settlements, this committee is responsible for deciding on the location and type of settlement, as well as its intended size, both in geographical terms and in the number of residents. One of the reasons for granting the WZO–a non-governmental body which purports to represent

not the citizens of Israel but world Jewry–such authority is to ensure that the newly built settlements will be for Jews only, a policy that a government body could not do due to Israeli legal restrictions.

By 1987, Israel had established 110 settlements dispersed throughout the West Bank and an additional 15 in the Gaza Strip, comprising about 85 percent of all the settlements that currently exist. Thus, during the first twenty years of occupation Israel had built most of the settlements and seized almost 50 percent of Palestinian land. Since the built-up areas of the settlements comprise less than two percent of the seized land, the military commanders extended their municipal and regional boundaries–i.e., their area of jurisdiction–so as to incorporate all of the lands that Israel had declared as state lands.

The aerial photo of the Jewish settlements Hinanit and Shaqed (Figure 1) exemplifies the territorial difference between the built-up area and the municipal boundaries. More significant, though, is the area incorporated into six Jewish regional councils (Figure 2), which amounts to 2.34 million dunams or 41.9 percent of the West Bank. This area is not contiguous and often separates clusters of Palestinian villages and towns from the urban centers. Moreover, the entire area incorporated into the regional councils was categorized as "closed for military reasons." Entry permission is granted to Israeli citizens, Jews from anywhere in the world, and anyone who visits Israel as a tourist

Figure 1: Municipal boundaries in Hinanit (top) and Shaqed (bottom)
(Source: B'tselem Organization)

