

THE KEY TO PEACE: DISMANTLING THE MATRIX OF CONTROL

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IN THE COMPLEX and tragic situation in which Palestinians and Israelis currently find themselves, two things seem equally evident: First, a viable and truly sovereign Palestinian state alongside Israel is an absolute prerequisite for a just and lasting peace; and second, Israel needs a Palestinian state. Without a Palestinian state Israel faces what it considers two unacceptable options. If it annexes the occupied territories and grants citizenship to their three million Palestinian inhabitants, it creates de facto a binational state of five million Jews and four million Palestinians (not counting the refugees), an option that would end the Zionist enterprise. If it continues its occupation, it inevitably creates a system of outright apartheid, an untenable option in the long run.

A Palestinian state thus appears to be indispensable for both Israel and the Palestinians. So what's the problem? Why did a decade of negotiations from Madrid and Oslo to Camp David and Taba end in such dismal failure, indeed, in an intifada? What must be done, not only to restart the peace process, but to ensure that it concludes with a just peace—not simply security for Israel but also a truly sovereign and viable state for the Palestinians?

Putting the issue of the refugees aside for the moment, the answer to these questions depends on whether the Palestinians succeed in dismantling the matrix of control Israel has laid over the occupied territories since 1967. The issue before us—the issue separating a just peace

from an imposed one, a sovereign Palestinian state from a bantustan—has to do not only with territory but with control. One indisputable fact that has accompanied the entire peace process is that Israel simply would not relinquish control voluntarily over the West Bank and East Jerusalem. It would not relinquish the core of its settlement system, or control of the West Bank aquifers, or sway over the area's economy or its "security arrangements" extending over the entire Palestinian area.

From Israel's point of view, then, the trick was to find an arrangement that would leave it in control, but relieve it of the Palestinian population—a kind of occupation-by-consent. This was the essence of the "take it or leave it" offer Barak and Clinton made at Camp David (the Palestinians left it), as well as that of the Taba negotiations in January 2001. The popular impression has it that at Camp David Barak made a "generous offer" of 95 percent of the West Bank, plus considerable parts of East Jerusalem and all of Gaza, and that the Palestinians made a historic mistake in rejecting it. This has let Israel off the hook; public opinion in both Israel and abroad (particularly the United States) supports Israeli suppression of Palestinian resistance to the ongoing and constantly expanding occupation. After all, asked Foreign Minister Shimon Peres, what are the Palestinians resisting? Even the moderate Israeli left blames the Palestinians for spoiling the peace process. It is a neat formula. "They" spurned Barak's generous offer and responded with violence, the intifada. We, the Israelis, did our part. We were forthcoming. They are not ready for peace, do not want peace, are not partners for peace, want only to throw us all into the sea. We are OK, we tried to give them a state. They are to blame for everything. They deserve anything they get. We are not responsible. "We," Sharon repeats tirelessly, "are the victims."

THE MATRIX OF CONTROL: RENDERING THE OCCUPATION INVISIBLE

East Asians have a board game called Go. Unlike the Western game of chess, where two opponents try to defeat each other by taking off 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 during the war in Vietnam, where small forces of Viet Cong were able to pin down and virtually paralyze some half-million American soldiers possessing overwhelming firepower.

Israel has employed a similar strategy against the Palestinians in the territories. Since 1967 it has put into place a matrix of control. Like the Go board, Israel's matrix of control is an integrated system designed (1) to allow Israel to control every aspect of Palestinian life in the occupied territories, while (2) lowering Israel's military profile so as to give the impression that what Palestinians refer to as occupation is merely proper administration, and (3) that Israel's military repression is merely self-defense against an aggressive Palestinian people endeavoring to expel it, yet (4) carving out just enough space in the form of disconnected enclaves to establish a dependent Palestinian mini-state that will relieve Israel of the Palestinian population while (5) forcing the Palestinians to despair of ever achieving a viable and truly sovereign state and thereby accept any settlement offered by Israel.

The matrix of control not only lays a web of constraints over every aspect of Palestinian life in the daily realm, it also hides the occupation behind a facade of laws, planning procedures and Kafkaesque administration. It casts the occupation as "proper administration," "upholding the law," "keeping public order," and, of course, "security." In normal times (when active Palestinian resistance can be stifled), its outward appearance is legal and bureaucratic. For example, Israel's military government is called the Civil Administration, even though it is headed by a colonel under the strict authority of the Ministry of Defense, and is bound by the orders of the general commanding the Central Front. Over the long term it employs a mix of attrition, suppression, delegitimization and diplomatic isolation to achieve its goal of compelling the Palestinians to submit to an Israeli-controlled mini-state.

