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Of Dowries and Brides: A Structural Analysis of Israel's Occupation¹

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Abstract *In this article I attempt to uncover some of the causes leading to the dramatic changes that have taken place over the past four decades in the Occupied Palestinian Territories. Drawing attention to the way in which the Palestinian inhabitants have been managed, my central thesis is that the occupation's very structure, rather than the policy choices of the Israeli government, has led to the shifts in the West Bank and Gaza Strip. More specifically, I maintain that the interactions, excesses, and contradictions produced by the means of control that have been applied in the Occupied Territories can help explain why, following the 1967 war, a politics of life, which aims to secure the livelihood of the occupied residents, was emphasized by the military government and why we are currently witnessing a macabre politics characterized by an increasing number of deaths. An interrogation of this kind is advantageous because it helps us see beyond the smoke screen of political proclamations, and thus improves our understanding of why the acrimonious Israeli–Palestinian conflict has developed in the way that it has.*

When I asked Eshkol what we were going to do with a million Arabs, he answered: "I get it. You want the dowry, but you don't like the bride!"

Golda Meir in a Mapai Party Meeting three months after the 1967 war²

On June 8, 1967, a few hours after the Israeli military captured Jerusalem's Temple Mount, *Harem el Sharif*, Defense Minister Moshe Dayan visited the site. Noticing that troops had hung an Israeli flag on the cap of the Al-Aqsa shrine, Dayan asked one of the soldiers to remove it, adding that displaying the Israeli national symbol for all to see was an unnecessarily provocative act.³ Those who have visited the Occupied Territories (OT) have no doubt noticed Israeli flags fluttering over almost every building Israel occupies as well as above every Jewish settlement. Moreover, during the 1980s and 1990s most military jeeps and armored vehicles that patrolled Palestinian villages, towns, and cities had a flag attached to one of their antennas. Ariel Sharon's publicized visit to the Al-Aqsa Mosque in September 2000—an act deemed by many to be intentionally provocative and that served as the trigger for the second *Intifada*—could be considered the final step in a process which has ultimately undone Dayan's strategic legacy.

¹ I would like to thank Nitza Berkovitch, Adi Ophir, Catherine Rottenberg, and Yuval Yonay as well as the anonymous reviewers for their comments and suggestions.

² Cited in Shlomo Gazit, *The Carrot and the Stick: Israel's Policy in Judea and Samaria, 1967–1969* (Washington, DC: B'nai Brith Books, 1995), p. 135. Levi Eshkol was Israel's prime minister at the time and Golda Meir was the general secretary of the Mapai Party.

³ Shlomo Gazit, *Trapped Fools: Thirty Years of Israeli Policy in the Territories* (London: Frank Cass, 2003), p. 162.

Another significant change that has transpired over the years involves the Israeli government's relationship to trees, the symbol of life. If in 1968 Israel helped Palestinians in the Gaza Strip plant some 618,000 trees and provided farmers with improved varieties of seeds for vegetables and field crops, during the first three years of the second *Intifada* it destroyed more than 10% of Gaza's agricultural land and uprooted over 226,000 trees.⁴

The appearance and proliferation of the flag, on the one hand, and the razing of trees, on the other, signify a fundamental transformation in Israel's efforts to control the occupied Palestinian inhabitants and point to an alteration in the modality of power employed in the territories. Examining the number of Palestinians killed by Israel over the years appears to corroborate this claim and to underscore the dramatic change that occurred in the West Bank and Gaza Strip. During the first two decades of occupation (1967–1987), Israeli forces killed about 650 Palestinians, or an annual average of 32 people. By way of comparison, between the six-year period 2001–2007 Israel has, on average, killed 674 Palestinians each year, more per year than it killed during the first 20 years of occupation.⁵

Military documents, newspaper articles, and a series of reports indeed indicate that the forms through which Israel managed the Palestinian population has gradually changed over the years. The occupation in the late 1960s and 1970s was very different from the occupation in the 1980s and 1990s; the 1980s and 1990s, in turn, witnessed an occupation quite different from that of the past several years. As I began research for this project I kept wondering what spurred Israel to change—so dramatically—the way it manages the Palestinian population. How did Israel administer the Palestinian inhabitants during the first years of occupation? Why did it modify the methods it employed to manage the lives of

⁴ Coordinator of Government Operations in the Administered Territories, *Two Years of Military Government, 1967–1969* (Tel-Aviv: Israeli Defense Forces, May 1969), p. 39; Amnesty International, "Under the Rubble: House Demolition and Destruction of Land and Property," MDE 15/033/2004, London, May 18, 2004.

⁵ The numbers are taken from several sources. B'tselem, The Israeli Information Center for Human Rights in the Occupied Territories, has documented the number of Palestinians who were killed since the eruption of the first *Intifada* in December 1987. The number of Palestinians killed during the first two decades of the occupation was gathered from several sources. According to the Palestinian Organization of Families of Deceased, an estimated 400 Gazans were killed during the first 20 years of occupation. *Ha'aretz*, August 23, 2005. David Ronen claims that 87 Palestinians were killed in the West Bank from the end of the war until December 1967. David Ronen, *The Year of the Shabak* (Tel-Aviv: Ministry of Defense Publishing House, 1989), p. 57 [in Hebrew]. Meron Benvenisti notes that between 1968 and 1983, 92 Palestinians were killed in the West Bank. Meron Benvenisti, *The West Bank Data Project, 1986 Report, Demographic, Economic, Legal, Social, and Political Developments in the West Bank* (Washington, DC: The American Enterprise Institute for Public Policy Research, 1986), p. 63. In 1986 and 1987 another 30 were killed. Meron Benvenisti, *The West Bank Data Project, 1987 Report, Demographic, Economic, Legal, Social, and Political Developments in the West Bank* (Washington, DC: The American Enterprise Institute for Public Policy Research, 1987), p. 42. Al Haq notes that in 1984, 11 Palestinians were killed. Al Haq's Response to the Chapter on Israel and the Occupied Territories in the U.S.'s State Department Report, Al Haq, "Country Reports on Human Rights Practices for 1984" (Ramallah: Al Haq, 1985), p. 5. Thus, the total amount is 620 Palestinians, while there is missing data for the year 1985 in the West Bank.

the residents? And what is the relationship between the changing forms of control and the changes taking place in the political arena?

The fact that the answers I found to these questions were unsatisfactory is due, I believe, to the kind of scholarly investigation that has thus far dominated the field. Nearly all of the analysts who have written about the occupation have chosen one of three focal points: 1) the different diplomatic and peace initiatives between Israelis and Palestinians as well as the effects of international and global processes on the occupation (such as the 1973 and 1982 wars, the revolution in Iran, the 1987 Amman Summit, the two Gulf Wars, and the demise of the Soviet Union);⁶ 2) the impact Israel's political institutions and dominant ideological strains have had on the occupation;⁷ 3) Palestinian resistance and most notably the two Palestinian uprisings.⁸ While these studies are crucial for understanding key features of the occupation, many of the ones which underscore the diplomatic and international aspects portray Israel's military rule as static. Those that do discuss changes that have come to pass in the OT attribute them to Israel's policy choices, Palestinian resistance, or global processes.

Although such explanations are certainly helpful, they tend to depict the Israeli state as a free agent issuing policies unhindered by contingencies. Taking into account Timothy Mitchell's criticism of such statist approaches, in the following pages I aim to add another dimension to the literature by maintaining

⁶ Among the important books which have analyzed these issues are: Noam Chomsky, *Fateful Triangle: The United States, Israel and the Palestinians* (Boston: South End Press, 1999); Benny Morris, *Righteous Victims: A History of the Zionist-Arab Conflict, 1881–2001* (New York: Vintage, 2001); Edward Said, *The Question of Palestine* (New York: Vintage, 1992); Avraham Sela, *The Decline of the Arab-Israeli Conflict: Middle East Politics and the Quest for Regional Order* (New York: SUNY Press, 1997); Avi Shlaim, *The Iron Wall: Israel and the Arab World* (New York: W. W. Norton & Co., 2001); Mark Tessler, *A History of the Israeli–Palestinian Conflict* (Bloomington: Indiana University Press, 1994).

⁷ These studies include Raja Shehadeh and Jonathan Kuttab, *The West Bank and the Rule of Law* (Ramallah: The International Commission of Lawyers, 1980); Naseer Hasan Aruri (ed.), *Occupation: Israel over Palestine* (London: Zed Books, 1984); Raja Shehadeh, *Occupier's Law: Israel and the West Bank* (Washington, DC: Institute for Palestine Studies, 1985); Geoffrey Aronson, *Creating Facts: Israel, Palestinians and the West Bank* (Washington, DC: Institute for Palestine Studies, 1987); Alan Dowty, *The Jewish State: A Century Later* (Berkeley, CA: University of California Press, 2001); Gershon Shafir and Yoav Peled, *The New Israel: Peacemaking and Liberalization* (Boulder, CO: Westview Press, 2001); Asher Arian, *The Second Republic: Politics in Israel* (Chatham, NJ: Chatham House Publishers, 1997); Idith Zertal and Akiva Eldar, *Lords of the Land: The Settlers and the State of Israel 1967–2004* (Tel-Aviv Israel: Kinneret Zmora-Beitan, Dvir, 2004) [in Hebrew]; Lisa Hajjar, *Courting Conflict: The Israeli Military Court System in the West Bank and Gaza* (Berkeley CA: University of California Press, 2005).

