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Ilan Pappé^a

^a Institute of Arab and Islamic Studies, University of Exeter, Exeter, UK

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Revisiting 1967: the false paradigm of peace, partition and parity

Ilan Pappé*

Institute of Arab and Islamic Studies, University of Exeter, Exeter, UK

This article argues that when the paradigm of settler colonialism is applied to the Israeli policy towards the occupied territories it provides a satisfying explanation for why the present and hegemonic paradigm of peace is a charade that will lead to nowhere. The article examines this paradigm as an outcome of both Zionist ideology and the strategy adopted by the Israeli government immediately after the 1967 war.

Viewing the realities in Israel and Palestine as a settler colonialist case study has wide implications for our understanding of the present debacle in the peace process over there. The scholarly debate about the ‘peace process’ more often than not lacks a historical dimension and the analyses of failure and progress are based on power relations, intentions of the local actors and opportunities. So the first aim of this article is to view historically the peace process as a strategy of the settler colonialist state and as a Native response to it.

This article claims that the ‘peace process’ itself was born as concept at a certain given moment, in June 1967, and was part of the settler colonialist state’s attempt to reconcile the Israeli wish to remain demographically a Jewish state while at the same time expand geographically without losing the pretence of being a democratic state in the post 1967 reality.

A third claim made here is that the Israeli political and military elite knowingly went into this dilemma, but contemplating the possibility of a scenario of their own making or that of others, that would place them as rulers of the West Bank and the Gaza Strip.

Seen from all three vantage points, the article concludes that the two-state solution and the process that is supposed to bring it about, are a two-part Israeli plan the logic of which has been accepted, with modifications, by a powerful coalition: the USA, the EU, Russia, the UN, most of the Arab State, the Fatah Palestinian leadership, the Zionist Left and Centre in Israel and some known figures in the solidarity movement with the Palestinians. It is the power of the coalition, and not the logic of the solution or the process that kept intact so long despite its apparent failure.

The university on the hill

Givat Ram, the hill of Ram, is a wide hilly spread on the very western corner of present-day Jerusalem. It is inhabited by various ministries, the Knesset, part of the Hebrew University and the Bank of Israel. Israelis of a certain age, ethnic origin and socio-economic background developed a very nostalgic attitude towards the place. The hill makes a very brief and pastoral appearance in

*Email: i.pappe@exeter.ac.uk

Amos Oz's first and famous novel *My Michael* published in 1968: 'where a small herd of sheep graze alongside the Prime Minister's Office'.¹ There are no sheep in sight today and the grazing fields of yesteryears are long gone. They were replaced by an elaborate system of highways, metal gates, hanging bridges and quite a beautiful rose garden.

It is very unlikely that sheep were to be seen anywhere near the Prime Minister Office when Oz's book was published in 1968. But sheep did graze this hill when the Palestinian rural neighbourhood Sheikh al-Badr was standing there. Few of its houses are still there today next to the Crown Plaza Hotel, frequented by Israeli members of Knesset who do not live in Jerusalem. This village was gradually swollen by the city and became an urban neighbourhood until it was ethnically cleansed by the Israeli forces in 1948. It was a famous spot in the city as it overlooked one of Jerusalem's most renowned landmarks: the Valley of the Cross. Tradition has it that there stood the tree providing the wood for Christ's cross and this is why on that alleged spot Greek Orthodox monks built an impressive monastery, still there today, caged between new Jewish neighbourhoods and inlay roads.

West of the monastery today lies one of the two main campuses of the Hebrew university in Jerusalem. It is a built on Sheikh al-Badr's confiscated land sold to the university by the Israeli custodian of absentee lands (allegedly kept pending a decision about its future, but in reality sold to any Jewish individual or enterprise willing to pay a ridiculous low price for it). The university until 1948 operated on Mt. Scopus, which became 'no man's land' and therefore inaccessible.