The matrix operates on three interlocking levels:

Military Controls and Military Strikes

Outright military actions, including attacks on civilian population centers and the Palestinian infrastructure, especially evident during the

two intifadas (1987–1993; 2000–present), are not Israel's preferred means of control. They are too brutal, too evident, and they generate both internal and foreign opposition. But military force is used effectively and with impunity to suppress resistance to the occupation and as a deterrent ("teaching the Palestinians a lesson," conveying a "message"). Although justified by security concerns, in the long term Israel prefers to control the Palestinians administratively—through the issuance of thousands of military orders and by "creating facts on the ground."

Extensive use is made of collaborators and undercover *mustarabi* army units. The dependency that Israel's stifling administration engenders turns thousands of Palestinians into unwilling (and occasionally willing) collaborators. 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. So effective is this that Israel can locate and assassinate ("targeted liquidations") Palestinian figures in their cars or even in telephone booths. But collaboration also undermines Palestinian society by diffusing fear and distrust.

Mass arrests and administrative detention are also common features of the military side of the matrix of control. In the March and April 2002 raids on West Bank cities, towns, villages and refugee camps, about 3,000 people were detained, 280 of them held in administrative detention—which can last for months or years—without being either charged or tried.

Creating Facts on the Ground

Massive expropriation of Palestinian land is an ongoing phenomenon. Since 1967 Israel has expropriated for settlements, highways, bypass roads, military installations, nature preserves and infrastructure some 34 percent of the West Bank, 89 percent of Arab East Jerusalem and 25 percent of Gaza.

More than 200 settlements have been constructed in the occupied territories; 400,000 Israelis have moved across the 1967 boundaries (100,000 in the West Bank, 200,000 in East Jerusalem and 6,000 in

Gaza). Although settlements take up only 1.6 percent of the West Bank, fully 42 percent is under the effective control of Israel's local and regional councils or the military. Besides settling the "Greater Land of Israel," a key goal of the settlement enterprise has been to foreclose the establishment of a viable Palestinian state (or, for some, any Palestinian state) by carving the occupied territories into dozens of enclaves surrounded, isolated and controlled by Israeli settlements, infrastructure and military. While leaving enough land free for a Palestinian mini-state of greater or smaller proportions, the settlement network ensures effective Israeli control over Palestinian movement and construction.

While a number of Israeli highways were built in the occupied territories before the Oslo accords, construction of a massive system of twenty-nine highways and bypass roads, funded entirely by the United States (at a cost of \$3 billion), was begun only at the start of the peace process. Designed to link settlements, to create barriers to Palestinian movement, and, in the end, to incorporate the West Bank into Israel proper, this project, which takes up an additional 17 percent of West Bank land, contributed materially to the creation of "facts on the ground" that prejudiced the negotiations.

Another mechanism of division and control that came into being with the signing of the Oslo II agreement in 1995 was the further carving of the occupied territories into Areas A, B and C (in the West Bank),* H-1 and H-2 in Hebron, Yellow, Green, Blue and White in Gaza, Israeli-controlled "nature reserves," closed military areas, security zones, and "open green spaces" which restricted Palestinian construction in more than half of East Jerusalem. This system, which has become ever more formalized and controlled, confines Palestinians to an archipelago of some 190 islands encircled by the Israeli matrix. Israel formally controls 60 percent of the West Bank (Area C), 60 percent of Gaza and all of East Jerusalem. Its frequent incursions into Palestinian territory and its virtual destruction of the Palestinian Authority in

* In Area A the Palestinian Authority had full administrative and security control; in Area B the PA had administrative control and Israel had security control; and in Area C Israel had full control. At the time of the 2000 Camp David talks, Area A comprised less than 18 percent of the West Bank.

March and April 2002 have left it, however, in de facto control of the entire country. Hundreds of permanent, semi-permanent and "spontaneous" checkpoints and border crossings severely limit and control Palestinian movement.