⁸ For studies that have emphasized the agency of Palestinians, see Ibrahim Dakkak, "Back to Square One: A Study of the Reemergence of the Palestinian Identity in the West Bank, 1967–1980," in Alexander Scholch (ed.), *Palestinians over the Green Line: Studies on the Relations between Palestinians on Both Sides of the 1949 Armistice Line since 1967* (London: Ithaca Press, 1983); Joost R. Hiltermann, *Behind the Intifada: Labor and Women's Movements in The Occupied Territories* (Princeton: Princeton University Press, 1991); Baruch Kimmerling and Joel Migdal, *The Palestinian People: A History* (Cambridge, MA: Harvard University Press, 2003); Lockman and Beinun (eds), *Intifada: The Palestinian Uprising against Israeli Occupation* (Boston: South End Press, 1989); Julie Peteet, *Gender in Crisis: Women and the Palestinian Resistance Movement* (New York: Columbia University Press, 1991); Zeev Schiff and Ehud Ya'ari, *Intifada* (Tel-Aviv: Schocken Books, 1990) [in Hebrew]; Roane Carey, *The New Intifada: Resisting Israel's Apartheid* (London: Verso Books, 2001).

that even though the Israeli state appears to be a free actor from which a series of policies originates, a closer investigation reveals that the policies and particularly the modification of policies over the years are at least partially shaped by the different forms of control.⁹ Accordingly, I aim to complicate and problematize the pervasive misreading of Israel's means of control as the straightforward effects of its policy choices and Palestinian resistance. Far from simply determining them, I claim that the policies have themselves been partially shaped by the interactions, excesses, and contradictions within and among the apparatuses and practices of control, so that consequently the means of control have produced the effect of the Israeli state in the OT.

By means of control I do not only mean the forces or mechanisms that use coercive measures to prohibit, exclude, and repress people, but rather the array of institutions, legal devices, bureaucratic apparatuses, and physical edifices that operate both on the individual and the population as a whole in order to produce new modes of behavior, habits, interests, tastes, and aspirations. Whereas some of the civil institutions, like the education and medical systems, operate as controlling apparatuses in their own right, frequently trying to further the project of "normalization," they are simultaneously sites through which a variety of minute controlling practices are introduced and circulated.¹⁰ The purpose and function of controlling mechanisms is often determined by the context, so that at times certain practices harness and direct human beings in ways that expand the possibilities available to them, while in other instances the same practices are deployed to dramatically limit possibilities. Moreover, as they circumscribe and influence the behavior of social agents, they also help create their own opposition. Means of control are, after all, deployed to control human beings, namely, individuals who are capable of resistance rather than objects. The controlling apparatuses and practices, in other words, not only presuppose but also help produce the resistance of the people they are employed to manage.¹¹

Accordingly, in the following pages I draw attention to the way in which the Palestinian inhabitants have been managed in order to expose how Israel's means of control have helped shape the Israeli-Palestinian conflict. An interrogation of this kind is advantageous because it helps us see beyond the smoke screen of political proclamations and statements, and thus improves our understanding of why the conflict has developed in the way that it has. I would like to emphasize, however, that even though I focus on the forms of control, I in no way want to suggest that one should ignore the impact political actors have had on Israel's military rule. But other scholars and commentators have already highlighted the roles of the different actors involved and have discussed the influence of external forces on the conflict. The objective of this article is to complement such studies by accentuating the occupation's structural dimension.

⁹ Timothy Mitchell, "The Limits of the State: Beyond Statist Approaches and Their Critics," *The American Political Science Review* 85:1 (1991), pp. 77–96.

¹⁰ Michel Foucault, *Discipline and Punish* (New York: Vintage, 1979); and Michel Foucault, *The History of Sexuality*, Vol. 1 (New York: Vintage, 1990).

¹¹ Neve Gordon, "Foucault's Subject: An Ontological Reading," *Polity*, 31:3 (1999), pp. 395–414.

Background

Perhaps the most significant consequence of the June 1967 war was that it re-ignited the Palestinian problem.¹² For the first time since the 1948 war, one sovereign power ruled all of Mandatory Palestine, and thus the “two peoples, one land” problem returned to the fore.¹³ In addition to the West Bank, Gaza Strip, and East Jerusalem, which had been part of Palestine under British rule, the Israeli military captured the Golan Heights and Sinai Peninsula. Even before the war ended, Israel set up military administrations in the territories it had occupied. Yet, the Levi Eshkol government treated the captured regions differently, suggesting that from the very beginning Israel had distinct intentions regarding each area.

The West Bank, Gaza Strip, and Sinai Peninsula were placed under a military government, and there was no intention of incorporating the residents of these areas into Israel proper (the pre-1967 borders). East Jerusalem as well as an additional 64 square kilometers surrounding the city—which had belonged to 28 Palestinian villages in the West Bank—were annexed on June 27, just over two weeks after the war, and Israel extended its own laws to this entire area. For the price of annexing this territory, East Jerusalemites were partially integrated into the Israeli demos.¹⁴ The Golan Heights was defined as occupied territory (the region was only annexed in 1981), but, in sharp contrast to the West Bank, Gaza Strip, and Sinai Peninsula, from the very beginning Israeli law was applied in this region by means of decrees published by the military commander.¹⁵ During the war, most of the Golan’s residents either fled or were expelled, thus rendering about 100,000 inhabitants refugees. Despite the resistance of the 6,500 residents who remained on the Golan, they were subsequently made Israeli citizens.¹⁶

¹² Although Fatah had been created a number of years earlier and Palestinian refugees had been infiltrating into Israel since the 1948 war, the fact that Israel was now sole sovereign over Mandatory Palestine sharpened contestatory claims and rekindled the Palestinian struggle. See Kimmerling and Migdal, *op. cit.*, pp. 240–259.

¹³ Alan Dowty and Alvin S. Rubenstein (eds), *Arab Israeli Conflict: Perspectives* (New York: Harper Collins, 1990); Ian Black and Benny Morris, *Israel's Secret Wars: The Untold History of Israeli Intelligence* (London: Hamish Manilton, 1991), pp. 206–235.

¹⁴ The annexation applied to the territory itself, whereas its inhabitants were given the option to become Israeli citizens, but in order to do so they had to relinquish their Jordanian citizenship. Only a small number complied. Nonetheless, all of the inhabitants were made permanent Jerusalem residents and could vote for municipal elections. Eitan Felner, *A Policy of Discrimination, Land Expropriation, Planning and Building in East Jerusalem* (Jerusalem: B'tselem, 1995); Yael Stein, *The Quiet Deportation: Revocation of Residency of East Jerusalem Palestinians* (Jerusalem: HaMoked and B'tselem, 1997).

¹⁵ Sasson Levi, “Local Government in the Administered Territories,” in Daniel J. Elazar (ed.), *Judea, Samaria and Gaza: Views on the Present and Future* (Washington, DC: American Enterprise Institute for Public Policy and Research, 1982).

¹⁶ About 100,000 Muslim and a few Christian inhabitants became refugees, while Israel allowed only 5,875 Druze, 385 Alawis, and 300 Kuneitra residents, mostly Circassians, to stay. See W. W. Harris, “War and Settlement Change: the Golan Heights and the Jordan Rift, 1967–1977,” *Transactions of the Institute of British Geographers*, 3:3 (1978), pp. 309–330. Harris shows that a disproportional number of inhabitants fled or were expelled during the 1967 war from two regions, the Golan Heights and the Jordan Valley. It appears that this was not coincidental and that Israel was interested in emptying both these regions from their populations in order to create a vacant buffer against Jordan and Syria.

Because Israel has treated each region and its inhabitants differently, this article concentrates on the West Bank and Gaza Strip, the areas where most of the Palestinians who were occupied in 1967 reside.¹⁷ From the outset Israel was unwilling to withdraw from these two regions and hoped to integrate the land into its own territory at some future date. This desire can be traced back to two strains of political thought: militaristic and messianic.¹⁸ From a militaristic perspective, the newly secured territories were necessary for defending Israel's borders against external attack, while the water reservoirs in the West Bank were considered a vital security resource due to Israel's scant water supplies. From a messianic perspective, the captured regions were part of the biblical land of Israel and therefore belonged to the Jews. These strains of thought often converged to create a united front.¹⁹ For example, immediately after Israel's independence, the right-wing political parties, the religious Zionists, and part of Labor all agreed that the 1949 armistice borders should be considered temporary and that in the future Israel should try to expand its territories—for some this desire was informed by a militaristic vision, for others by a messianic one, and still for others by both.

The problem was that the land captured in 1967 had a considerable number of people living on it. If in 1948 Israel led a campaign that today would be termed ethnic cleansing—whereby approximately 750,000 Palestinians out of a population of 900,000 were either forcefully expelled or fled across international borders—in 1967 Israel only “cleansed” two areas in the West Bank of their Palestinian inhabitants, the Jordan Valley (excluding Jericho) and the Latrun enclave.²⁰ The Jordan Valley received this treatment because Israel wanted to secure the border with Jordan. The Latrun enclave was depopulated of Palestinians because the Israeli military did not want any Palestinian villages to be in a position to threaten the highway leading to Jerusalem.²¹ All in all, between 200,000 and 250,000, or over

¹⁷ Israel withdrew from the Sinai Peninsula following the 1979 Camp David peace agreement with Egypt.

¹⁸ These strains of political thought were also shaped by a series of practices, but analyzing these practices is not the topic of this article.

¹⁹ Michael Feige, *One Space, Two Places: Gush Emunim, Peace Now, and the Construction of Israeli Space* (Jerusalem: The Hebrew University Magnes Press, 2002), p. 41 [in Hebrew]; Neve Gordon, “The Militarist and Messianic Ideologies,” *Middle East Report*, July 2004 online edition, <<http://www.merip.org/mero/mero070804.html>> .

²⁰ Ilan Pappé, *The Ethnic Cleansing of Palestine* (Oxford: Oneworld, 2006). The reason the campaign was not considered ethnic cleansing at the time is because Israel managed to convince both its Jewish citizenry and the large majority of the international community that the Palestinian inhabitants had fled due to the instructions of the leaders of other Arab countries and not as a result of Israeli actions. See Benny Morris, *The Birth of the Palestinian Refugee Problem*, 2nd ed. (Cambridge: Cambridge University Press, 2003).

²¹ For the demographic effects of the 1948 war, see Morris, *The Birth of the Palestinian Refugee Problem*, *op. cit.* For the policy in the Jordan Valley, see Harris, *op. cit.* For the decision regarding the Latrun enclave, see Gazit, *The Carrot and the Stick*, *op. cit.*, p. 45. An estimated 70,000 Palestinians fled from the Jordan Valley during the war due to air bombardment of the villages and refugee camps, while the residents of four villages in the Latrun enclave were expelled from their homes and the villages were bulldozed. In addition, Israel also annexed to its territory a strip of land parallel to the 1949 armistice (that is, the Green Line) along a few kilometers north and south of the Latrun area. This strip of land had been known as “no man's land,” because from 1948 to 1967 it was not subject to the control of either the Israeli or Jordanian side. During the war, Israel expelled the residents of the villages of Imwas, Yalu, and Bayt Nuba and destroyed their homes. Yehezkel Lein, *Land Grab: Israel's Settlement Policy in the West Bank* (Jerusalem: B'tselem, 2002), p. 12 [in Hebrew].

