

PROLOGUE

The First Year of the Occupation

On Wednesday evening, June 8, 1967, the Israeli army completed its occupation of the West Bank and Gaza Strip. Since then, Israel has ruled the entire area of historical mandatory Palestine. The apparatus to govern the roughly one million Palestinians who had become subject to Israeli rule was quickly created. In the nineteen years that had elapsed since the expulsion of the majority of the Palestinian population and the creation of the State of Israel in 1948, significant differences had emerged between the situation of Palestinian citizens of Israel and that of Palestinians living in the West Bank and Gaza Strip. The subjugation of the latter to Israeli rule intensified these differences by means of two separate ruling apparatuses—one for Israeli citizens (both Jews and Arabs) and the other for Palestinian noncitizens in the West Bank and Gaza Strip: two apparatuses in the service of one and the same regime.

The so-called Six-Day War took less than four days in the West Bank and Gaza Strip and sowed massive devastation. The Jordanian and Egyptian authorities in the West Bank and Gaza respectively were ousted. Infrastructure was ruined, the supply of food and water was disrupted, numerous houses were demolished by shelling, the border that had vanished left enormous minefields unmarked and unfenced, hundreds of wounded lay in hospitals, and myriads were homeless and had been deprived of their livelihoods.

At the end of the fighting, Israel immediately positioned itself as a merciful sovereign with the power, will, and authority to rescue the local inhabitants from the ravages of war and the distress in which they found themselves. This aid had an obvious price: acceptance of Israeli rule. In order to get life back on track, Arab leaders, mayors, and heads of local councils were forced

to cooperate with the Occupation, which they regarded as temporary. “The City Council hereby announces that in conjunction with the Israeli administration it has managed to operate sanitation and water supply services in various parts of the city,” Ruhi al-Khatib, mayor of Jerusalem under Jordanian rule, notified its residents on June 19, 1967. “The local electricity company has begun its operations in cooperation with the military administration.”¹ But his city council did not last long. On June 28, following the annexation of East Jerusalem and several neighborhoods in and villages around the city,² the city council of Arab Jerusalem was dismantled and Israeli law was imposed on all parts of the city, from Qalandiya in the north to Beit Safafa in the south. In response, the president of the Jerusalem shari’a court called upon Palestinian public figures to convene and announce measures of resistance and protest, declaring that “the annexation of Arab Jerusalem is null and void and that the Occupation authorities have imposed it unilaterally, contrary to the will of the city residents.”³ Israel took severe measures against these signs of budding civil disobedience and hastened to penalize the participants, both leaders and private individuals. Four members of the Supreme Muslim Council, signatory to this public statement, were forced to leave Jerusalem and barred from political activity.

Israel’s first census in the Territories showed 667,200 Palestinians living in the West Bank (71,300 of them in East Jerusalem) and 389,700 in the Gaza Strip in late 1967.⁴ About one-tenth of the West Bank residents and nearly three-quarters of the Gaza Strip residents were refugees from areas of mandatory Palestine occupied by Jewish forces in 1948–49.⁵ The entire population, except for those inhabitants of regions freshly annexed to Jerusalem, had now become subjects deprived of any kind of civil status. Residents of the annexed area were offered citizenship. Most of them declined, and they were then granted permanent resident status. Administration of civil life was handed over to military governors, and shortly thereafter, a military administration was set up throughout the Occupied Territories.

In the first days of the Occupation, Israel appeared to launch a new wave of ethnic cleansing and destruction. Demolition of three villages in the Latrun area, destruction of the Mughrabi neighborhood near the Wailing Wall in the Old City of Jerusalem, the depopulation of the refugee camps near Jericho, and preventing the return of most of the 250,000 Palestinians who had escaped the West Bank to Jordan and about 48,000 who had escaped the Gaza Strip to Egypt during the war were a familiar pattern.⁶ Extensive actions of this kind

ceased shortly thereafter, short of a second Palestinian Nakba, and eventually some tens of thousands of refugees were allowed to return.

However, other, less massive and demonstrative actions were taken to encourage Palestinian emigration. Homes of Palestinians suspected of being members of what were then defined as “hostile organizations,” and of their relatives, were demolished;⁷ those leaving voluntarily for Jordan were offered relocation grants;⁸ free transport to Jordan from the Damascus Gate of the Old City of Jerusalem was offered daily to one and all, presented as a gesture in support of “family reunification” with relatives who had served in the Jordanian army; damage to the familiar fabric of life through closure of several institutions and crass interference in the management of others spread mistrust and alienation through parts of the local population.⁹ Many Palestinians came to be suspected of resistance, whether violent or political, and were subjected to administrative detention, frequent interrogations, and torture.¹⁰ All of these measures moved many to choose migration.