North of the new built campus and roughly at the same time a new site for the Israeli government was erected. Whereas the buildings of the campus were modest in appearance and were soon covered by pleasant lawns and greenery, it seems that the serene charm of this hilltop did not inspire the architects who built the governmental site of the Jewish State. With very little attention to the pastoral scenery or the biblical heritage they opted for huge lumps of cements spread all over the hill, wounding the natural beauty of this crest of the Jerusalem mountains.

In the summer of 1963, a group of unusual students were enrolled on this campus for a two-week course. They would be re-invited later on to some additional courses. They were almost all with legal background of one sort or another. Some of them were members of the military administration that was running the areas in which the 1948 Palestinians lived under a strict rule that robbed them of most of their basic rights. Others were officers in the legal section of the Israeli army or officials of the ministry of Interior and one or two private lawyers.²

They were invited by the department of Political Science in the Hebrew University. It was a month-long course and included lectures on military rule, the political situation in the West Bank and the Gaza Strip, the lessons to be learned from Israel's military rule in the Sinai and Gaza in 1956 and inside Israel since 1948. A short introduction to 'Islam' was also part of the curriculum and it ended with a lecture on the 1948 ethnic cleansing of Jerusalem, the *Yevusi* operation of April 1948, in which scores of Palestinian villages were expelled and wiped out.³ This was followed by 'a celebratory meal and everyone was in an excellent mood', reported one of the participants.⁴

Their presence on Givat Ram in 1963 was part of an overall new military strategy initiated by the Israeli Chief of the General Staff (CoGS). The strategy was presented by the CoGS to the army on 1 May 1963 and was meant to prepare the army for the need to run the West Bank as an occupied military area. The West Bank of course was not yet occupied, but the fact the four years before the actual occupation the Israeli military was ready with a judicial and administrative infrastructure for ruling the lives of one million Palestinians is highly significant.

The plan was code-named 'The Shaham Plan' and it divided the West Bank to eight districts for the purpose of facilitating the imposition of an organized military rule. Michael (Michel) Shaham was the general military governor of the Palestinian territories inside Israel and the official name of the programme was 'the organization of the Military Rule in Occupied Territories'.⁵

Three groups were behind the plan: members of the legal section of the army, academics of the Hebrew University and officials of the ministry of Interior. The latter were mainly people who were already serving in one capacity or another in the military administration imposed on the 1948 Palestinians, still intact in 1963.

The plan included the appointment of a legal advisor to the future governor general of the occupied territories and four military courts. The appendixes to the plan consisted of translation into Arabic of the Jordanian law as well the 1945 mandatory regulations. Although the latter were already used inside Israel, the Israelis for some reasons did not possess their translation to Arabic. The reason maybe that theoretically according to the Israeli law these draconian measures, of which more is said later, were imposed on Jews and non-Jews alike. In the case of the West Bank it was meant to apply to Palestinians only (and indeed when the Jewish settlers would arrive they would be exempted from this legal regime). Zvi Inbar who published for the first time the details of the plan in his memoirs, explains that every term had to be transferred from the reality of the mandatory period, when these regulations were issued by the British government in 1945, to the prospective occupation of the West Bank and the Gaza Strip in 1963. Thus the 'High Commissioner' and 'His Majesty's government' were irrelevant terms and were replaced by 'a general military governor' and the Israel Defense Forces (IDF), respectively.

Other materials in the plan indicate that the compatibility of international law and the Geneva convention was of a concern in the case of a prospective occupation. Ominously for the Palestinians, the main concern was that the Geneva Convention did not permit executions. The Israelis would solve this problem by other means later on.

The Jordanian law was studied so as to know which of the laws would be immediately abolished as not to interfere with the Israeli strategy and objectives. 'It is impossible for us to leave a law which would be against Israel and grant it the legitimacy of an Israeli law'⁶ recollected Inbar. But otherwise the mode of rule in the Jordanian period fitted well the Israeli conceptions of control. It was a comprehensive as the Israelis wished it to be; it even included the censorship of books that could be read in the West Bank, especially by children. The Jordanian list included 'Anna Frank's Diary', the Israeli one would include Thomas Khun's 'Structure of Scientific Revolutions' (because it contains the word revolution).