30%, of the West Bank's inhabitants (many of them 1948 refugees) fled to Jordan during the war and its direct aftermath, and only about 17,000 were ultimately allowed to return.²² However, an estimated one million Palestinians had remained in the Gaza Strip and West Bank, and Israel quickly realized that it had to install a system of internal governance within these two regions.

The unwillingness to offer the Palestinian inhabitants of the West Bank and Gaza Strip citizenship has primarily been due to demographic concerns. The different Israeli governments have always contended that Israel is the homeland of the Jews and therefore Jews must retain a clear majority within its territory. After all, Israel is a Jewish state. If Israeli citizenship had been granted to the occupied Palestinians, within a couple of decades the country's Jewish population would no longer have been the majority.²³ Thus, from the very beginning, Israel governed the territories by making a clear distinction between the land it had occupied and the people who inhabited it, or, as Levi Eshkol told Golda Meir in the passage cited above, between the dowry and the bride.²⁴

A series of mechanisms were thus developed to expropriate the occupied land without fully annexing it,²⁵ while numerous apparatuses and practices were introduced to regulate and manage the lives of the Palestinians without integrating them into Israeli society. The ongoing attempt to separate the occupied land and its inhabitants, which is in fact an effort to incorporate the West Bank and Gaza Strip into Israel's territory without integrating the Palestinian population into Israeli society, reflects Moshe Dayan's "functional compromise," which was formulated in opposition to Labor Minister Yigal Allon's territorial compromise.²⁶ Allon's compromise advocated the redrawing of state borders in order to gain "maximum security and maximum territory for Israel with a minimum number of Arabs," while Dayan was in no hurry to make any territorial compromise and proposed instead to grant the Palestinians the possibility to establish some form of self-rule. Israel's unwillingness to incorporate the occupied Palestinians and the distinction it made between the inhabitants and their land swiftly became the overarching logic informing the occupation, a logic which has only been slightly altered over the years.

The relative swiftness with which the different mechanisms of control were put in place was not coincidental, but rather a result of historical circumstances. First, prior to the 1967 war the West Bank had been annexed to Jordan and the Gaza Strip had been under Egyptian administrative rule, and Israel simply reactivated certain institutions and practices that had been previously employed by the two neighboring countries. Second, several years *before* the war erupted, Israel had begun preparing contingency plans for the military administration of the West

²² Gazit, *The Carrot and the Stick*, *op. cit.*, p. 45.

²³ There are numerous books underscoring this view. One prominent example is Benjamin Netanyahu, *A Place among the Nations* (New York, Bantam, 1993).

²⁴ Zertal and Eldar, *op. cit.*, pp. 13–81, show how the Israeli government approved the confiscation of land immediately after the war. See also Aronson, *op. cit.*, pp. 9–31.

²⁵ Full annexation would mean the application of Israeli law to the land.

²⁶ For a basic outline of the Allon plan, see Aronson, *op. cit.*, pp. 14–16, 31.

Bank and Gaza Strip on the “occasion” that these territories fell into Israeli hands.²⁷ In the early 1960s, the military carried out seminars simulating problems that could arise if an Israeli military government were to be installed in these territories. Moreover, a comprehensive manual, which included instructions and guidelines for setting up the legal and administrative apparatuses of a military government, had been prepared in advance and was distributed to the troops before the war ended.²⁸ Some of the plans—and the logic informing them—facilitated the establishment of an elaborate administrative apparatus within the territories once the two regions had actually been occupied by Israel. Finally, the military learned from its experience of managing the Palestinian population within Israel proper as well as from the brief period of Gaza’s occupation in 1956 and early 1957.²⁹

While several apparatuses and practices used during the internal military government (1948–1966) were reproduced in the OT, the dissimilar political and social circumstances of the two regions as well as Israel’s decision not to incorporate the newly occupied Palestinians into its own citizenry entailed that the model created inside Israel would serve often as a prototype for comparison than for emulation. After all, a relatively small percentage of Palestinians had remained in what became Israel post-1948. The vast majority of leaders and intelligentsia had fled the urban centers leaving them practically empty, while the inhabitants who did not leave were mostly unorganized rural dwellers. This, as well as the fact that not long after the war Israel decided to offer these Palestinians citizenship and incorporate them, at least partially, into the Israeli demos shaped the forms of control employed by the internal military government. In the OT, by contrast, most of the inhabitants were not displaced during the 1967 war; both the urban and rural leadership had, to a large extent, stayed put, and Israel had no

²⁷ For documentation of the contingency plans, including the “Granite Plan,” regarding the perpetration within the Israeli military for the activation of a military government in the West Bank and Gaza Strip, see Gazit, *The Carrot and the Stick*, *op. cit.*, pp. 3–31. From 1956, the military actively discussed the prospect of occupying the West Bank, and slowly it became common sense that this might happen. Shlomo Ahronson, “Chief of Staff Yitzhak Rabin’s Security Doctrine and the Road to the Six Day War,” *Ha’aretz*, November 2, 2005 [in Hebrew]. In 1958, Chief of Staff Haim Laskov submitted a proposal to occupy the West Bank, but David Ben-Gurion did not approve it. See Moshe Zak, “The Shift in Ben-Gurion’s Attitude toward the Kingdom of Jordan,” *Israel Studies*, 1:2 (1996), pp. 147–148.

²⁸ Meir Shamgar, who was the military advocate general from 1961 to 1968, prepared the comprehensive *Manual for the Military Advocate in Military Government*. See Meir Shamgar, “Legal Concepts and Problems of the Israeli Military Government: The Initial Stage,” in Meir Shamgar (ed.), *Military Government in the Territories Administered by Israel 1967–1980, The Legal Aspects* (Jerusalem: Harry Sacher Institute for Legislative Research and Comparative Law, 1982). For a short description of the seminars, see also Ronen, *op. cit.*, p. 18.

²⁹ Between 1948 and 1966 the Palestinians who had remained in Israel and had become citizens were subjected to a military government. For a description of the controlling mechanisms used inside Israel proper, consult Ian Lustick, *Arabs in the Jewish State, Israel’s Control of a National Minority* (Austin: University of Texas Press, 1980); Elia Zureik, *The Palestinians in Israel: A Study in Internal Colonialism* (London: Routledge & Paul, 1979). Elsewhere I discuss the major difference between the forms of control used in Israel proper and those used in the OT, Neve Gordon, *Israel’s Occupation* (Berkeley, CA: University of California Press, 2008). Finally, both Sara Roy and Shabtai Teveth suggest that some of the controlling apparatuses were informed by Israel’s brief occupation of the Gaza Strip in 1956. Sara Roy, *The Gaza Strip: The Political Economy of De-development* (Washington, DC: Institute for Palestinian Studies, 1995); Teveth, *The Cursed Blessing*, translated by Myra Bank (London: Weidenfeld & Nicolson, 1970), pp. 10–11.

intention of integrating these Palestinians into its own citizenry. One concrete manifestation of how Israel's relationship to the two Palestinian populations differed involves the textbooks used in the education system. Whereas the Palestinians living in Israel proper were given Israeli textbooks that underscore the Zionist narrative, the Palestinians in the West Bank and Gaza were allowed to continue using Jordanian and Egyptian textbooks, which, needless to say, did not adopt the Zionist narrative.³⁰

Even though a series of legal-bureaucratic mechanisms were introduced to expropriate Palestinian land *both* in Israel proper and in the OT, from Israel's perspective the social differences as well as Israel's distinct political objectives vis-à-vis the integration (or lack thereof) of the Palestinian populations called for a different form of government. Consequently, Dayan decided to adopt in the OT a more open and less interventionist policy than the one that had been used to manage the Palestinians inside Israel.³¹ Israel's intention, according to military reports published after the war, was to implement "a policy of normalization" through the encouragement of self-rule, which would "allow the population of the areas to carry on their life and activities just as they had been used to until the 5th of June 1967."³²

The Modes of Power

Interestingly, though, my examination of Israel's forms of control reveals that most of the coercive measures used in the West Bank and Gaza Strip during the first years of the occupation were still in use four decades later. The military, in other words, imposed curfews, deported leaders, demolished homes, carried out arrests, tortured detainees, and restricted movement both immediately after the 1967 war and in wake of the new millennium.³³ It is not only that the vast majority of these practices are still used today, but that very few new ones were introduced over the years. Thus, the dramatic change that has occurred in the OT in terms of the way Israel controls the region is not so much due to the replacement of certain forms of control with others, but is, I maintain, a result of the specific configuration of the modes of power during a given period.

My claim then is that the different controlling apparatuses and practices which have been employed in the OT have been informed by three fundamental modes of power—disciplinary, biopower, and sovereign—and that the shifting emphasis on one or the other modes of power, rather than the introduction of new forms of control, helps explain the radical changes in Israel's occupation. The changing configuration of these modes of power had two primary effects: qualitative and quantitative. From a qualitative perspective, even though the same controlling apparatuses and practices were deployed over the years, the emphasis on a certain mode of power shaped the way they were used and their function. Second, from a quantitative perspective, although almost all the existing forms of control were

³⁰ For a more detailed discussion about the textbooks, see Neve Gordon, *Israel's Occupation* (Berkeley, CA: University of California Press, 2008).

³¹ Shlomo Gazit, Lecture, Tel-Aviv University, June 10, 2006.

³² Coordinator of Government Operations in the Administered Territories, *Three Years of Military Government, 1967–1970* (Tel-Aviv: Ministry of Defense, 1970), p. 4.

³³ Black and Morris, *op. cit.*, pp. 261–262.

employed from the beginning of the occupation, some were used more often when a sovereign mode of power was emphasized, others when biopower was underscored, and still others when a disciplinary mode was accentuated.