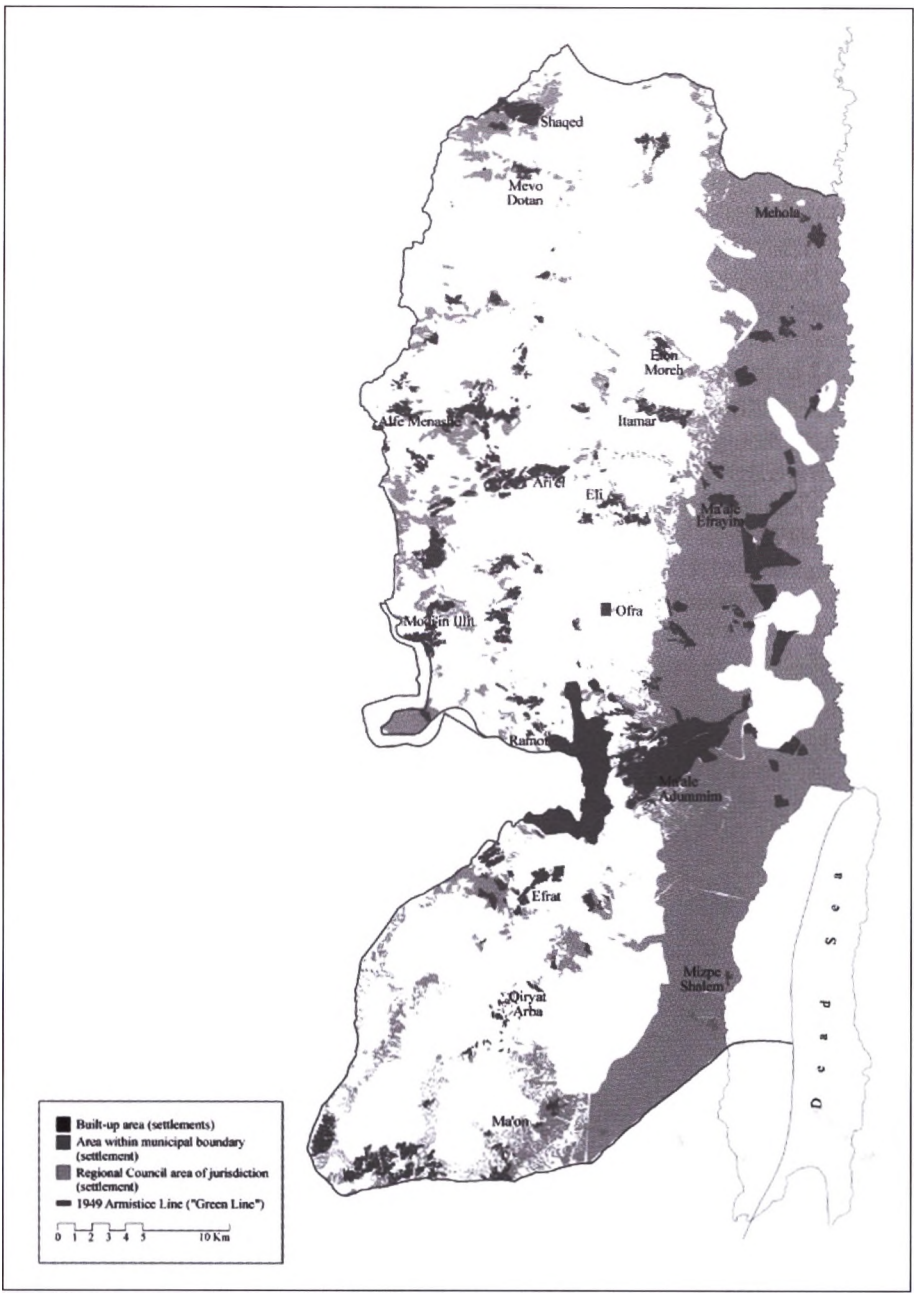

Figure 2: Area controlled by settlements (Source: B'tselem Organization)

with a valid entry visa. Only local Palestinian residents require special authorization from the region's military commander to enter the closed areas–an authorization which they receive only if settlers employ them as cheap laborers. In this way, Israel has succeeded in annexing a large percentage of the West Bank, dramatically diminishing the areas that were accessible to Palestinians.

While the B'tselem report shows how settlements are distributed across the landscape, it spends little time analyzing the political effects of the terrain's complete fragmentation. This is where Segal and Weizman's book becomes particularly important, since they show how the confiscation of land and the establishment of settlements were part of the controlling system that Israel has installed in the territories. Highlighting the political ramifications of this fragmentation, *A Civilian Occupation* underscores how the strategic placement of settlements enables them to "generate complete territorial control" even though their built-up area comprises less than two percent of the land.

The authors appear to adopt Michel Foucault's claim that control often operates "according to the laws of optics and mechanics, according to a whole play of spaces, lines, screens, beams, degrees, and without recourse, in principle, at least, to excess, force or violence" (Foucault, 1979:177). Segal and Weizman maintain that settlements have often been built on high grounds so as to ensure tactical strength, self-protection and a wider view. The principle of maximizing the view "dictated the discipline of design and its methodologies on all scales" (p. 84):

> Regionally, a strategic function was integrated into the distribution of settlements across the entire territory, creating a "network of observation" that overlooks the main traffic arteries of the West Bank; topographically, it was integrated into the [placement] of the settlements on summits; urbanistically, it was integrated into their very layout, as rings around the summit...; architecturally, it was integrated into the arrangements and orientation of rooms.... Settlements become, in effect, optical devices, designed to exercise control through supervision and surveillance (pp. 85-86).

One also reads that "settlement forms and locations are manipulated for the bisection of a Palestinian traffic artery, for surrounding a village, for supervision of a major city or a strategic crossroad" (p. 24). Indeed, the planning in the territories demonstrates how suburban homes, industrial zones, infrastructure and roads can be designed with the self-proclaimed aim of disturbing and squeezing out Palestinian communities. Or as one of the book's contributors claims, "in Israel, architecture, just like war, is a continuation of politics through other means" (p. 40). Insofar as this is the case, the Israeli Jew who moved to the West Bank in order to fulfill his or her desire to buy an affordable single family home was actually mobilized by the state to serve the purpose of military domination. Put differently, Israeli civilians living in the settlements are placed in positions "where they can supervise vital national interests just like plain clothes security personnel" (p. 24).