The Shaham plan also suggested names of people who should be appointed to the high posts in the future occupation. Some of them would be there indeed in 1967 such as Haim Herzog and the plan mastermind Colonel Michael Shaham himself.

Under the terms of the 'Shamam' plan another group of potential recruits was invited to the Hebrew University a year later. And in the next three years the team was ready for the eventuality of a military occupation which indeed came in June 1967. The various courses moved to Beit Hayahl, 'the Soldiers' dormitory of Jerusalem. The composition of the courses and their main purpose was same to prepare for the eventuality of activating and managing a military rule in the West Bank and the Gaza Strip.⁷

By May 1967, the plan became operative and the actual appointment of military governors and military judges to the West Bank and the Gaza Strip moved to a more detailed stage (it included also preparation for installing a regime in what the army called 'Syria').

Each governor in May received a box (Argaz). Each box included instructions of how to govern an occupied Arab area; the Geneva and the Hague conventions; the Arabic translation of the emergency regulations; the book, *The Occupation of Enemy Territory: A Commentary on the Law and Practice of Belligerent Occupation* by Gerhard von Glahn⁸ and a set of international law reports on administrative rule published in 1929 by Elihu Lauterpacht, C.J. Greenwood and A.G. Oppenheimer. I mention these books in details as they were either prepared before the occupation of Germany or on the basis of lessons learned from that occupation. Although, in hindsight one can say that despite the elaborate preparations in practice an easier way was chosen:

transferring the mode of rule according to the emergency regulations that were imposed on the Palestinians inside Israel between 1948 and 1966 and transplant them into the reality of the West Bank and the Gaza Strip. The Israeli interpretation of these regulations – in 1948 as well as in 1967 – gave unlimited control for a military governor over every aspect of life of the people in his area. The rulers became what the first head of the military rule regime in 1948, Colonel Elimelech Avner described as ‘absolute monarchs’ in their own small domains.⁹

When they were first imposed in 1948 and later again in 1967, no one mentioned the fact that originally when these regulations were introduced by the British mandate they were condemned by all Zionist leaders as Nazi legislation. These leaders described them as regulations with ‘no parallel in any enlightened country’ and continued and said ‘even in Nazi Germany there were no such rules, and the actions of Maydanek and its like had been done out of violation of the written law’.¹⁰

The two most notorious regulations were and are no. 109 allowing the governor to expel the population and no. 110 that gave him the right to summon any citizen to the police station whenever he saw fit. Another infamous regulation was no. 111 that sanctioned the administrative arrest – an arrest for unlimited period without explanation or trial. This would become more a familiar feature of the 1967 occupation than the oppression of the Palestinians in Israel. One practice that stemmed from an interpretation of several regulations was the right of governors to resort to pre-emptive measures the most common of which was to declare whole villages as ‘closed military areas’ whenever the *Shin Beit* or the *Shabak* (the General Security Services) had already knowledge of intention of holding a meeting or a demonstration. This was first used in Israel in 1949 when the Palestinians in Israel were demonstrating against land expropriation.¹¹

The mandatory emergency regulations stipulated the model for military courts, those venues through which millions of Palestinians would go through, arrested without trial, sent to torture and abuse and only rarely pass them unscathed. Together with Von Glahn’s and Lauterpacht’s books the regulations are the textual infrastructure on which the Israeli judiciary system in the occupied territories was founded. The Judges were all officers in the army, but did not have to have a legal background. Courts had either one, two or three judges. The three-judges court had the right to order execution or sent people for life imprisonment. Among the theoretical outfits envisaged in 1963 was also a special military court of appeal that would become operational in 1967.¹²

The boxes were hurriedly distributed in May and were given to a new unit called duly ‘the Special Unit’ which was attached to the occupying forces. The graduates of the course on Givat Ram were among them and they took over the military judicial administration of the West Bank and the Gaza Strip. Zvi Inbar for instance was attached to the forces that occupied the Gaza strip, in a matter of two days he and others set up the military rule and judiciary system in the Strip. The four years preparations made the takeover and the creation of a regime that would but in name remain intact in the next 40 years.