During the occupation's first years, Israel emphasized disciplinary and biopower. Disciplinary power is continuous and spread out, operating on the minutest parts of daily interactions so as to produce and disseminate an array of norms and social practices. Discipline operates from below as it attempts to impose homogeneity on the inhabitants both in thought and comportment, thus striving to render people docile. But at the same time the forms of control informed by this mode of power endeavor to individualize the inhabitants by making it possible to detect differences among the members of society and to determine each person's abilities and specialties as well as "abnormal" activities.³⁴ Even though discipline aims to engender normalization through the regimentation of daily life, frequently by increasing the inhabitants' productivity in terms of economic utility while diminishing their political astuteness, it is important to emphasize that disciplinary forms of control are often incoherent.³⁵ While Israel permitted the occupied residents to open several universities and thus helped produce a professional class made up of college graduates, it limited the employment opportunities open to professional Palestinians. The vast majority of job openings were for unskilled labor, a fact that instigated a fair amount of bitterness among the unemployed and underemployed graduates. Thus disciplines, as Mitchell indicates and as I demonstrate in a forthcoming book, can counteract one another, break down, or overreach; they create spaces for maneuver and resistance and can be turned to counter-hegemonic purposes.³⁶

The objective of the different forms of control deployed in the OT and informed by disciplinary power was, however, different from what it is elsewhere in the world. In most countries, discipline regulates people through processes of incorporation into the state, constituting them as citizens. Because there was never an intention of fully integrating the Palestinian inhabitants and making them part of the Israeli citizenry, discipline was never employed to incorporate the Palestinian inhabitants into Israeli society, but rather to constitute them as subjects of the occupying power. This, as we will see, is crucial and one of the reasons the forms of control employed to manage the Palestinian population within Israel proper were so different from those used in the OT.

Biopower deals with the *population* (as opposed to the individual) as a political problem. It does not exclude disciplinary power, but rather integrates and modifies it, operating on a different scale while applying a series of distinct instruments. It, too, is continuous and spread out, but if discipline manages the individual subject, biopower manages the individual only insofar as he or she is a member of a population. Biopower involves a set of processes relating to mortality rate, longevity, the fertility of the population, birth rates, unemployment rates, the distribution of labor in terms of age, gender, and sectors of occupation, per capita income, the hygiene of the city and town, vaccinations, illness as it is prevalent in a population, and so on. In order to manage the population, biopower uses

³⁴ Neve Gordon, "On Power and Visibility: An Arendtian Corrective of Foucault," *Human Studies* 25:2 (2002), pp. 125–145.

³⁵ Foucault, *The History of Sexuality*, *op. cit.*, pp. 88–97.

³⁶ Mitchell, *op. cit.*, p. 93, Gordon, *Israel's Occupation*, *op. cit.*

statistical devices and scientific methods as well as mechanisms of surveillance that focus not on each individual, but on the individual only insofar as he or she is part of a multiplicity. It deploys an array of institutions that coordinate and regulate medical care, the economy, and so forth, while configuring and circumscribing the political sphere and normalizing knowledge.³⁷

The objective of biopower is not to modify the behavior of any given individual insofar as he or she is an individual, but to intervene at the level of the population at large. For instance, the mortality rate has to be lowered, the economy has to be boosted and prosperity created, while the collective identity of the population has to be reshaped so that Palestinian nationalism, for example, is suppressed. More specifically, the administration of health in the OT did not respond only to the “pure” medical needs of the individual subject but was also part of a strategy of surveillance and of managing the population. Consider the changes in baby delivery practices. While during the early 1970s only 16% of deliveries in the West Bank took place at hospitals, by 1993 this figure had risen to 74.5%. Hospital delivery changed traditional norms and practices, submitting the individual to the requirements of risk management and diminishing the number of perinatal mortality.³⁸ Like disciplinary power, the mechanisms used are designed to maximize and extract forces from the individual subjects, but they do not train the inhabitants by working at the level of the individual. Instead of disciplining the individual, biopower regularizes the population.³⁹ During the first years following the war, biopower, like disciplinary forms of control, was emphasized and used to normalize the occupation by producing prosperity in the West Bank and Gaza, and a great deal of energy was invested in erasing all symbols related to Palestinian nationalism. Israel hoped that the Palestinians would become accustomed to the occupation.

Concurrently, though, Israel never refrained from utilizing the more traditional mode of sovereign power, characterized by the sword. By sovereign power I mean the ability to impose a legal system and to employ the state’s police and military to either enforce the “rule of law” or to suspend it. This kind of power is exercised through juridical and executive arms of the state; it tends to operate from the top down and is often intermittent, appearing only when the law has been breached by members of society or when it is suspended by the sovereign.⁴⁰ In our case this has meant the introduction and implementation of a legal apparatus that views all forms of Palestinian resistance as terror and the employment of Israeli security forces to ensure that all “terrorism” is suppressed. Simultaneously, the same legal system became a mechanism of dispossession, through which Israel expropriated Palestinian land and property.

The second proclamation published by the military commander and enacted on June 7, 1967, the day in which the military government was established, is a paradigm of this kind of power. It declares that: “All powers of government, legislation, appointment and administration in relation to the Region and its inhabitants shall

³⁷ Michel Foucault, *Society Must Be Defended* (New York: Penguin Books, 2003), pp. 242–247.

³⁸ Tamara Barnea and Rafiq Husseini (eds), *Cooperate and Separate, Separate and Cooperate: The Disengagement of the Palestinian Health Care System from Israel and its Emergence as an Independent System* (New York: Greenwood Press, 2002).

³⁹ Foucault, *Society Must Be Defended*, *op. cit.*, pp. 246–247.

⁴⁰ Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty* (Chicago: University of Chicago Press, 2006); Michel Foucault, *Power/Knowledge*, ed. Colin Gordon (New York: Vintage, 1980).

henceforth vest in me alone and shall be exercised by me or by such other person appointed by me in that behalf or to act on my behalf."⁴¹ This proclamation goes on to state that the military commander has the power to enact any law, cancel or suspend an existing law, or make legislative changes, thus underscoring the fact that Israel would use sovereign power not only to pass and enforce laws but also to withdraw and suspend them.⁴² Following the consolidation of Israel's rule, sovereign power was de-emphasized so that for over a decade most of the controlling apparatuses and practices were informed by disciplinary and biopower.

All three modes of power, it is important to stress, tend to operate concurrently and are part and parcel of the modern form of governing.⁴³ Governing in this sense does not only denote institutions and practices that can be traced back to the state but refers to any apparatus, practice, or action that aims to shape the conduct of conduct; it concerns not only practices of governmental, religious, financial, and other institutions but also ways through which each individual governs him or herself.⁴⁴ Governing the West Bank and Gaza Strip entails regulating and managing its economic, medical, education, and political institutions as well as the inclinations, identity, and comportment of each inhabitant. A primary objective of this modern form of governing is security, but not merely in the narrow sense of deploying the military, police, and secret services. Security, in its broad sense, includes the management of the economy as well as the health, education, and social welfare of the population. It thus encompasses those institutions and practices concerned with defending and maintaining the demographic, economic, and social processes that are found to exist within the population.⁴⁵

My claim is that even though all three modes of power tend to be simultaneously deployed, the specific form of governing is shaped by their particular configuration. One form of governing might emphasize discipline and biopower and put relatively little emphasis on sovereign power, while another form of governing may accentuate biopower and sovereign power and pay less attention to discipline.⁴⁶ The particularity of each configuration determines how

⁴¹ Proclamation 2, June 7, 1967, Clause 3 (a), on file with author.

⁴² Employing some of Carl Schmitt's insights, Giorgio Agamben has turned the Foucauldian characterization of sovereign power on its head, suggesting that sovereignty is actually defined through the state of exception, namely, the power to withdraw and suspend the law. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford CA: Stanford University Press, 1998); and Giorgio Agamben, *State of Exception* (Chicago: University of Chicago Press, 2005).

⁴³ Michel Foucault, "Governmentality," in Graham Burchell, Colin Gordon, and Peter Miller (eds), *Foucault Effect: Studies in Governmentality* (London: Harvester Wheatsheaf, 1991), pp. 87–104.

⁴⁴ Thus, governing in modern societies is "undertaken by a multiplicity of authorities and agencies, employing a variety of techniques and forms of knowledge that seek to shape conduct by working through our desires, aspirations, interests and beliefs, for definite but shifting ends and with a diverse set of relatively unpredictable consequences, effects and outcomes." Mitchell Dean, *Governmentality: Power and Rule in Modern Society* (Sage Publications, 1999), p. 11.

⁴⁵ *Ibid.*, pp. 19–20.

⁴⁶ My analysis intimates, however, that a rigid distinction among sovereign, disciplinary, and biopower cannot be sustained. For instance, controlling apparatuses and practices operating by and through sovereign power continue to have a disciplinary component within them, while there is almost always a trace of sovereign violence within practices that operate by disciplining the inhabitants.

individuals and the population are managed, while no configuration is fixed, so that certain processes modify the relation and emphasis among the different modes of power and consequently change the way society is governed and controlled.⁴⁷

The change in the emphasis on one or another mode of power does not necessarily lead to the replacement of the controlling apparatuses and practices that are used to govern the inhabitants, but rather alters the way they operate. So, for example, if a school was used to transmit fields of knowledge to children in an attempt to normalize the occupation, and children resisted this knowledge and on their way back from school threw stones at the military government offices, the military would decide to shut down the school. In this way, the school could be transformed from an institution whose role was to encourage the internalization of certain norms and a field of knowledge to an instrument of collective punishment.⁴⁸ The occupied inhabitants were, in other words, frequently punished when they did not embrace the norms Israel established, and the same form of control that was used to encourage the appropriation of the norm could easily be turned into an instrument of punishment. The crucial point, however, is that while Israel might have relied more heavily on one mode of power at a particular historical moment, the three modes of power tend to operate in tandem and there is an ongoing continuity of control so that there are no lapses or free zones.⁴⁹

Excesses and Contradictions

My argument, though, is not only that the shifting emphasis on one mode of power rather than another helps account for the changing nature of the occupation, but also that the interactions, excesses, and contradictions within and among the controlling practices and apparatuses modified the configuration of the modes of power. This is where I diverge most radically from the statist approach. A genealogy of Israel's forms of control and an analysis of how they interacted suggest that the excesses and contradictions engendered by the controlling apparatuses helped shift emphasis among the modes of power and shape Israel's policy choices and Palestinian resistance. This is my main point.