Construction of seven (of a planned twelve) industrial parks on the seam between the occupied territories and Israel give new life to isolated settlements while robbing Palestinian cities, with which they are in direct competition for workers and markets, of their own economic vitality. The industrial parks exploit cheap Palestinian labor while denying Palestinian workers access to Israel. They also allow Israel's most polluting and least profitable industries to continue dumping their industrial wastes into the West Bank and Gaza.

Israel's matrix of control extends underground as well, using settlement sites to maintain control over the main aquifers of the occupied territories and other vital natural resources.

Even seemingly innocuous holy places such as Rachel's Tomb in Bethlehem, the Cave of the Patriarchs in Hebron, sites in and around Jerusalem and Joseph's Tomb in Nablus (abandoned in the fall of 2000 under fire) serve as pretexts for maintaining an Israeli "security presence," and hence military control reinforced by settlement.

Bureaucracy, Planning and Law

These are the most subtle of control mechanisms, entangling Palestinians in a tight web of restrictions and triggering sanctions whenever Palestinians try to expand their life space. They include orders issued by the military commanders of the West Bank and Gaza (some 2,000 since 1967), supplemented by Civil Administration policies, that replace local civil law with procedures designed to strengthen Israeli political control.

Since the start of the peace process a permanent closure has been laid over the West Bank and Gaza, severely restricting the numbers of Palestinian workers allowed into Israel and impoverishing the Palestinian community, whose own infrastructure has been kept underdeveloped. The closure has many forms. It obtains between Israel and the occupied territories, between Areas A, B and C and even within Pales-

tinian enclaves. It can take a more open form one day (a "breathing closure") and prevent any movement the next (a "strangling closure"). It may be permanent (as between Israel and the territories) or may be decreed for a particular military or security purpose of undetermined length and severity (as in the siege of Palestinian cities, towns, and villages). The closure in all its forms prevents the development of a coherent Palestinian economy. Discriminatory and often arbitrary systems of work, entrance, and travel permits further restrict freedom of movement both within the country and abroad.

In mid-May 2002 the government announced the formal division of the West Bank into eight cantons (Jenin, Nablus, Tulkarm, Qalqilyah, Ramallah, Jericho, Bethlehem, and Hebron), with movement among them allowed only by permits from the Civil Administration. This represents nothing less than the reoccupation of areas A and B, and adds yet another layer of control.

Given Israel's goal of controlling the entire country and its "demographic problem" (Palestinians will soon outnumber Jews in the area between the Jordan River and the Mediterranean Sea), policies of displacement are actively pursued: exile and deportation; revoking of residency rights; economic impoverishment; land expropriation, house demolitions and other means of making life in the occupied territories so unbearable that it will induce "voluntary" Palestinian emigration. Schemes of "transfer" have become a common and acceptable part of Israeli political discourse. (Two parties that have served in Sharon's government, the National Union Party of the assassinated minister Rehavam Ze'evi and Avigdor Lieberman's "Israel Is Our Home," promote transfer as their main political program.)

Zoning and planning policies are ideal vehicles for rendering the occupation invisible, since they are couched in supposedly neutral terms and professional jargon but serve Israel's political ends by obstructing the natural development of Palestinian towns and villages. Central to this system is the restrictive use of building permits, reinforced by house demolitions, arrests and fines for "illegal" building, and daily harassment by Israeli building inspectors. While the Palestinian population is being confined to small enclaves, planning for Israeli expansion em-

ploy broad master plans for the settlements. Within this framework Israel can cynically claim that its settlement building is "frozen" and that it is only "thickening" existing ones for purposes of "natural growth," while in fact small settlements often give rise to large settlement-cities, which do not count because they share an existing master plan.

Administrative restrictions intrude into every corner of Palestinian life, enveloping the average person in a web of constraints and controls. Severe restrictions on the planting and sale of crops hit an already impoverished population hard, especially when combined with Israel's practice of uprooting hundreds of thousands of olive and fruit trees since 1967, either to clear land for settlement activity or for "security" purposes. Licensing and inspection of Palestinian businesses is also an effective means of stunting the local economy and extending Israeli political control.