What they contemplated, executed and successive generations of Israeli bureaucrats maintained was the largest ever mega prison for a million and half people who became four millions and who still today in one way or another are incarcerated within the real or imaginary walls of this jail.

The government on the hill

The governmental complex erected in the early 1950s and completed just before the 1967 war consisted of three buildings. These huge cubic edifices tower above the summit of Givat Ram, and are now joined by the Knesset, the Supreme Court of Israel and the Bank of Israel.

The actual Prime Minister’s Office was, and still is today, on the third floor of the building closest to the University’s Campus. On the same floor is the government’s boardroom, with a

huge rectangular wooden table in its midst, which quite often in this time and age of television broadcast makes a brief appearance whenever an item referring to the government of Israel is included in the local or international news bulletin. Ever since the 1960s and until today, the government frequented another boardroom built for it on the second floor of the Israeli Parliament, the Knesset, and in this location they sit around an oval table, also a familiar venue for photo opportunity in the televised history of the Jewish state.

The 13th government of Israel convened almost daily around both tables in the immediate aftermath of the 1967 war and discussed intensively the fate of the West Bank and the Gaza Strip and the future of the people living in it. After almost three months of deliberations, they concluded their discussions with a series of decisions that all in one way or another condemned all the people who lived in these two areas for life imprisonment in the biggest ever human mega prison witnessed in modern times. The Palestinians living there were incarcerated in such a fashion for crimes they have never committed and for offences that were never ever pronounced, admitted or defined. Today a third generation of such ‘inmates’ have begun their life in that mega prison.

This particular government which took the callous and inhuman decision, represented the widest possible Zionist consensus: every ideological stream and view was presented around the oval and rectangular tables. Socialists from Mapam sat alongside the Revisionist Mencahem Begin and shared the glory and the power with the various factions that made up the Zionist Labour movement. They were joined by members of the most secular Liberal and the most religious and ultra religious political parties. Never before, nor after, this government’s term in office, would such a consensual partnership lead the state of Israel in its future and crucial decisions.

Contrary to common wisdom about the history of the West Bank and the Gaza Strip, no one apart from the government of Israel played any crucial role, then and ever since, in deciding the fate of these territories or the people living in them. What these ministers decided in the second half of June 1967, and in the following months of July and August, has remained to this day the corner stone of Israeli policy towards the occupied territories. None of the successive Israeli governments deviated from these past decisions, nor did they wish to deviate from them in any form or shape.

The resolutions taken in that short period of three months, between June and August 1967, charted clearly the principles to which future governments in Israel would religiously adhere and from which they would not diverge, even during the most dramatic events that followed in years to come: be it the first or second *Intifada* or the Oslo peace process and the Camp David summit of 2000.

One explanation for the resilience of this set of decisions is the extraordinary composition of the 1967 government. As mentioned this government represented, as never before and never since, the widest possible Zionist consensus. One can also attribute it to the euphoric mood in the wake of the total devastation of six Arab armies by the IDF and the successful blitzkrieg that ended with the military occupation of vast areas of Arab lands and countries. A messianic aura surrounded the decision-makers in those days energizing them to take bold and historical decisions, which their successors would find hard to refute or change.