By excesses I mean effects that are not part of the initial objective of the means of control. A curfew restricts and confines the population but also produces antagonism; the establishment of a Jewish settlement on a hilltop is used to

⁴⁷ Despite the difficulty of sustaining the distinction among sovereign, disciplinary, and biopower, the emphasis of one mode of power and the de-emphasis of the other reflect important differences in the methods used to manage a population and therefore the distinction is crucial. A politics of life is ultimately very different from a politics of death and must—necessarily—be maintained through forms of control operating in the service of disciplinary and biopower.

⁴⁸ Over the years, schools, and particularly universities, were sites of Palestinian resistance, and Israel did not hesitate to shut down educational institutions for extended periods. Sarah Graham-Brown, *Education, Repression, Liberation: Palestinians* (London: World University Service, 1984).

⁴⁹ Foucault, *Power/Knowledge*, *op. cit.*, pp. 107–108. Deleuze, "Postscript on the Societies of Control", *OCTOBER* 59 (Winter 1992), pp. 3–7.

confiscate land, partition space, and monitor the Palestinian villages below, but also underscores that the occupation is not temporary.⁵⁰ By 1987, Israel had managed to confiscate about 40% of the land in the West Bank and Gaza Strip; it had also established 125 settlements dispersed throughout these two regions which were home to some 60,000 settlers.⁵¹ How did this affect the Palestinian inhabitants who, on the one hand, witnessed the expropriation of their land and the movement of thousands of Jewish citizens from Israel into the West Bank and Gaza and, on the other hand, were told that the occupation would soon end?

In addition, the interactions among the controlling apparatuses and practices have produced two different types of contradictions. One type of contradiction is created within the controlling apparatus itself. Perhaps the most apparent internal contradiction is the one created by the settlement project. By confiscating more and more land and transferring hundreds of thousands of Jews to the OT, the settlement project rendered the one-state solution, in which Jews do *not* have a majority between the Jordan Valley and the Mediterranean Sea, increasingly probable. Another type of contradiction emerges in the interaction among different technologies. The integration of Palestinian laborers into Israel, which was, as we will see below, used to produce personal prosperity in the OT and thereby normalize the occupation, ended up strengthening the Palestinian national movement that led the opposition against Israeli rule.

Such excesses and contradictions helped shape the political arena. They triggered Palestinian resistance, which, in turn, helped form Israel's policy choices. This suggests that the forms of control themselves have had a major impact on the local political processes and on the changing character of the occupation. To better understand the occupation it is therefore crucial to examine the means of control, uncovering how they engendered their own modifications and how they helped define the occupation's diverse and changing structure.⁵² It is important, though, to re-emphasize that any attempt to portray both the Palestinians and Israelis as objects rather than subjects of history would be misleading. Israelis are responsible for creating and maintaining the occupation as well as its consequences, while Palestinians are responsible for the resistance and its effects, but the very interests and desires of Israelis and Palestinians, as well as their comportments, are constituted, at least in part, by a multiplicity of controlling apparatuses and practices.

The First Years

In order to show the way in which the forms of control have transformed the occupation by shaping Israel's policy decisions and Palestinian resistance one has

⁵⁰ For an analysis of settlements and settlers as civilian apparatuses of control, consult Rafi Segal and Eyal Weizman, *A Civilian Occupation: The Politics of Israeli Architecture* (London: Verso, 2003), and Eyal Weizman, *Hollow Land: Israel's Architecture of Occupation* (New York: Verso, 2007).

⁵¹ Meron Benvenisti and Shlomo Khayat, *The West Bank and Gaza Atlas* (Jerusalem: The Jerusalem Post, 1987), pp. 112–113; Roy, *op. cit.*, pp. 175–181; Lein, *op. cit.*, p. 18.

⁵² The term "structure" is not used here in its rigid totalizing sense. The structure of the occupation is not external to the everyday reality in the West Bank and Gaza Strip and is therefore tenuous, diverse, and changing. By highlighting a number of its components, however, I hope to uncover the way power has been organized in the territories while simultaneously showing that power creates its own vulnerabilities.

to provide a genealogy of control, underscoring how the different apparatuses and practices interacted and evolved over the years. Providing a historical analysis of this kind is well beyond the scope of this article, and I dedicate a whole book, which will soon appear, to the topic.⁵³ In my larger research project, I divide the occupation into five periods: the military government (1967–1980), civil administration (1981–1987), the first *Intifada* (1988–1993), the Oslo years (1994–2000), and the second *Intifada* (2001–present). These periods are, to be sure, organically linked and overlap to a considerable extent, while some of them can be divided into sub-periods. Even though they coincide with political events and therefore appear to endorse a statist approach, a careful examination reveals that each period is distinguished by a particular configuration of the modes of power and the concurrent accentuation of distinct forms of control. The underlying claim then is that the policies and resistance that characterized each period were, at least partly, shaped by the controlling apparatuses that were deployed, their excesses and contradictions. Here I limit myself to offering a thumbnail sketch of the occupation's first years and then go on to illustrate how the very same forms of control that were used to manage the population produced a series of contradictions that engendered both Palestinian resistance and a change in Israel's policy choices.

Even before the 1967 war had ended, Defense Minister Moshe Dayan seems to have realized that Israel's power was most potent when it was masked, and his pronounced goal was to make the "occupation invisible." As the first coordinator of government operations in the administered territories notes, the objective of the military government was "that an Arab resident of the area might be born in the hospital, receive his birth certificate, grow up and receive his education, be married and raise his children and grandchildren to a ripe old age – all this without the help of an Israeli government employee or clerk, and without even setting eyes on him."⁵⁴

To be sure, Israel did not hesitate to employ coercive measures in its efforts to manage the occupied population. For instance, immediately after the war the external borders of both the West Bank and Gaza Strip were sealed and Israeli security forces crushed internal resistance. The military imposed curfews, deported leaders, demolished homes, and shut down schools and businesses.⁵⁵ But these kinds of actions were carried out primarily during the first two years until the occupation was consolidated.⁵⁶ In the Gaza Strip the Palestinians

⁵³ Gordon, *Israel's Occupation*, *op. cit.*

⁵⁴ Coordinator of Government Operations in the Administered Territories, *Three Years of Military Government, 1967–1970* (Tel-Aviv: Ministry of Defense, 1970), p. 4.

⁵⁵ Black and Morris, *op. cit.*, pp. 261–262.

⁵⁶ One major operation, which was in many respects exceptional in the degree of violence employed, was Israel's assault on Fatah and Popular Front for the Liberation of Palestine (PFLP) armed resistance in the Gaza Strip's refugee camps during 1971. A fence was erected to surround the region, and Israeli troops, working closely with the Shabak and Palestinian collaborators, combed the area for "wanted" men. The men and their families were rounded up, and approximately 12,000 inhabitants were sent to the remote Abu Zneima detention center on the coast of the Sinai Peninsula. An estimated 2,000 houses were demolished in various refugee camps in order to widen roads and create fields of fire. These demolitions displaced, again, over 15,000 refugees. Between July and December 1971, Israeli troops killed or captured 742 Palestinian *fedayin* (the name of the Palestinian guerillas, which means self-sacrifice in Arabic). Black and Morris, *op. cit.*, p. 262; Roy, *op. cit.*, p. 105.

organized armed resistance, but after it was crushed in 1971, Israel changed the repertoires of violence it employed in this region and began implementing measures similar to those utilized in the West Bank, where the sword—during the 1970s—was employed as an ever-lurking threat and only rarely as an actual weapon of annihilation.

Immediately after the war Israel also took over the administration of all Palestinian civil institutions through which modern societies are managed. For instance, already in July 1967 the Israeli authorities began inspecting and censoring all school textbooks, excising all manifestation of Palestinian history and nationalism. Not surprisingly, the first widespread Palestinian resistance was a reaction to Israel's attempt to disqualify textbooks used in Palestinian schools.⁵⁷ Simultaneously, Israel forbade Palestinian teachers from engaging in any kind of political activity, ranging from joining a political party to even expressing support for one. Participation in strikes or sit-ins was prohibited as was writing articles for the press without prior approval.⁵⁸ In the classroom, teachers were not allowed to use any supplementary material to enhance the curriculum, which was narrowly defined as the pre-approved textbook material. These moves were a sign of Israel's attempt to discipline the Palestinians by repressing the national subject.

Accordingly, Israel also encouraged alternative forms of identification which created divisions within Palestinian society. It is not that Israel invented or introduced new kinds of identification in the OT, but rather it tried to strengthen some of the existing ones in order to counter the re-emergence of national identity. Identification with the *hamulah*, the extended family or clan, was consequently encouraged. Israel provided a series of privileges to the heads of the *hamulah* in order to reinforce traditional institutions and forms of identification.⁵⁹ It also encouraged religious identification, providing support for religious institutions and leaders, both to counter the nationalist movement that was predominantly secular and to accentuate differences between Muslim and Christian Palestinians so as to create friction among the religious devotees. Indeed, for many years Israeli officers maintained that the rise of Muslim fundamentalism in the OT could neutralize the PLO, and accordingly they strengthened the Muslim Brotherhood. Israel allowed the Muslim Brotherhood to take over the *waqf* (religious trust), which controls about 10% of the real estate in the Gaza Strip and a considerable amount of property in the West Bank and employs hundreds of workers.⁶⁰ Finally, it encouraged identification with the local geographical space and in this way tried to set the rural population against the urban one and the indigenous against the refugees. The accentuation of such forms of identification was intentional and served both to fragment Palestinian

⁵⁷ Books were disqualified either due to the promotion of Palestinian nationalist aspirations or due to anti-Israeli and anti-Jewish vitriol. The books are listed in military order 107 from August 27, 1967, which states that "This lists 55 books which are banned from being taught in schools. These include Arabic language books, history, geography, sociology and philosophy books."

⁵⁸ Graham-Brown, *op. cit.*, p. 77.

⁵⁹ Moshe Ma'oz, *Palestinian Leadership on the West Bank: The Changing Role of the Arab Mayors under Jordan and Israel* (London: Frank Cass, 1984), p. 72.