BARAK'S "GENEROUS OFFER" IN THE LIGHT OF THE MATRIX OF CONTROL

We are now in a position to evaluate the meaning of Barak's "generous offer" using control, viability and sovereignty as our measures, rather than solely territory. This is no mere academic exercise. The contention that Israel made far-reaching concessions to the Palestinians and that their rebuff with violence led to the breakdown of the peace process and our present state of conflict underpins, as we have mentioned, popular views in Israel and abroad that the Palestinians are to blame and that Israel's policies of repression are justified. It certainly created the political climate in Israel and the United States that permitted the ferocious incursions into the Jenin refugee camp, Nablus, Ramallah and other Palestinian cities and towns in April-May 2002. Since 95 percent appears on the surface to be generous indeed (who, after all, gets 100 percent in negotiations?), those trying to explain why it was not a good deal are at a distinct disadvantage. The ability to persuade decision makers and the public that the Palestinians were right, and to ensure a peace process in the future that will not repeat the mistakes of Oslo, hangs in the balance.

What, then, of this “generous offer”? First, there never was an Israeli offer, and Israel never proposed to relinquish 95 percent of the West Bank. The last concrete negotiations that took place between Israelis and Palestinians were at Camp David, where Israel was prepared to relinquish some 85 percent of the West Bank and disconnected pieces of East Jerusalem. The subsequent talks at Taba, in January 2001, took place at a desperate time for Barak, when he knew he would lose the upcoming February election. Nonetheless, the Taba discussions were promising. The Israeli delegation came prepared to talk about conceding 93 percent of the West Bank—with the Palestinians counterproposing 97 percent. But they were not talking about the same land. Because Israel does not consider East Jerusalem and “No Man’s Land” around Latrun as part of the West Bank, but does include part of the Dead Sea, Barak’s 93 percent was actually more like 88 percent of the actual Palestinian territory.

Some significant gains were made at Taba. Israel relinquished its claim to the Jordan Valley (with the proviso that early-warning stations would be established there, and that Israel reserved the right to unilaterally deploy troops there if it perceived a security threat), territory was conceded (though an Israel-controlled Greater Jerusalem would have to be accepted by the Palestinians), the settlement blocs were reduced in size, and Israel would relinquish extra-territorial control of most of its bypass road system. The Palestinians gained a greater degree of territorial contiguity and control of their borders, though not of their water resources.

However, it is a major fallacy to equate territory with sovereignty. Although gaining control of 95 percent or 88 percent of the territory is important—especially if the territory is contiguous—it does not necessarily equal a truly sovereign state. For the sake of argument, let’s adopt the best-case scenario—that at Taba Barak, in fact, made a “generous offer” of 95 percent of the West Bank, all of Gaza and parts of East Jerusalem to the Palestinians. Would that have led to a sovereign and viable Palestinian state? Would it have dismantled Israel’s matrix of control? The answer, I would suggest, is no.

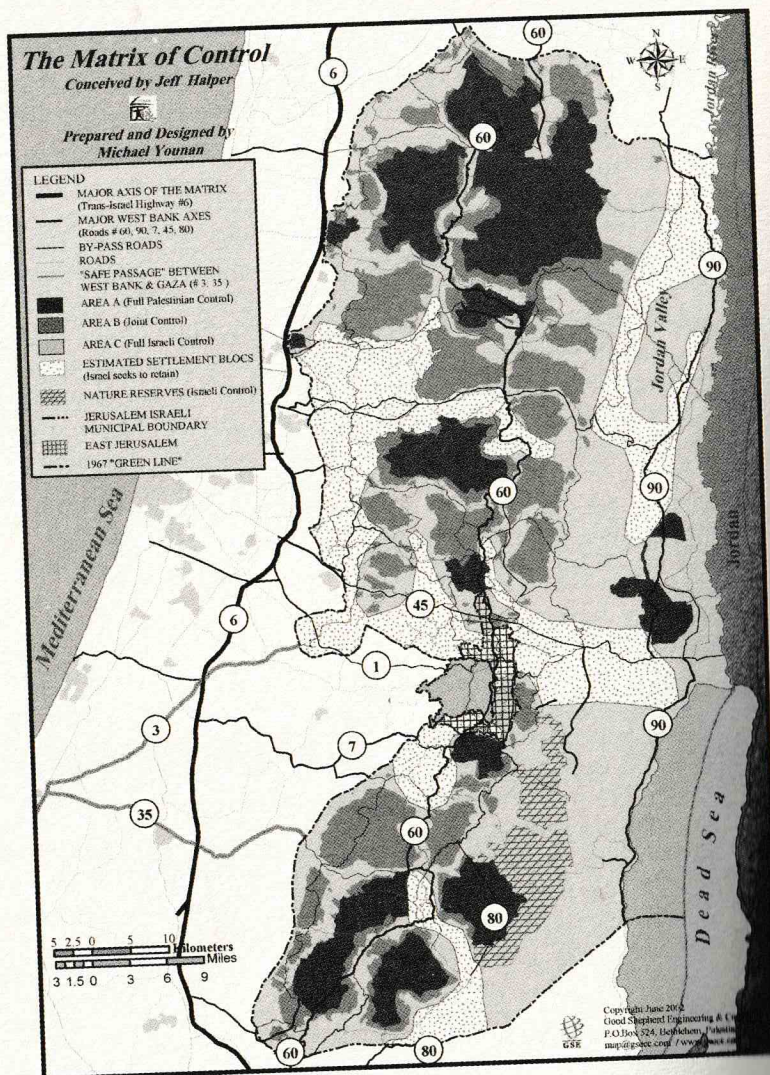
If anything, Taba revealed how much Israel could relinquish and still