All these plausible explanations tend to see the policies as the direct product of the particular and extraordinary circumstances of June 1967. But these decisions were mainly the inevitable outcome of Zionist ideology and history (however one chooses to define this ideology or insist on its shades and innuendoes). The particular circumstances made it easier to remind the politicians of their ideological heritage and reconnected them once more, as it did in 1948, to the Zionist drive to Judaize as much of historical Palestine as possible. The principles of how to adopt the dramatic events of June 1967 to the ideological vision were laid there in those frequent meetings in Givat Ram. Because the decisions taken reflected the consensual Zionist interpretation of the past and present reality of Palestine as an exclusive Jewish state, none of the

developments occurring thereafter seemed to undermine their validity for future Israeli policy-makers. The only way of challenging the decision taken then was by questioning the validity of Zionism itself.

Two fundamentals of Zionist ideology were still adhered to religiously by the politicians of 1967 as had been the case with their predecessors. The struggle for the survival of the Jewish state depended on its ability to control most of historical Palestine on the one hand, and on its capacity to reduce considerably the number of Palestinians living in it, on the other. Realpolitik in Zionist terms meant reconciling to the possibility of not being able to achieve these two goals in full. There were times when leaders such as David Ben Gurion attempted to quantify these two objectives (namely how much of Palestine was needed and how many Palestinians could be tolerated in a Jewish state),¹³ but more often than not the assumption was that the best options were more land in the first instance and less Palestinians in the second. When Palestine was clearly defined as a geopolitical entity as a British mandate after the First World War, having most of the country meant possession of most of mandatory Palestine (Israel today with the occupied territories).

Population wise, the consensus dictated a wish to have a purely ethnic Jewish state. Again at times there were attempts to find out what would be a tolerable non Jewish minority within a Jewish state, but the unspoken, and at times the spoken, desire was to have only Jews in what was considered to be the ancient Land of Israel.

The year 1948 provided the historical opportunity to maximize both goals: taking over much of the land and getting rid of most of the local population. Several discrete processes fused together to allow the Zionist movement to ethnically cleanse Palestine in that year: The British decision to withdraw from Palestine after 30 years of rule; the impact of the Holocaust on western public opinion; the disarray in the Arab and Palestinian worlds and finally the crystallization of a particularly determined Zionist leadership. As a result, half of the country's Native population was expelled, half of its villages and towns destroyed and 80% of mandatory Palestine became the Jewish state of Israel.¹⁴

The dispossession was witnessed at close hand by representatives of the international community: emissaries of the International Red Cross, correspondents of the Western press and by personal of the UN. However, the western world was not interested in listening to their incriminating reports; the political elites chose to ignore them. The message from Europe and the USA was clear: whatever happens in Palestine is the inevitable final act of the Second World War. A correction needed so that Europe could atone for the crimes committed on its soil against the Jewish people – and therefore a last massive dispossession of Palestinians was needed so that the Western world could move on to the post-war peace and reconciliation. The situation in Palestine, of course, had nothing to do with the movement of populations in Europe in the wake of the Second World War or with the genocide of Europe's Jews; it was the culmination not of the war in Europe but of Zionist colonization of the land that had begun in the end of the nineteenth century. It was a final act in the making of a modern-day settler Jewish state at a time when the international community seemed to render colonization as an unacceptable practice and a deplorable ideology of the past.

But not in the case of Palestine; the message from the enlightened world was unambiguous: the Israeli dispossession of the Palestinians as well as the takeover of most of Palestine, were both legitimate and acceptable. Almost half of the ministers attending the 1967 meetings were themselves veterans of the 1948 ethnic cleansing of Palestine. Some were members of the small cabal that took the decision to expel almost a million Palestinians, destroy their villages and towns and prevent them from ever returning to their homeland. Others were generals or officers in the machinery that perpetrated the crime. All of them were fully aware of the international indifference in 1948 when the Zionist movement took over almost 80% of Palestine. And this is why

they, and their colleagues, were convinced that the international community would allow them once more to act unilaterally now that the Israeli army occupied the remaining 20% of the land. They received a *carte blanche* for their 1948 impunity and there was no reason to expect any serious rebuke or obstacles for a similar policy of ethnic cleansing in June 1967.