One of the distinctive and refreshing features uniting these four books is that they analyze the events on the ground, rather than the discourses or declared policies relating to the Israeli-Palestinian conflict and, more specifically, Israel's occupation. In addition, these books intimate–some more consciously than others–that, in order to make sense of Israel's controlling system, one has to analyze the institutional dimension of the occupation, i.e., the workings of the legal and bureaucratic apparatuses that Israel has set up. An examination of the more recent developments in the West Bank and Gaza Strip reveals, however, how rapidly the situation has changed in the past few years. Although the abovementioned books refer to some of these changes, by way of conclusion I would like to briefly mention two significant developments which have taken place since the eruption of the second Intifadah.

As the reader may recall, Hajjar discusses the carceral nature of Israeli military rule, showing how the military courts have served to ensure the rapid incarceration of thousands and thousands of Palestinians. The noteworthy development in the past few years is not the decline in the number of Palestinian political prisoners, although this too may be the case, but rather that Palestinian society as a whole has been incarcerated. Even before the outbreak of the al-Aqsa Intifadah, the Gaza Strip was hermetically sealed and considered by many of its residents to be the biggest roofless prison in the world (Eyad El Sarraj, "Children of Palestine," in http://www.sabeel.org/). Since 2002, Israel has adopted a similar strategy in the West Bank. The paradigmatic example is the separation barrier made up of fences with electronic sensors, ditches and trenches, patrol roads and concrete walls stretching eight meters high. This barrier is being built deep inside Palestinian territory, isolating Palestinian villages and towns, and frequently separating Palestinians from Palestinians, not from Jews. But even before Israel began building the barrier, hundreds of military checkpoints were set up throughout the West Bank, cutting off Palestinian villages from urban centers and rendering small communities into islands of sorts. The outcome, of course, is that the West Bank too has become a prison (Algazi, 2003; B'tselem, 2003; Gordon, Forthcoming; Sorkin, 2005).

While movement has always been monitored in the Occupied Territories and although thousands of Palestinians have been imprisoned over the years, the transformation of the territories themselves into a prison is a relatively new phenomenon. The outcome is that Palestinian children cannot reach schools, adults cannot go to work, and patients are prevented from accessing hospitals and medical treatment. Even some cemeteries are now out of bounds (Algazi, 2003; B'tselem, 2003; Gordon, 2007; Sorkin, 2005).

Such developments are important, not least because they show that the dichotomy that Ron poses between ghettos and frontiers can no longer be directly applied to the Occupied Territories. While Israel has in the past years substantially diluted its institutional presence in the territories, particularly in Gaza, it has also placed hundreds of thousands of Palestinians in enclaves by surrounding the Gaza Strip and parts of the West Bank with fences and walls. Thus, from an institutional perspective, the Occupied Territories have been transformed into a frontier, and from a spatial viewpoint more and more people have been placed in ghettos.

This transformation process began immediately after Oslo, when Israel started reducing its institutional apparatus in these regions. It transferred responsibilities over civil affairs to the fledgling Palestinian Authority, but preserved its control over security matters (at least in areas B and C, which comprise 80 percent of the territory). Simultaneously, the borders separating Israel from the West Bank and Gaza became much clearer, so much so that the Strip was surrounded by a fence and, after the eruption of the second Intifadah, access to it was denied to all Israelis except for soldiers and settlers. Even Knesset members could no longer enter (Reinfeld, 2001). The overwhelming majority of Palestinian laborers who had been incorporated into Israel's workforce, and were therefore part of the daily scenery inside Israel, disappeared as their right of entry into Israel was revoked. The limited–albeit very hierarchical–integration of the two societies unraveled and disintegrated, and a sharp bifurcation swiftly emerged.