retain effective control over the entire country. It revealed those essential elements of the matrix of control that any foreseeable Israeli government would seek to retain. Examined closely, this is what the “generous offer” in fact offered:

Consolidation of Strategic Settlement Blocs

In the mid-1990s Israel began a major strengthening and consolidation of its settlement presence. 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. 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 unmoving in its insistence on retaining three large blocs comprising today some 150,000—or 80 percent—of the West Bank settlers. (Barak often said that he strove for a peace “that even the settlers would be happy with.”) These blocs are:

1. The city of Ariel and its surrounding Western Samaria bloc, which 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 Qalqilyah, Nablus, and Ramallah. It would also severely restrict the urban development of the Qalqilyah area. No less important than its strategic location on the ground is Ariel’s location vis-à-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.
2. The central Givat Ze’ev/Pisgat Ze’ev/Ma’ale Adumim (and perhaps Beit El) bloc, which stretches across much of the central West Bank from the Modi’in area in the west to within twenty kilometers of the Jordan River in the east. It effectively divides the West Bank in two, compelling north-south Palestinian traffic (especially from Ramallah to the 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.

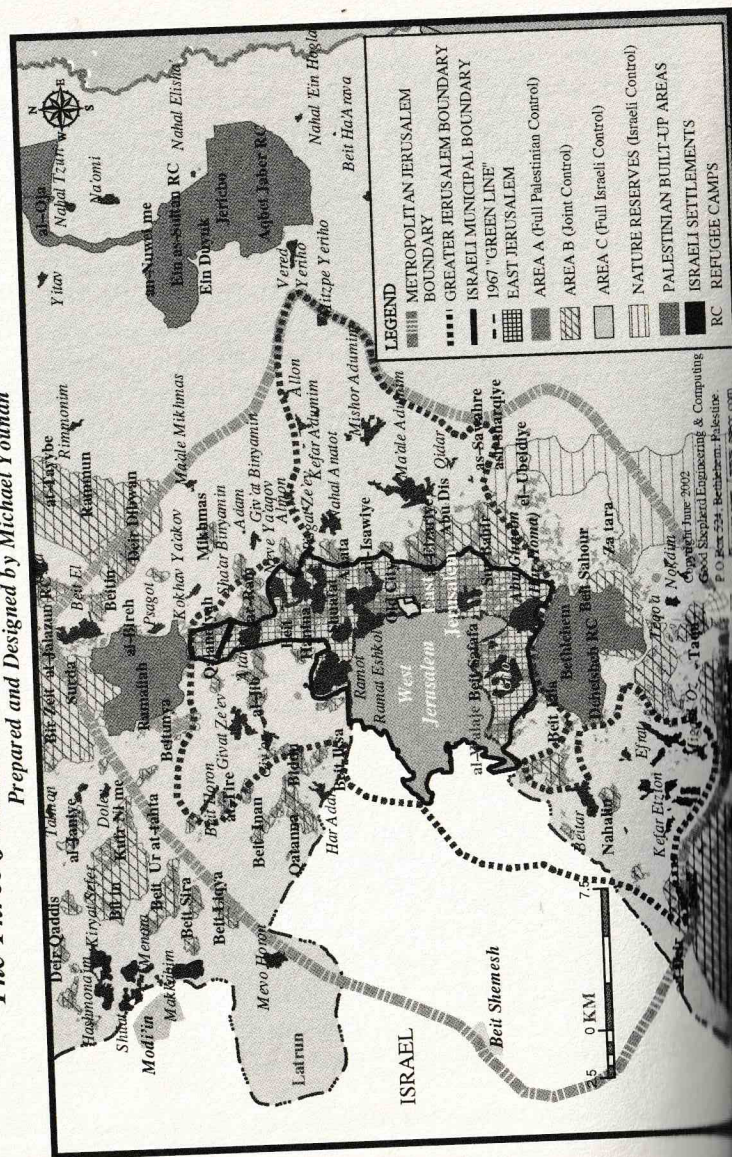
3. The Efrat/Etzion/Beitar Illit bloc to the southwest of Jerusalem (connected through Gilo, Har Homa and the Eastern Ring Road—Road 7 complex to the Ma'ale Adumim Bloc), which severs any coherent connection between the major cities of Bethlehem and Hebron, as well as traffic using the "safe passage" from Gaza. This bloc 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 under Israeli control a major West Bank aquifer.