However, the issue, as it soon became clear, was not expelling the Palestinians, but ruling them. Various Israeli bodies had prepared themselves in advance for the task. There was a contingency plan for occupation of the Territories, drawn up a few years earlier by Meir Shamgar, then military advocate general, later president of the Israeli Supreme Court (1983–95). When standby was declared before actual warfare erupted, the military advocate general’s office prepared itself accordingly, and the relevant blueprint can be seen implemented to this day, in spite of the many changes that have taken place in the legal corpus constituted by the edicts and regulations issued by the military government in the Occupied Territories.¹¹ Two years prior to the war, the General Security Service (GSS) began to consolidate action plans for a possible occupation of the West Bank and Gaza Strip, and trained its agents accordingly.¹² A series of courses was held at the Allenby army base in Jerusalem to practice the “lessons of administration learnt in Operation Kadesh” (also called the “Sinai Campaign,” the occupation of the Sinai Peninsula in 1956), and especially in the occupation of the Gaza Strip. The courses were intended especially for reservists who had served in the military administration ruling Palestinian citizens inside Israel, as well as for GSS agents: “The purpose of this course was openly discussed: establishing military rule in occupied territories,” David Ronen writes. “Practices included the immediate activation of local institutions and services, location of local leadership that would help return life to its normal course and handling possible religious strife.”¹³

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The early deployment of this administrative and legal apparatus calls into question the commonly held narrative presenting the Occupation as an event that took Israel by surprise, and describing Israel's hesitation in the first weeks and months as a search for the right way to handle the Occupied Territories and their inhabitants. The first months were indeed a time of anticipation of international pressure that would bring about an Israeli withdrawal, as had been the case following Operation Kadesh, but both preparations before the war and some of the actions taken immediately thereafter indicate that another possibility had also been considered: a long-term occupation requiring special deployment. The defense apparatus led by Defense Minister Moshe Dayan sought a model for ruling a civilian population that suited the time and Israel's international status. In an intuitive and haphazard move, various recent models for military and colonial occupation were studied—from World War II through French rule of Algeria to the American hold on Vietnam—and rejected.¹⁴ Having no suitable model, the architects of the ruling apparatus first acted by way of elimination. Their first principle was not to replicate the military governing mechanisms that until December 1966 had ruled the Palestinian population within the "Green Line" of the 1949 Armistice Agreements between Israel and the neighboring Arab states.¹⁵

Throughout the years of its existence, this military government had aroused sharp criticism in wide circles of Israeli society.¹⁶ The dismantling of this apparatus about half a year before the 1967 war was a show of confidence on the part of Israel's ruling bodies, the success—as it were—of eighteen years of efforts to segregate Palestinian citizens of Israel from the 1948 refugees outside the country and to turn them into loyal citizens of their new state. Palestinians inside Israel were expected to accept their new situation and actually to give up their claims and reparation demands related to damages they had suffered in 1948, along with their bonds with their Palestinian brothers and their dream of regaining their homes. Palestinian citizens of Israel were already enjoying civil rights—albeit partial—and especially freedom of movement—albeit incomplete; their assimilation into the Jewish economy, in public administration, and in Israeli political space was limited but growing gradually, monitored by the GSS, which was geared for early detection of any sign of resistance to the Israeli regime.

Dayan, one of the military government's staunchest critics in its later years, wished to differentiate between the new apparatus established in the Occupied Territories and the system that had previously controlled Palestinians within

the Green Line. He especially wished to avoid the severe restrictions on movement that had been the fate of Palestinian citizens of Israel. In the late summer, Dayan approved the “open bridges” policy, as well as the general permit to exit the Territories into Israel—two measures that normalized everyday life and had a decisive impact on the development of the Palestinian economy. However, these measures soon created two arenas in which Palestinians were exposed to the intervention and monitoring by the military administration, making them all the more dependent upon its officials and officers. Free entry into Israel, on the one hand, and passage to Jordan, on the other, took place alongside detentions, inspections, searches, and humiliations at the crossings, as well as frequent violations of freedom of movement within the Occupied Territories themselves—especially by movement restrictions imposed on political activists and curfews imposed from time to time upon villages and neighborhoods where resistance was manifested.