But there was one huge difference between 1948 and 1967. In 1948, The decisions about the fate of the Palestinians were taken before the war, whereas in 1967 they were formulated after the war. Therefore in 1967, there was more time to ponder about the implications of a massive expulsion that would be carried out without any war going on. The government was determined, almost *en bloc*, to decide unilaterally about the territories' future, but was more divided about the possibility or the wisdom of another massive ethnic cleansing after the official end of hostilities.¹⁵ The counter arguments were clear: a post-war ethnic cleansing could have awakened an otherwise dormant Western conscience. Furthermore, it was also doubtful if the army had the will and mentality to carry it out, as it was unclear whether the army had sufficient means for accomplishing it. The 1967 government was also a larger forum than the one that devised the 1948 ethnic cleansing. The 13th government included quite a few conscientious ministers who would have objected to such a master plan, on moral grounds.

So ethnic cleansing of a grand scale was ruled out.¹⁶ However, the prevailing sense in those boardroom meetings was that the international immunity for land expansion was guaranteed – not as an endorsement of expansionism *per se* but more as an unwillingness to confront it.¹⁷ But with one crucial caveat: there could not be a *de jure* annexation of the territories only a *de-facto* one.¹⁸ The complication was due for two reasons: first the West Bank and the Gaza Strip were regarded by international law as occupied territories, whereas the areas Israel occupied during the operations in 1948 were all recognized by the UN as part of the state of Israel. Secondly, if the population could not be expelled it could also not be fully integrated as equal citizens of the Jewish state, given their number and potential natural growth which would have endangered the decisive Jewish majority in Israel.

There was then, and there is now, a consensual Israeli impulse and an overwhelming desire to keep forever the West Bank and the Gaza Strip, while at the same time there was and is the twofold recognition of the undesirability of annexing officially these territories and the inability to expel *en mass* the population. And yet keeping these territories, with the population in it, seemed as vital as the need to maintain a decisive Jewish majority in whatever constituted a Jewish State.

The minutes of the meetings are now open to the historians. They expose the impossibility and incompatibility of these two impulses: the appetite for possessing the new land on the one hand and the reluctance to either drive out or fully incorporate the people living on them, on the other. But the documents also reveal a self-congratulatory satisfaction from the early discovery of a way out of the ostensible logical deadlock and theoretical impasse. The ministers were convinced, as all the ministers after them would be, that they have found the formula that would enable Israel to keep the territories it coveted, without annexing the people it negated and while safeguarding the international immunity and reputation.

In fact, they did not discover anything new. They had already experimented with a similar predicament ever since 1948 when they, and their predecessors, had to decide how to treat the Palestinian minority inside Israel. They imposed on them a military rule that was only lifted after 18 years and replaced by a new kind of regime of inspection, control and coercion. With time it eased somewhat and became more hidden and complex. But the numbers in the West Bank and the Gaza Strip were greater and therefore while the limited citizenship granted to the Palestinian minority in Israel seemed to tally with the aim of maintaining a decisive Jewish majority in the state, the same would not have been the case had similar citizenship been extended to the people of the West Bank and the Gaza Strip. So the need was to keep the

territories, not expel the people in it, but also not grant them citizenship. These three parameters or presumptions have not changed until today. They remain the unholy trinity of the consensual Zionist catechism.¹⁹

When such three goals are translated into actual policies they can only produce an inhuman and ruthless reality on the ground. There can be no benign or enlightened version for a policy meant to keep people in citizen-less position for a long period of time. Only one known human invention operates in such a way which robs temporarily, or for longer period of times, the basic human and civil rights of citizens: the modern-day prison. The prison, the penitentiary institution and the correctional facilities are contemporary outfits that impose such a reality either as part of a ruthless dictatorship or as a consequence of a long legal process in democracies.