⁶⁰ Schiff and Ya'ari, *op. cit.*, pp. 223–225. For other attempts to create religious divisions see Salim Tamari, "Eyeless in Judea: Israel's Strategy of Collaborators and Forgeries," *Middle East Report* 164–165, May–August 1990, pp. 39–44.

society and to undermine attempts to rekindle Palestinian nationalism. The objective was to allow traditional elites to continue taking leadership roles.

The most striking feature characterizing the first years of occupation was, however, Israel's attempt to improve the population's standard of living and increase its prosperity, even as it undermined Palestinian attempts to create a self-sufficient and independent economy. Browsing through military reports, one encounters ongoing discussions concerning strategies to reduce the unemployment rate and create economic growth, which were considered by the military government as ways of averting social unrest and opposition. Already in the midst of the war, Israel provided services to Palestinian farmers in order to save crops and to prevent the death of livestock. And when the fighting subsided Israel established a series of programs to improve economic productivity. Consider, for a moment, a telling passage taken from a 1969 military report:

During the last quarter of 1968 approximately 42,600 persons were employed in agriculture, representing about 46% of the total number of employed persons in Judea and Samaria. ... The area of tobacco cultivation has been increased from 1,500 dunams to 8,000 dunams, the area of pulses from 20,000 dunams to 40,000 dunams and area cultivated with sesame likewise. ... Cotton growing as well as tomatoes for industrial purposes and the growing of medicinal plants for marketing on a limited scale was initiated. ... As a result of agricultural instruction, improved varieties of seeds for vegetables and field crops were introduced. These seeds were furnished to the farmers at reduced prices. Several hundreds of tons have already been supplied. Approximately, 400 model plots, scattered all over the area under review, were cultivated in collaboration with local farmers. About 80 "field days" were held. During the first year the field days were attended by 12,000 farmers and during the second year their number went up to 18,000 persons. Following the introduction of modern methods of cultivation, local farmers began purchasing more advanced agricultural equipment. During the last six months about 50 tractors were bought by local farmers as well as a number of combines ...

And in the section dealing with the Gaza Strip, one reads:

Veterinary activities in the Strip are regular and well organized. During this year some 1,500 animals and about 3,000 poultry were treated and vaccinated. In 1968 some 3,040 dunams of forests, comprising about 618,000 trees, were planted. During the first year only some 230,000 trees were planted. Widespread training activities are conducted in the area. There are 5 model farms with a total area of some 2,600 dunams in the area. The farms serve as demonstration and training centers and as tree and plant nurseries.⁶¹

Such passages reveal that Israel immediately put to use up-to-date forms of surveillance, monitoring everything related to agricultural productivity in order to increase the economic utility of the Palestinian farmers. Until 1976, Israel offered the occupied inhabitants development loans to purchase tractors, agricultural equipment, and machinery.⁶² Consequently, between 1968 and 1972 the agricultural productivity in the territories increased annually by 16%. From

⁶¹ Coordinator of Government Operations in the Administered Territories, *Two Years of Military Government*, *op. cit.*, pp. 10–11, 39.

⁶² Roy, *op. cit.*, p. 222.

1973 to 1976 the agricultural growth stabilized, and between 1977 and 1980 it increased annually by 11%.⁶³

Parallel to Israel's investment in the Palestinian farmer, it incorporated Palestinians into the Israeli workforce. This not only provided cheap labor for the Israeli market, thus satisfying Israel's economic needs, but also had a significant impact on the population's standard of living. It was, according to the Bank of Israel, "the chief factor behind the vigorous development [in the Occupied Territories] of the early years."⁶⁴ The swiftness of the laborer's incorporation is worth noting. Already in 1968, one year after the war, 6% of the Palestinian labor force found jobs in Israel. By 1974, 69,400 Palestinians worked in Israel comprising 33% of the workforce. On the eve of the first *Intifada* (1987) the Palestinian workforce was 277,700, of which 108,900 were employed in Israel (39.2%), a phenomenon unparalleled throughout the rest of the world.⁶⁵ These figures are widely regarded as understated since they only take into account those who found work through formal channels and do not include unregistered workers. The number of unregistered workers fluctuated over the years and has been estimated to be an additional 40% to 70% of the total number of workers just cited as entering Israel.⁶⁶

At least during the first years, the Palestinians who worked in Israel earned anywhere from 10% to 100% more than they would have if they worked in the territories, depending on their occupation. As a result, the average daily wages of all employees from the West Bank rose by 35% in the period 1970–1974 and by 13% during the period 1974–1979. In the Gaza Strip, they rose by 50% and 18.4%, respectively.⁶⁷ Between 1968 and 1972 GNP increased annually by 16% in the West Bank and by 20% in the Gaza Strip. From 1973 to 1980 the economic growth continued—albeit at a slower but nonetheless very impressive rate—with a 9% and 6% annual increase of GNP in the West Bank and Gaza, respectively.⁶⁸ The logic, so it seems, was to render the occupied inhabitants docile by raising their standard of living and transforming their lifestyle. Forms of management that promoted a politics of life rapidly became prominent, as Israel emphasized one of the features characterizing modern "pastoral power." This power, according to Michel Foucault, does not aim to assure *individual* salvation in the *next world* but is rather oriented towards the *population's* salvation in *this world* by ensuring its health, well-being, and security.⁶⁹

⁶³ Central Bureau of Statistics, *National Accountability: Judea, Samaria and the Gaza Strip, 1968–1993*, publication 1012 (Tel Aviv: Central Bureau of Statistics, 1996), p. 20 [in Hebrew].

⁶⁴ Raphael Meron, *Economic Development in Judea-Samaria and the Gaza District, Economic Growth and Structural Change, 1970–1980* (Jerusalem: Bank of Israel Research Department, 1983), p. 6.

⁶⁵ Central Bureau of Statistics, *op. cit.*, p. 125.

⁶⁶ Yehezkel Lein, *Builders of Zion: Human Rights Violations of Palestinians from the Occupied Territories Working in Israel and the Settlements* (Jerusalem: B'tselem, 1999), p. 8.

⁶⁷ United Nations, "Report of the Secretary-General, Development and International Economic Co-Operation: Living Conditions of the Palestinian People in the Occupied Arab Territories," A/35/533, October 17, 1980.

⁶⁸ Central Bureau of Statistics, *op. cit.*, p. 18.

⁶⁹ Michel Foucault, "Afterword: The Subject and Power," in Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics* (Chicago: The University of Chicago Press, 1982), pp. 208–226.

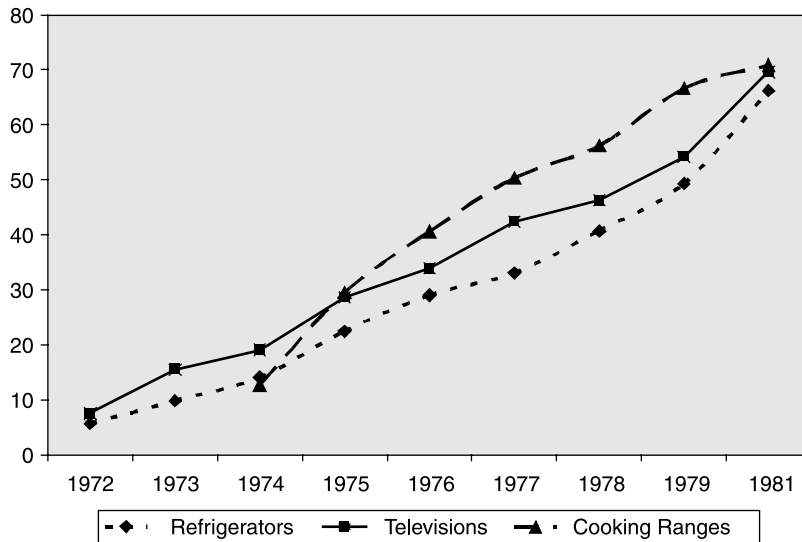


Figure 1. Consumption Increase as Percent of all Households in the Gaza Strip. Source: Central Bureau of Statistics, National Accountability: Judea, Samaria and the Gaza Strip, 1968-1993, publication 1012 (Tel Aviv: Central Bureau of Statistics, 1996), p. 172 [in Hebrew]. For cooking ranges there is missing data for the first two years.

Indeed, parallel to the swift economic growth was a rapid increase in private consumption, at an annual average rate of 13% in the West Bank and 15% in Gaza.⁷⁰ If in 1968 per capita private consumption expenditure in the West Bank was 517 shekels and 222 shekels in Gaza (in 1986 prices), by 1974 it had risen to 1,033 in the West Bank and 474 in the Gaza Strip.⁷¹ While the rapid growth of private consumption was clearly related to the economic growth, it is important to stress that the growth had little if anything to do with economic development and actually reflected the level of Palestinian dependency on Israel.

To sum up this section, one could safely conclude that during the first years following the war Israel raised the standard of living in the OT by creating economic prosperity. Simultaneously, it put to use different forms of control that repressed all national expressions and strengthened the traditional elites in a variety of ways, using Jordan as a proxy of sorts to help it manage the population. The objective was to increase the productivity of the Palestinian inhabitants in terms of economic utility, while suppressing the nationalistic drive. The overall goal was to normalize the occupation. The grid of control deployed to manage the population was so widespread that it saturated every aspect of Palestinian life, leaving no space untouched. All facets of daily life within the territories were continuously meddled with, acted upon, and shaped, often in order to produce and channel the energy of the inhabitants in directions that Israel considered conducive to its own interests. And while Israel employed force to repress any form of opposition, overall the use of violence was contained and disciplinary forms of control were emphasized.

⁷⁰ Central Bureau of Statistics, *op. cit.*, p. 17.

⁷¹ *Ibid.*, pp. 86, 105.

Contradictions Relating to the Incorporation of Laborers

Israel's objectives, as we now know, failed. While international processes, the strengthening of Palestinian national institutions both outside and inside the OT, and the changing political circumstances within Israel all contributed to the changes taking place within the West Bank and Gaza Strip, the excesses and contradictions caused by the forms of control helped shape Palestinian resistance and Israel's policy choices. Due to limitations of space I will focus on Palestinian laborers, showing how their incorporation into the Israeli labor force produced a series of contradictions that precipitated change.