Dayan wished to enable the rapid normalization of everyday life for Palestinians in the Occupied Territories without granting them citizenship or erasing their clear differentiation from Palestinian citizens of Israel. This policy ascertained the contradiction between “enlightened” intentions and the means necessary for their implementation. In order to gain favor with the new administration, Palestinians were now required to prove themselves loyal. Such imposed loyalty had to be coerced through familiar means by the GSS, which relied upon the experience accumulated during eighteen years of military administration, as well as its short experience in military government of the Gaza Strip in the Sinai campaign and on training practices held since 1965 foreseeing the occupation of the West Bank and Jerusalem.¹⁷ Since the subjects were not state citizens, the organization could work in a less restrained manner. It exercised a policy of divide and rule, implementing a whole system of prohibitions and monitoring and policing measures to prevent the emergence of public space, or violently suppressing such a space wherever it had been created. Interference in the lives of subjects was common, creating numerous “points of dependence” of the ruled upon the ruling power (for our use of the term “ruling power,” see Chapter 6 below), enabling ongoing surveillance. In extreme cases, the Occupation authorities expelled and exiled individuals, but the normalization of submission also meant recruiting Palestinians to low-ranking offices in the ruling administration, forcing many into various forms of collaboration.

Parts of the organizational blueprint, administrative concepts, and control devices that had served the military administration imposed on Israel’s

Arab citizens remained in force and were adjusted to the new policy, notwithstanding Dayan's intention to create a new ruling pattern. Political activity was monitored and suppressed, but labor and commerce were allowed a degree of freedom. Palestinian existence was reduced to bare everyday needs, the fulfillment of which was enabled and controlled by the Occupation regime. This was done, however, in a way that restricted development, required various forms of dependence upon Israeli rule and economy, and promoted the economic interests of government and private companies over Palestinian ones. This dependence hampered the building of infrastructure in the Occupied Territories, hindering industrialization and initiatives in the area of financial services, and tightly restricted developments in medicine and education.

This regime, whose architects called it an "enlightened" or "silent" Occupation, was based first and foremost on the distinction between a private realm in which Palestinians could sense relief and certain improvements in their living conditions, and a public domain that became inaccessible for most of them and involved strict control and violent suppression.¹⁸ The distinction between submissive Palestinians who had relinquished their public space and rebellious Palestinians who insisted on it was the basis for telling "moderates" from "extreme," "dangerous" Palestinians. The "moderates" were those who fully obeyed the rules and unreservedly accepted the rightless status the Occupation prescribed them, whereas the "bad guys" were those who took part in resisting it, did not recognize the legitimacy of its rule, and tried in various ways to transcend the place it allotted them.

Both government officials and critics used the carrot-and-stick formula to describe the Israeli regime's treatment of its new subjects.¹⁹ The ruling apparatus showed its "enlightened" face to the population who accepted its authority, but acted violently and resolutely against those who rebelled. It oppressed vast parts of the population with "insinuated" and "withheld" violence in order to deter them from forgetting their place and joining the rebels. The dual, "enlightened" and oppressive faces of the regime have become a significant factor in justifying the ongoing harm to Palestinians. The ruling apparatus presented itself as enlightened and actually interested in improving Palestinians' living conditions, provided they showed moderation and maintained law and order. It usually avoided exposing its oppressive side to the Israeli public, which in any case showed no great interest in the details of ruling the Occupied Territories. When this side was occasionally uncovered by the media, it was invariably presented within the permanent frame story whose protagonist, the

“bad” Palestinian, forced the regime to act in order to thwart subversion and hostile intentions. In rarer cases, exposure of the oppressive side was an opportunity to condemn—almost never to punish—the rank-and-file soldier guilty of some “exceptional” conduct toward Palestinians, and publicly to declare an investigation of the matter.²⁰ At any rate, Palestinian resistance was stripped of its political dimension.

Thanks to the carrot-and-stick policy, only at the outbreak of the First Intifada did the inherent, ongoing harm and damage inflicted on Palestinians, which was not just a consequence of violent outbursts, appear to non-Palestinian eyes for what it really was: direct control of the population and a result of ongoing management of all details of life by means of edicts and decrees. Without the explicit approval of the military governor, lawyers were not allowed to photocopy legal documents, teachers could not hold meetings, students could not organize basketball and football matches, men and women could not gather at clubs and hold cultural events, journalists and writers could not publish their work, cooks were not allowed to pick thyme leaves, and gardeners could not plant azaleas. The institutions to which lawyers, teachers, or merchants belonged were subjected to constant surveillance, public services suffered budget cuts, decrees affecting daily life were kept secret, forms for registering the opening of businesses or the sale of property were not available for months on end, and their supply not renewed, libraries were closed or emptied of books, and books were censored. These and many other draconian decrees that had nothing to do with security, nor were a response to rebellious conduct on the part of the occupied or a focused punitive measure, became an integral part of the new fabric of life woven by the Occupation. The specific violation of fundamental rights represented by each of these edicts concealed the more basic harm done to the life of Palestinians as a result of the fact that they were exposed to such long-term withheld violence, enabling the regime to interfere in their lives and monitor every aspect of their world.²¹