Emergence of a Metropolitan (Israeli) 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 percent of the West Bank (440 square kilometers), stretch from Beit Shemesh west of Jerusalem up through Kiryat Sefer until and including Ramallah, then southeast through Ma'ale 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 Hadyasa 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 percent 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

The Three Jerusalems: Municipal, Greater and Metropolitan
Prepared and Designed by Michael Younan



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, irrelevant. A good example of how this is already happening is the new industrial park, Sha'ar 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'ale 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, taking jobs and perhaps even sites from 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.

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 have received less than full sovereignty over them—for example, "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 the Muslim and Christian Quarters in the Old City. The Temple Mount/Haram al-Sharif 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 about 200,000 Israelis now 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 would have only tenuous connections to each other and to the proposed Palestinian capital in Abu Dis. The Palestinian presence in Jerusalem would 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 Palestinian 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 present 70 percent to 85 percent.)

Israeli Control over Highways and Movement

Over the past decades (and especially during the Oslo peace process), Israel has been constructing a system of major highways and bypass 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, including the Eastern Ring Road, the Jerusalem–Etzion Bloc highway, Road 45 from Tel Aviv to Ma'ale 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 West Bank, East Jerusalem and Gaza. There are other restrictions as well. The “safe passages” from Gaza to the West Bank, crucial to the viability of a Palestinian state, will only be administered by the Palestinians; they will not receive extra-territorial status. And Israel insists on retaining rights of “emergency deployment” both to 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, Ariel 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, will provide a new “central 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 now heavily populated by Arabs. 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 the most of the central West Bank to the settlements east of Ma'ale Adumim). The Trans-Israel Highway, articulating as it does with the highways and settlement blocs of the West Bank, will move the population center of Israel eastward, reconfiguring the entire country.

An Answer to Israeli Security Concerns

“Security” is defined by Israel in such maximalist terms that it ensures Israeli political, military, and economic control. Israel insists that a Palestinian state must be demilitarized and forbidden to enter into military pacts with other states, that Israel control Palestinian airspace, and that it reserve the right to deploy forces in the Jordan Valley in the indeterminate event that it perceives a threat of invasion. Controlling Palestinian labor and commercial movement through the imposition of security borders, part of Israel's declared policy of “separation” from the Palestinians, constitutes additional constraints on Palestinian development, dividing the less than 20 percent of Palestine that would be the Palestinian state from the more than 80 percent that is Israel.

Limited Palestinian Sovereignty

A Palestinian state would possess limited sovereignty only. It would be demilitarized and unable to form military alliances not approved by Is-

rael. It would have jurisdiction over its borders, but would have certain restrictions as to who may enter (especially vis-à-vis the refugee issue). And restrictions regarding military contingencies (defined by Israel) would apply.

For all their shortcomings, the Taba negotiations demonstrated that a path to peace exists. After seven years of fruitless negotiations, the essential issues of the conflict were finally defined and even discussed in some detail. Sa'eb Erekat, a senior Palestinian negotiator, claimed that in another two weeks the sides would have achieved a mutually acceptable agreement. But the talks were broken off by Barak. They came too late in the process. Just before his decisive defeat by Sharon in February 2001, Barak declared all the tentative agreements reached at Taba "null and void." Since then he has repeatedly said that Israel should not relinquish more than 85 percent of the occupied territories.