Changes in the Gaza Strip occurred earlier than in the West Bank and have been more dramatic, particularly following Prime Minister Ariel Sharon's decision to withdraw from the area. According to B'tselem, the level of violence has increased dramatically. In the first ten months after the official decision to dismantle the settlements and withdraw from the Strip, Israeli forces killed 563 Palestinians in Gaza, while during the previous ten-month period, 264 were killed. But even before Sharon's decision to pull out of Gaza, Israel's repertoires of violence were modified and in no way compare to those used during the year preceding the al-Aqsa Intifadah. If in the thirteen-year period between December 1987 and September 2000, 1,359 Palestinian civilians were killed by Israeli security forces, in the four years that followed, about 3,000 were killed.[2]

To be sure, the fact that, in this Intifadah, the Palestinians have been using firearms and suicide bombers has had its impact on the level of violence, but forms of Palestinian resistance only partially explain Israel's violence. Moreover, in June 2004, *Ha'aretz* journalist Akiva Eldar revealed that the top Israeli security echelons were interested in "fanning the flames" during the Intifadah's first weeks. He cites Amos Malka, who was the military general in charge of intelligence at the time, as saying that during the first month, when the uprising was still mostly characterized by non-violent popular protests, the military fired 1.3 million bullets in the West Bank and Gaza. The idea was to intensify the levels of violence, thinking that this would lead to a rapid military victory (Eldar, 2004; see also Pedatzur, 2004). Israel now regularly uses F-16 jets, apache helicopters and tanks to bomb Palestinian cities, a form of violence that was hardly–if ever–utilized in the West Bank and Gaza in the past. Extra-judicial executions have become common practice, as have massive demolitions of houses. In the Gaza

2 Statistics appear on the B'tselem website at www.btselem.org.

Strip alone, Israel has destroyed 2,548 houses since the beginning of the second Intifadah, leaving over 24,000 people homeless.[3]

Alongside the transformation of the means of violence is a corresponding change in Israel's sense of moral responsibility towards the occupied population. It is no longer the case that Israeli liberals underscore their country's moral obligations toward their occupied neighbors, as they did when these regions were ghettos. In many ways the Palestinians have become Lebanese. Israel is now less interested in penetrating and managing the lives of the Palestinians and is more willing to employ brutal violence to quell any resistance. Insofar as this is the case, it is likely that at least in the near future the violence in the West Bank and Gaza will only become more ferocious.

Neve Gordon
Ben Gurion University of the Negev

References

Engels, F. (1941). *Ludwig Feuerbach and the Outcome of Classical German Philosophy*. New York: International Publishers.

Algazi, Gadi. (2003). "Israel: a contemporary ghetto: Walls are everywhere in the history of this conflict." *Le Monde Diplomatique* (July).

Arnon, Arie, and Weinblatt, Jimmy. (2001). "Sovereignty and economic development: The case of Israel and Palestine." *The Economic Journal* 111 (June):291-308.

Aruri, Naseer (ed.). (1984). *Occupation: Israel Over Palestine*. London: Zed Books.

Benvenisti, Eyal. (1990). *Legal Dualism: The Absorption of the Occupied Territories into Israel*. Boulder, CO: Westview Press.

Benvenisti, Meron. (1984). *The West Bank Data Project: Survey of Israel's Policies*. Washington, D.C.: American Institute for Public Policy Research.

Benvenisti, Meron, and Khayat, Shlomo. (1987). *The West Bank and Gaza Atlas*. Jerusalem: The Jerusalem Post.

B'tselem. (2003). *Behind The Barrier: Human Rights Violations As a Result of Israel's Separation Barrier*. Jerusalem: B'tselem.

Eldar, Akiva. (2004). "Popular misconceptions." *Ha'aretz*, June 11 (Hebrew).

Foucault, Michel. (1979). *Discipline and Punish: The Birth of the Prison*. New York: Vintage Books.

Gazit, Shlomo. (2003). *Trapped Fools: Thirty Years of Israeli Policy in the Territories*. London: Frank Cass.

_____. (1995). *The Carrot and the Stick: Israel's Policy in Judea and Samaria, 1967-1969*. Washington, D.C.: B'nai Brith Books.

Gordon, Neve. (Forthcoming). "The Barrier," in Cheryl A. Rubenberg (ed.), *Encyclopedia of the Israeli-Palestinian Conflict*. Boulder, CO: Lynne Reinner.

3 Statistics provided by the Israeli Committee Against House Demolition, e-mail correspondence, January 25, 2005.