The Occupation’s “enlightened” face soon brought some benefits and certain improvements in various areas, such as health, agriculture, and livelihood, and per capita income increased considerably. Improvements were implemented sparingly, true to the carrot-and-stick method. The role of the stick here was both passive—denial of those improvements and benefits—and active—the deployment of a whole apparatus of military-spatial control devices throughout the West Bank and Gaza Strip in order to prevent and suppress any resistance to Occupation rule. Control technologies were activated against

both identified individuals and the population at large. Under the auspices of the military governor and his administrative bureaus, which were the main agents of the carrot-and-stick policy, individuals were subjected to a permit policy from the very first days of the Occupation. While any permission to conduct normal everyday activities could be considered as the carrot, anything that could be associated with a “security risk” was likely to produce the stick immediately. The category of security risk included various political activities, such as commemoration rallies or hunger strikes, which were handled by the army and the GSS rather than by the civil administration.²²

As soon as the war ended, the army carried out a series of operations to “cleanse” the Occupied Territories of “nests of Palestinian resistance.” These actions targeted not only those suspected of violence but also leaders and public figures who expressly opposed various measures taken by the military administration or who disagreed with them, and these actions occasionally affected the population as a whole. Some of these operations were covert or carried out while removing Palestinians from the site of the action. Others were held as spectacles, in broad daylight, for the Palestinians to “take notice.” Such, for example, was the operation carried out in Nablus in February 1968, when the Casbah (the densely populated old part of the city) was surrounded by hundreds of soldiers, who proceeded from house to house and arrested most men living in the city. After the men were transported to holding pens, they were forced to undergo an identification lineup in which detainees who had already been implicated in hostile terrorist activity were forced to identify their associates.²³

In March 1968, responding to a rise in the military and ideological presence of the various resistance organizations of the Palestine Liberation Organization (PLO), Israel initiated an offensive against the village of Karame, in Jordan, then a PLO stronghold. Large forces crossed the Jordan River in order to “cleanse” the area of bases and members of the organized Palestinian resistance. The operation ended in Israeli defeat and numerous casualties on both sides. The next day, Dayan coined the precepts that have become the Occupation authorities’ hallowed dogma to this day: “The IDF [Israeli Defense Force] operation was unavoidable—we have no choice but to fight back if we do not want our lives preyed upon and to forfeit our military and political achievements of the Six Day War. The question is not of a single battle but rather of a war—perhaps long-standing—to the very end.”²⁴ This statement should be dwelt upon. According to Dayan, “our military and political achievements” had to be preserved at any price; they were fetishized to create a sense of “no choice”

that precludes any rational planning or policy. How al-Fatah, then still a small guerrilla organization, had grown to pose an immediate threat to these achievements Dayan did not explain. If Israel's achievement was its defeat of the Egyptian, Syrian, and Jordanian armies in war, al-Fatah could not be relevant. It could hardly have been able to pose any threat to Israel's second achievement—the Occupation of the Palestinian territories—either. The direct threat posed by al-Fatah at the time was its incitement of the residents of these territories against the Occupation regime and emphasizing the oppressive aspect of the Occupation over its enlightened façade. However, behind this explicit threat perhaps lay a more severe threat, not spelled out by Dayan.

Al-Fatah, a secular national movement, founded in 1959, that became the major faction in the PLO, took up armed resistance in 1965. It was still fighting at the time against the transformation of Palestine into Israel. By its very existence, this organization invoked the Palestinian catastrophe and reawakened the ghosts of Palestinian existence in Israel proper, which the Israeli regime wished to erase. Even more than in its guerrilla and terrorist actions, Al-Fatah's discourse anchored the Palestinian struggle in the catastrophe of 1948. Its slogan "Return is the way to unity" openly and directly embodied something that Israel wished to continue forgetting, the denied moment of constituent violence—the violence that constituted the Israeli regime and almost entirely cleansed its body politic of Palestinians—and the refugees' claim to return to their homeland. Al-Fatah and its goals were the vanishing point in the perspective of the ruling apparatus established in the Occupied Territories: they were usually missing from its field of vision and action but determined its mode of operation and delineated its horizon.