The modern prison is a Panopticon according to Jeremy Bentham, who was the first modern philosopher to justify the rational of jailing within a new coercive penal system.²⁰ The Panopticon prison, which was popular in the early nineteenth century, was designed to allow guards to see their prisoners but not vice versa. The building was circular, with prisoner's cells lining the outer diameter, and in the centre of the circle was a large, circular observational tower. At any given time, guards could be looking down into each prisoner's cells – and thereby monitor potentially unmoral behaviour – but carefully placed blinds prevented prisoners from seeing the guards, thereby leaving them to wonder if they were being monitored at any given moment. It was Bentham's belief that the 'gaze' of the Panopticon would force prisoners to behave morally. Like the all-seeing eye of God, they would feel shame at their wicked ways.

If we substitute moral conduct with collaboration with occupation, and we change the circular structures to a variety of geometrical parameters of imprisonment, the 1967 Israeli decision was to enslave the Palestinians in the West Bank and the Gaza Strip in a modern Panopticon.

A more elaborated application of the Panopticon facility as representing power over the powerless is offered by Michel Foucault and indeed one critical Israeli scholar has attempted quite successfully deconstructing the present day occupation in such terms.²¹ But Foucault, like Bentham, stressed the nature of the Panopticon prison as a system of control that has no need for physical barriers and where the guards are unseen. However, this applies to only one element in the matrix of power that caged the Palestinian population in The Mega Prison of the twentieth century. Others were intentionally forcing the 'prisoners' to look at the guards and to sense in the most physical way possible the barriers, the wall and barbed wires surrounding them.

The official Israeli navigation between impossible nationalist and colonialist ambitions turned a million and half people in 1967 into inmates of such a mega prison. But it was not a prison for few inmates wrongly or rightly incarcerated: it was imposed on a society as a whole. It was and still is a system of malice that was by built due to vile motives, but not only. Some of its architects searched genuinely for the most possible humane model for this prison; probably because they were aware that this was a collective punishment for a crime never committed.²² Others, did not even bother to search for a softer version or more humane one. But the two camps existed and therefore the government offered two versions of the mega prison to the people in the West Bank and the Gaza Strip. One was an open-air Panopticon prison and the other a maximum security one. Should they not accept the former they will get the latter.

The open-air prison allowed a measure of autonomous life under indirect and direct Israeli control; the maximum security one robbed the Palestinians of all the autonomies and subjected them to a harsh policy of punishments, restriction and in the worst-case scenario execution. The reality on the ground was that the open-air prison was harsh enough and sufficiently inhuman to trigger resistance from the enclaved population and that the maximum security model was imposed as retaliation to this resistance. In general the softer model was attempted twice between 1967 and 1987 and between 1993 and 2000, and the retaliation were in 1987 until 1993 and in 2000 until 2009.

The open-air prison became the false paradigm of peace as it was marketed by Israel, and by American and European allies of the Jewish State, as an ingenious idea for how to solve the conflict. The best open prison was eventually propagated first as an autonomy, in the 1979 Camp David agreement between Israel and Egypt that led to nowhere, and later on as an independent Palestinian state in the Oslo accord of 1993. When the Oslo accord was translated into reality, by the sheer power of the occupier, the resemblance of the idea of a 'state' to an open prison became clear with the partitioning of the West Bank to areas A, B and C and excluding the Jewish settlements bloc in Gaza from any Palestinian rule. The map of the Oslo B accord of 1994, gave autonomy only in small parts of the West Bank and the Gaza Strip, but left the control of the enclaves' security and sovereignty in the hand of the Israeli security apparatuses. When security in Israeli eyes deteriorated for a short while the maximum security model was reinstalled between 2002 and in many ways is still there today; while the rebellious prison of Gaza is severely punished by a continuous siege and closure.

The success of turning the open-prison model into a diplomatic effort and a 'peace process' could not have been possible had it not won the support of large sections of the Palestinian political elite, the Zionist left and even some very known and highly respected international supports of the Palestinian cause. But it is mainly the new creation, the Quartet, a kind of an ad-hoc international tribunal for Palestine, consisting of the EU, Russia, the USA and the UN, that gave its final solidity as a powerful paradigm for peace.