Despite the impression made in Camp David and Taba that Israel was forthcoming and that Palestinian "intransigence" prevented the sides from reaching agreement, the truth is that after seven years of negotiations Israel refused to dismantle its occupation. While territory was offered, the matrix of control remained intact and prevented the emergence of a viable and truly sovereign Palestinian state. No one who followed Israel's relentless expansion of its occupation on the ground would have detected the slightest hint that Israel had ever even contemplated a viable Palestinian state. In fact, Israel's activities on the ground completely prejudiced the outcome of the negotiations. During the years of negotiations between 1993 and 2000 Israel:

- turned what was to be a transitory arrangement for the orderly handing over of authority to the Palestinians—Areas A, B, and C—into a permanent system of dismemberment and control;
- expropriated 200 square kilometers of farm and pasture land from its Palestinian owners for exclusively Israeli settlements and roads;
- uprooted some 80,000 olive and fruit trees to permit Israeli construction and to deny ownership to Palestinian landowners (more than 100,000 fruit trees have since been uprooted in the course of suppressing the second intifada);
- established thirty new settlements, including whole cities like Kiryat

Sefer and Tel Zion, and constructed 90,000 new housing units in East Jerusalem and the settlements;

- demolished more than 1,200 Palestinian homes;
- doubled its settler population;
- constructed 250 miles of massive highways and bypass roads;
- imposed a permanent closure over the occupied territories;
- exploited the Palestinians' natural resources, especially water;
- vandalized the West Bank and parts of Jerusalem, destroying its historical landscape and turning it into a waste-disposal site;
- inaugurated plans for "unilateral separation" that include fencing off Palestinian "self-rule pockets" from Israel by means of a massive system of bunkers, walls, minefields, security crossings, checkpoints, and other fortifications, all designed to protect those parts of the West Bank that "we want and need to defend."

Even after the collapse of the Camp David negotiations (which Clinton and Barak squarely blamed on Arafat), Palestinians feared that Israel and the United States would succeed in pressuring Arafat to sign on to Israel's "take it or leave it" offer. (In the three months following Camp David the sides met fifty-two times.) Faced with the prospect of being locked forever into a tiny, non-viable bantustan, the Palestinian street rose up in its second intifada. Although Sharon's visit to the Haram al-Sharif/Temple Mount and the violent response of the Israeli police to nonviolent Palestinian protests triggered the uprising, it was directed as much at Arafat as against the occupation. The street's central message to Arafat was "Do not sign the Camp David agreement." The intifada spelled the final rejection by the Palestinian people of the Oslo process, which they considered a sophisticated form of apartheid. Since then the intifada has turned into a full-scale war for independence.

DISMANTLING THE MATRIX OF CONTROL: THE ONLY WAY OUT

Despite the fierce military attacks waged upon them and the relentless campaign of attrition, the Palestinians are holding out for a linkage between an end to the violence and a political process. An end to their resistance without such a linkage—which the United States and Israel are

urging upon them—would be counterproductive. If anything it would only perpetuate the occupation, removing any motivation Israel might have to address Palestinian claims and giving America the “industrial quiet” it so fervently seeks. And a return to negotiations is also meaningless if the dead-end process of Oslo is not to be repeated. If renewed negotiations are to succeed, they must include the following elements missing from Oslo:

- *An explicit declaration of the eventual goals of the negotiations.* These are a viable and truly sovereign Palestinian state, together with an Israel enjoying security and regional integration (a position very close to the Saudi plan).
- *A direct connection between the negotiations and the realities on the ground.* Oslo was formulated in a way that put off the “hard issues” (read: the issues most crucial to the Palestinians) until the final stages of the negotiations. Jerusalem, borders, water, settlements, the fate of the refugees, and security arrangements—all these issues (except the last, important mainly to Israel) were put off during the seven years of negotiations. Although Article IV of the 1993 Declaration of Principles talks about preserving the “integrity” of the West Bank and Gaza during negotiations, it did not prevent Israel from creating facts on the ground, which, as we have seen, completely prejudiced the discussions.
- *Reference to international law and human rights.* In Oslo, almost every protection and source of leverage the Palestinians possessed—including the Geneva Conventions and most UN resolutions—were set aside in favor of bilateral power negotiations in which Israel had a tremendous advantage. Virtually all the elements of the occupation comprising the matrix of control stand in violation of international law. The Fourth Geneva Convention in particular, signed and ratified by Israel, protects civilians living under occupation. Because it defines occupation as a temporary situation that will eventually be resolved through negotiations, it prohibits occupying powers from making their presence permanent—precisely what the matrix of control is intended to do.