It is crucial first to note that I consider the integration of the Palestinian workers as a means of control. It was the most important factor leading to economic prosperity during the first decade, while prosperity in Israel's view was crucial for repressing all forms of resistance. Surveys conducted indicate that their incorporation into the Israeli workforce had a dramatic impact on private consumption in the OT (a 100% increase in seven years), which, in turn, attests to the fact that the standard of living and lifestyles also rapidly changed.⁷² The integration of Palestinian laborers into the Israeli workforce was, however, always partial. In addition to lower salaries, the Palestinian workers were not permitted to join any of the existing unions within Israel nor to form their own unions for laborers who worked inside Israel.⁷³ The truncated economic integration and the consequent perpetual job insecurity reflected the fact that Palestinians were not integrated politically and therefore could not enjoy the rights and status of Israeli workers.⁷⁴

Consequently, these workers were not only defenseless when confronting the whims of their employers, but they were much more vulnerable when market forces underwent a change for the worse. When the Israeli economy experienced a crisis, as it did in the mid-1980s, the effects were felt immediately in the OT, since the Palestinian laborers had no securities and were therefore often the first to get laid off. Accordingly, in times of economic crisis Palestinians had to be even more careful. This meant that in addition to emulating codes of comportment relating to correct work conduct, like diligence, punctuality, and obedience, which were expected of all workers, the Palestinian laborers also had to follow a series of codes relating to correct political conduct, not least of which was the suppression of national aspirations.⁷⁵ Put differently, for the price of their partial economic incorporation the Palestinians had to contain their political desires. This form of control is less conscious and functions primarily in a productive way by disseminating norms aimed at structuring both the conduct and the possible field of action of the Palestinian individual.

Another important effect of the laborers' partial integration had to do with the demands of the Israeli market, which were predominantly oriented towards unskilled menial labor in construction, industry, agriculture, and services. Because

⁷² *Ibid.*, pp. 86, 105.

⁷³ Lev Grinberg, *HaHistadrut Meal Hakol* [The Histadrut Above All] (Jerusalem: Nevo, 1993).

⁷⁴ The Palestinian laborers also did not receive the same benefits granted to Israelis, such as bonuses for seniority, and were not incorporated into the Israeli social safety net, which offers Israeli citizens a variety of social security allowances.

⁷⁵ Emanuel Farjoun, "Palestinian Workers in Israel – A Reserve Army of Labor," *Khamsin* 7, pp. 107–143.

the “supply” was determined by Israel’s economic needs, Palestinians were not encouraged to broaden their professional skills or to acquire higher education.⁷⁶ Most of those who did acquire a profession had to look for employment overseas, frequently in the Gulf states, since there were not enough jobs in the OT.⁷⁷ The Israeli demands, of course, not only influenced the individual workers but also had long-term detrimental effects on the Palestinian economy as a whole, since the pull factor of unskilled labor helped maintain the underdeveloped economic conditions in the OT and indeed contributed to their de-development.

During the first two decades of occupation, the borders between the OT and Israel were, generally speaking, open except for short periods during the 1971 military campaign in Gaza and the 1973 October war, and almost any Palestinian who wanted to could look for work in Israel; the work permits were granted more or less automatically and were used for monitoring and taxation purposes only.⁷⁸ This suggests that the employer-employee relationship was for several years sufficient for producing the “correct conduct” of the Palestinian laborers and indicates that a disciplinary mode of power was the primary form of control. The introduction of entry permits after the eruption of the first *Intifada* is a clear sign that the employer-employee relationship was no longer considered sufficient and that a new mode of power was gaining ground. But this change was, in my opinion, an effect of a series of contradictions relating to work and labor that had begun to emerge earlier. Due to lack of space I will mention only four.

Before turning to the contradictions, I would like to emphasize that the impact of the workers’ incorporation into the Israeli market was different in the West Bank and Gaza Strip due to the social make-up of the laborers coming from each region. Most of the laborers from the West Bank came from rural villages, which are home to 70% of this region’s population, while the majority of Gaza workers came from refugee camps. It is also important to keep in mind that the physical proximity of the two regions to the work centers allowed the laborers to continue their relationship with their home environment; in other words, most of the laborers commuted and were not migrant workers.⁷⁹

Contradiction 1

According to Joel Migdal, the incorporation of Palestinian laborers into the Israeli workforce created, already in the early 1970s, two major social cleavages in West Bank villages characterized by generational and income gaps.⁸⁰ These gaps ultimately weakened the traditional village leadership, since those who worked in Israel became financially independent and were demanding a say in local

⁷⁶ Roy, *op. cit.*, p. 218.

⁷⁷ O. A. Hamed and R. A. Shaban, “One-Sided Customs and Monetary Union: The Case of the West Bank and Gaza Strip under Israeli Occupation” in S. Fischer, D. Rodrik and E. Tuma (eds), *The Economics of Middle East Peace* (Cambridge, MA: MIT Press, 1993), pp. 117–148; I. Diwan and R. A. Shaban, *Development under Adversity? The Palestinian Economy in Transition* (Washington, DC: World Bank, 2002), pp. 3–4.

⁷⁸ Lein, *Builders of Zion, op. cit.*, p. 27.

⁷⁹ Salim Tamari, “Building Other People’s Homes: The Palestinian Peasant’s Household and Work in Israel,” *Journal of Palestine Studies* 11:1 (1981), p. 33.

⁸⁰ Joel S. Migdal, *Palestinian Society and Politics* (Princeton, NJ: Princeton University Press, 1980), p. 62.

politics. While the Palestinian laborers became dependent on Israel for their livelihood, a fact that was used by Israel to expand its control over them, simultaneously the process of incorporation weakened the control of the traditional elites over these laborers because the economic power that the laborers acquired often put them in a better financial position than the traditional elites. By extension this process also weakened Israel's control over the laborers, since one of the ways Israel controlled the population was through the elites.⁸¹

By 1976, when Israel carried out municipal elections in the West Bank, many of the laborers created alliances with the urban nationalists, since only through them could they obtain some form of political power that reflected their increased economic power. The nationalists ended up winning the elections, serving a blow to the traditional elites and to the Israeli military government. In other words, Israel's attempt to control the population by providing benefits to the traditional elite failed, not least because the incorporation of young men into the Israeli workforce empowered many workers who were looking for ways to translate their economic achievements into political power. Hence, the integration of workers, which had been introduced also as a means to manage the population, helped undo another controlling practice, namely, the use of traditional elites to administer the area and repress the national aspirations of the Palestinian subject.

Contradiction 2

In the early 1970s Israel adopted a "liberal policy" that provided the occupied inhabitants with permits to open universities. Bir Zeit, which had been a two-year college, became a university in 1972; Bethlehem University opened its gates in 1973; An-Najah was transformed from a college to a university in 1977; at around the same time Hebron University, which had been a college since 1971, became an accredited institution; and the Islamic University in Gaza opened in 1978. Within a relatively short period of time these universities produced a fairly large professional class made up of college graduates. The problem was that the employment opportunities open to professional Palestinians was very limited, and many of the graduates could not find jobs that reflected their skills. The labor market in Israel was only interested in unskilled laborers, while Israel hindered practically all Palestinian attempts to establish an independent industry and up-to-date service sector. The lack of jobs instigated a fair amount of bitterness among the unemployed and underemployed graduates, which according to Ze'ev Schiff and Ehud Ya'ari, amounted to about 15,000 at the outbreak of the first *Intifada*.⁸² Put differently, the restriction of integration to unskilled laborers alongside the constraints and restrictions imposed on developing a local economy based on industry and services, ended up contradicting the "liberal policy" of opening

⁸¹ On July 19, 1967, Israel organized a conference for the *mukhtars* in Nablus, where they were "warned that they would be punished if foreigners or terrorists would be found in their villages and if they distribute the communist party's paper *Al-Itihad*." Each village *mukhtar* was paid 75 Israeli pounds a month, while the second *mukhtar* in the same village was paid 50. Michael Shashar, *The Seventh Day War: The Diary of the Military Government in Judea and Samaria (June-December 1967)* (Tel-Aviv: Sifriat Poalim, 1997), pp. 105, 161 [in Hebrew]. See also Military Order 176, which authorizes the military commander to dismiss any *mukhtar*.

⁸² Schiff and Ya'ari, *op. cit.*, p. 91.

universities. This example seems to support Mitchell's claim that disciplines can counteract one another, break down, or overreach; they create spaces for maneuver and resistance and can be turned to counter-hegemonic purposes.⁸³

Contradiction 3

Even though the integration of Palestinian laborers into the Israeli workforce generated economic growth and therefore helped prevent social unrest, it ended up stimulating opposition to Israeli rule and was a leading factor for the eruption of the first *Intifada*. Two central points are worth highlighting in this context: the integration of Palestinian laborers ensured daily contact with Israeli nationalism, and the fact that the integration was always only partial led to the exploitation of Palestinian laborers. The first point is fairly obvious. Palestinian laborers were in daily contact with Israeli society and culture, which was highly invested in a hyperactive nationalist ideology. This contact helped sensitize and strengthen the national identity of the Palestinian laborers, and they began using national discourse to challenge the traditional village leadership.⁸⁴

Regarding the laborers' exploitation, Schiff and Ya'ari were given access to Shabak (Israel's General Security Services) records, which revealed that the common denominator of almost all the detainees during the *Intifada's* first months was that they had worked in Israel. When they were asked during interrogation to explain their motives for joining the protests, the detainees responded that they felt they were discriminated against at their work place and humiliated. Each prisoner "had his own story to tell, but the gist of their experience was similar: at one time or another they had been subjected to verbal and even physical abuse, cheated out of their wages, set to work under inhuman conditions, and exposed to the sweep of the dragnet that followed every act of terrorism. All complained of the insult and humiliation repeatedly suffered at army roadblocks and checkpoints."⁸⁵

The fact that Palestinians from all segments of society, and not just the lower classes, were integrated into the Israeli workforce, and that all the workers were treated with equal contempt, helped alter the social stratification characterizing Palestinian society. Thus, the incorporation of workers into Israel helped diminish class differences and helped produce class homogeneity among different clans and between those who owned land and those who did not, and in this way it benefited the Palestinian national movement.⁸⁶ There was, as Joost Hiltermann points out, a conscious decision to engage in a "national alliance of classes" in order to create an environment for collective struggle against a common enemy.⁸⁷

⁸³ Mitchell, *op. cit.*, p. 93.

⁸⁴ Hiltermann, *op. cit.*, p. 8.

⁸⁵ Schiff and Ya'ari, *op. cit.*, pp. 82–83.

⁸⁶ Surely other social processes weakened the traditional elite, some of which began before Israel's occupation of the West Bank and Gaza. These include greater emphasis on the importance of education for both men and women, the impact of social displacement, and the need to make economic readjustments. See Don Peretz, "Palestinian Social Stratification: The Political Implications", *Journal of Palestine Studies* 7:1 (Autumn 1997), pp. 48–74.

⁸⁷ Hiltermann, *op. cit.*, p. 8.

Contradiction 4

The growing number of Palestinians entering Israel to find work also resulted in a substantial drop in the number of laborers who remained in the territories to cultivate Palestinian land. If, in 1970, 42,500 Palestinians worked in agriculture in the West Bank, by 1980 the number had dropped by about 30%, with only 28,900 agricultural workers.⁸⁸ Migdal's fieldwork in the early 1970s suggests that in certain areas farmers were cultivating only 20% of the land that had previously been plowed and sowed.⁸⁹ According to a report published by the Israeli Communist Party, in 1969 238,000 dunams of agricultural lands were left untilled, while in 1970 the figure had grown to 354,000 dunams. The report explains that since laborers and even owners of small farms earned more money by working in Israel, agricultural land was not cultivated.⁹⁰

A prominent West Bank economist corroborates these findings. In a 1977 interview he notes that "it no longer pays to attend to one's olive trees or rocky piece of land. The farmer chooses the more sensible course of action: to seek work elsewhere. West Bank farmers have increasingly fallowed their land and totally neglected the maintenance of their terraces."⁹¹ The failure to cultivate more land was aggravated both by the fixed water quotas set in the early 1970s and not changed for over a decade and by the fact that Palestinian farmers were paying four times as much for the water as Israeli farmers.⁹² Thus, it is not totally surprising that in 1984 less land was cultivated than in 1968, although the population had increased by some 30%.⁹³ This, however, did not lead to a reduction in production. Until 1982 productivity actually increased due to changes in cultivation methods, increased mechanization, improvement of agricultural technology, and the replacement of some low-value with high-value cash crops. Only after 1982, the share of agriculture in the West Bank GDP, which had been the most productive and stable branch of the Palestinian economic sector, shows a continuous decline, which is a result of decreased productivity.

These changes played into the legal-bureaucratic mechanism of confiscating land, since, according to the complex legal system that Israel instated, land not cultivated for a number of years could be legally expropriated. Thus, for many years the incorporation of Palestinian laborers into the Israeli workforce facilitated the seizure of land. But later, when Palestinian laborers were not allowed to enter Israel and sought to make a living through agricultural work, they could not expand the cultivated area because all vacant land had been confiscated by Israel. Consequently, the jobless laborers could not sustain themselves in a dignified manner, which spurred social unrest. Thus, we encounter two forms of control that complement each other during one period and contradict each other during another.

⁸⁸ Central Bureau of Statistics, *op. cit.*, p. 135.

⁸⁹ Migdal, *op. cit.*, p. 67.

⁹⁰ Sheila Ryan, "Israeli Economic Policy in the Occupied Areas: Foundations of a New Imperialism", *MERIP* 24 (January 1974), pp. 3–24.

⁹¹ "Israel Restructures West Bank Economy, Interview with A. R. Husseini," *Middle East Report* 60 (September 1977), pp. 21–23.

⁹² Benvenisti, *The West Bank Data Project, 1986 Report, op. cit.*, p. 10.

⁹³ *Ibid.*, pp. 8–9.

Conclusion

What comes across most forcefully when examining the history of the occupation is the dramatic shifts in the ways in which the forms of control were deployed over time. While several factors propelled these shifts, my claim is that the excesses and contradictions that evolved from the different forms of control served as a central force leading to the transformation. On the one hand, Israel employed an array of apparatuses and practices aimed at normalizing the occupation while repressing Palestinian national identity and creating social fragmentation. On the other hand, many forms of control produced excesses and contradictions that helped reinforce national identity and Palestinian unity. Accordingly, this kind of analysis suggests that in and of themselves the forms of control played an important role in shaping Israel's policy choices as well as its decisions to change the emphasis of the modes of power.

In a different article, I show that at a certain stage the excesses and contradictions led to a deeper change that brought about a shift in the underlying principle informing the occupation, from the colonization to the separation principle.⁹⁴ By the colonization principle, I mean a form of government whereby the colonizer attempts to manage the lives of the colonized inhabitants while exploiting the captured territory's resources.⁹⁵ Colonial powers do not conquer for the sake of imposing administrative rule on the indigenous population, but they end up managing the conquered inhabitants in order to facilitate the extraction of resources. As we saw, after the 1967 war, Israel assumed responsibility for the occupied residents, undertaking the administration of the major civil institutions through which modern societies are managed: education, health care, welfare, and the financial and legal systems. Simultaneously, it began expropriating Palestinian land and water, the most important natural resources in the region.

The excesses and contradictions precipitated by Israel's forms of control led, at a certain stage, to the eruption of the first *Intifada*. During the *Intifada*, Israel gradually recognized that the colonization principle could no longer sustain its rule in the West Bank and Gaza Strip. The aspiration to normalize the occupation through a series of disciplinary mechanisms that are supported by the sword proved to be unrealistic. It took several years until a clear policy was adopted, and the separation principle was embraced. As opposed to the colonization principle, which was rarely discussed, the separation principle has been talked about incessantly. The paradigmatic sentence describing this principle is "We are here, they are there." The "we" refers to Israelis and the "they" to Palestinians.

If the first principle reflects the logic of the occupation, the second one ostensibly offers a solution to the occupation. The key word here is *ostensibly*. If truth be told, the second principle does not aim to solve the occupation but rather to alter its logic. In other words, "We are here, they are there" does not signify a withdrawal of Israeli power from the OT (even though that is how it is understood among the Israeli public), but is used to blur the fact that Israel has been reorganizing its power in the territories in order to continue its control over their resources. Thus, the Oslo

⁹⁴ Neve Gordon, "From Colonization to Separation: Exploring the Structure of Israel's Occupation," *Third World Quarterly* 29:1 (2008), forthcoming.

⁹⁵ The colonial enterprise is, to be sure, a multifaceted and complex phenomenon and cannot be defined in one sentence or passage. For an analysis of the different dimensions and types of the colonial project, see Gershon Shafir, *Land, Labor and the Origins of the Israeli Palestinian Conflict, 1882–1914* (Cambridge: Cambridge University Press, 1989).

Accords, which were the direct result of the first *Intifada* as well as the changing political and economic circumstances in the international realm, signified the *reorganization of power rather than its withdrawal*, and should be understood as the continuation of the occupation by other means. As one commentator observed early on, Oslo was a form of “occupation by remote control.”⁹⁶

The adoption of the separation principle, consequently, does not mean the termination of control but rather its alteration from a system based on managing the lives of the occupied inhabitants to a system that is no longer interested in the lives of the Palestinian residents. One important manifestation of this change is that the Israeli Bureau of Statistics has stopped monitoring any development pertaining to the Palestinian population in the OT. Another manifestation involves Israel’s relation to the law. If up until September 2000 Israel controlled the occupied inhabitants primarily through the application of multiple legal frameworks—including, to be sure, the enforcement of draconian laws that both legalized the incarceration of thousands of political prisoners and permitted deportations, house demolitions, torture, extended curfews, and other forms of collective punishment—one of the most striking characteristics of the second *Intifada*, as well as the separation principle, is the extensive suspension of the law. In the first 33 years of occupation any suspension of the law was still considered an exception to the rule, even though the law’s actual application did not entail any meaningful administration of justice.⁹⁷ In the second *Intifada*, the suspension of the law became the norm. One example of this suspension is Israel’s pervasive employment of extrajudicial executions. The fact that not one Israeli soldier has been tried for these killings and that they are part of an overt policy suggests that some of the occupied inhabitants have been reduced to what the Italian political philosopher Giorgio Agamben has called *homo sacer*, people who can be killed without it being considered a crime.

In the article mentioned above, I show that the second separation principle produces a totally different controlling logic from the logic produced by the colonial principle. If during the first decade of the occupation Israel tried to decrease Palestinian unemployment in order to manage the population, following the new millennium Israel intentionally produced unemployment in the Occupied Territories. Whereas in 1992 some 30% of the Palestinian workforce was employed in Israel, in 1996 that figure had fallen to 7% and the average rate of unemployment in the territories reached 32.6%, rising 12-fold from the 3% unemployment in 1992.⁹⁸ Along similar lines, if during the first years of the occupation Israel provided immunization for cattle and poultry, in 2006 it created conditions that prevented people from receiving immunization. The radical difference in the repertoires of violence reflects the shift from the colonization to separation principle, which, in turn, is caused by the excesses and contradictions precipitated by Israel’s controlling technologies.

⁹⁶ Meron Benvenisti, *Intimate Enemies: Jews and Arabs in a Shared Land* (Berkeley, CA: University of California Press, 1995). See also, in this context, Amira Hass, *Drinking the Sea at Gaza: Days and Nights in a Land under Siege* (New York: Metropolitan Books, 1996); Edward Said, *Peace and its Discontents* (New York: Vintage, 1996); Graham Usher, *Dispatches from Palestine: The Rise and Fall of the Oslo Peace Process* (London: Pluto Press, 1999); Neve Gordon, “Outsourcing Violations: The Israeli Case,” *Journal of Human Rights* 1:3 (2002), pp. 321–337.

⁹⁷ See Hajjar, *Courting Conflict*, *op. cit.*, and David Kretzmer, *The Occupation of Justice: the Supreme Court of Israel and the Occupied Territories* (Albany, NY: SUNY Press, 2002).

⁹⁸ B’tselem, “The Palestinian Economy During the Period of the Oslo Accords: 1994–2000”, <<http://www.btselem.org>> .