If the Palestinians are to be held accountable for their terrorist actions, then Israel must be held accountable for policies and acts of state terrorism (for example, attacks on densely populated civilian centers with

and Apache gunships, disproportionate violence against civilian populations, collective punishment, assassinations, and the indiscriminate use of snipers). Israel must also be held accountable for the structural violence inherent in its occupation (house demolitions, land expropriation, settlements, destruction of agricultural land, monopolization of water supplies, impoverishment through economic closure, induced emigration, and all the other expressions of occupation). Like other human rights covenants, the Fourth Geneva Convention holds accountable individuals who have committed “grave breaches” of the Convention (Article 146). Yet, with the help of its own legal system and the connivance of the international community, Israel acts with absolute impunity vis-à-vis international law, and has thus far escaped accountability.

In short, only negotiations based on international law—as well as UN resolutions—will give the Palestinians the instruments necessary to dismantle the occupation. Unless the issues of control, viability and sovereignty become formal elements in the negotiations, a non-viable and dependent Palestinian mini-state will be the result. An understanding of the matrix of control is essential for comprehending the sources of the present conflict, suggesting effective ways to end the occupation and ensuring that negotiations conclude with a just peace that is in everyone's interest.

Some 70 percent of the Palestinian people are refugees. No resolution of the conflict is possible without addressing their rights, needs and grievances. Israel must acknowledge its active role in creating the refugee problem and recognize the refugees' right of return. The Palestinians, and the wider Arab world that endorsed the Saudi plan, have indicated their willingness, once that is done, to negotiate a mutually agreed-upon actualization of that right based on settlement in the Palestinian state, compensation for those wishing to remain where they are and resettlement in other countries, as well as the return of a certain number of refugees to Israel itself.

For many reasons—political, ideological and emotional—peace will not come from Israel, and the Palestinians cannot shake off the occupation by themselves. It is up to the governments of the world to foster a just peace, not because the governments have been remiss in their re-

sponsibility, it is up to us, the international civil society of NGOs, faith-based organizations, political groups, human rights advocates and just plain world citizens, to ensure that such a process begin. April 9, the day the Jenin refugee camp fell to Israeli forces, was called by the Israeli newspaper *Kol Ha'ir* "the first day of apartheid." This is the historical moment in which our effectiveness, our very relevance, will be tested. Having shed the naïvete of Oslo, we must follow the upcoming political process with eyes wide-open and critical. Our goal must be to see a viable, sovereign state emerge in all the occupied territories (giving the Palestinians the right to negotiate border adjustments and other compromises as they see fit). Unlike Oslo, the political process must have a just peace—a viable Palestinian state and a just resolution of the refugee issue, as well as Israel's security concerns—as its explicit goal. And it must have a binding timetable.

As Israelis learned from the terrorist attack on the bus in Haifa the day after their "victory" in Jenin and Nablus, there is no military solution to the conflict. It is time to end the occupation and bring justice, peace, security and prosperity to everyone in the Middle East.

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POLITICUS INTERRUPTUS

Uri Avnery

LAST WEEK, IN Europe, I happened to pass a frozen lake. I was told that a few days before, it was possible to skate on it. But the temperature had risen and the ice cover had started to melt. It still covers the whole lake, but in many places it can be broken with a stick. I was warned not to try to stand on it, because it might break, and I would fall into the lake and disappear. But in a few days or weeks, I was promised, the ice would disappear and the beautiful lake would come to life again.

The situation in our country resembles this lake. The ice still covers the whole state, but it has started to melt. The ice is the Big Lie told by Ehud Barak and his companions. This lie is starting to break. Soon nothing will be left of it.

When the bunch of bankrupt politicians returned from Camp David, they fabricated the legend, which has since become a holy truth, as if given by God at Mount Sinai. Like the Ten Commandments of Moses, there are Eight Facts of Barak: I have turned every stone on the path to peace; I have submitted offers unprecedented in their generosity; I have gone further than any prime minister before me; I have given the Palestinians everything they wanted; Arafat has rejected all the offers; I don't want peace; the Palestinians want to throw us into the sea; we have no partner for peace.

If Benjamin Netanyahu had said this, it would not have had any impact. Everybody knows that Netanyahu is a crook. If Sharon had said it,