In Israel and in the West, a huge launderette of words and a very cooperative media and academia were essential for maintaining the moral and political validity of the open-air prison option as the best solution for the 'conflict' and as an ideal vision for normal and healthy life in the occupied West Bank and the Gaza Strip. 'Autonomy', 'self-determination' and finally 'independence' were used, and mainly abused, as words to describe the best version of an open-air prison model the Israelis could offer the Palestinians in the West Bank and the Gaza Strip.

But this launderette did not cleanse the reality and the hyperbolic discourse of peace and independence did not deafen the conscientious members of all the societies involved: in the territories, in Israel and the outside world. In the age of Internet, independent press, active civil society and energetic NGOs, it was hard to play the charade of peace and reconciliation on the ground where people were incarcerated in the biggest ever human prison witnessed in modern history.

The bureaucracy on the hill

Both systems need a huge staff to run them. These thousands and thousands of soldiers, officers, officials, judges, physicians, architects, policemen, tax collectors, academic advisors and politicians are the principal human face of this inhumanity.

At the top of the bureaucratic pyramid stood a committee of the ministerial Directors-Generals.²³ The committee was established on 15 June 1967 and for another few months devised the economic, legal and administrative infrastructure for controlling and maintaining the occupied territories. Its meetings are summarized in the two volumes of thousands of pages minuting their deliberations. This group of government officials enlisted the top academics at the time and the veteran members of the previous system of control employed in the Palestinian areas inside Israel.

One should talk about these officials, academics and bureaucrats as much as about the system they built in June 1967 and maintained until today. There is already a second generation of them in place and a third will soon arrive. Once you cross that generational landmark any discourse about temporality or even finality is useless. It becomes a living organism that would be very hard to combat or dismantle. Hence the understandable desperation of the last chapter in the Palestinian resistance against it: the suicide bombs.

The false paradigm of peace

The heroes, or rather the villains, of this story are therefore the Israelis who worked out the fine details of the system to begin with, those who upheld it in all those years and those who ‘perfected’ its operation on the ground: namely its power to abuse, humiliate and destroy. They were and are servants of the bureaucracy of evil. They come quite innocent into the system but only the very few among them do not succumb to its *raison d’être* and modus operandi. As wardens of this largest prison of earth, they are constant abusers, dehumanizes and destroyers of Palestinian rights and lives. The moment the last of them would be discharged from this service, we will know the mega prison of Palestine was abolished forever.

Seen from this perspective, the so called peace process begun in the 1970s and culminating in the 1993 Oslo accord, is a false paradigm which became a powerful discourse, in a similar way that the discourse of Orientalism became a potent and hegemonic prism through which Middle-Eastern realities were viewed in the past of present. As Edward Said has put it in the opening pages of his seminal work – the discourse in this instance is a presentation, or rather mis-presentation that has behind it institutions, political and economic power, academics and media and an oiled PR mechanism.²⁴

The discourse of ‘peace based on two-state solution’ was powerful enough to induce quite a few Palestinians to adopt it. Its basic assumptions seen from this historical perspective are not only wrong, but frame together the reality in a way that enabled Israel as a state to deepen its occupation and oppression of Palestine while the world at large was led to believe that a genuine effort was made to solve the problem.

The ‘peace process’ was based on the assumption that everything visible was divisible: land, sources, blame and history. This business-like approach offered at best 20% of Palestine to the Palestinians (and even that was never on the table); punished them with a lesser offer when they refused the first offer; never consulted them of the future solution and all in all was based on a wish to reconcile between Israeli real intention of having as much of Palestine as possible with as few Palestinians in it as possible on the one hand, and the wish of the Western world to be assured that a virtual and simulated process was going on which absolved the international community from addressing Israel’s impunity.

It is time to adopt a new dictionary that views Israel as a settler colonialist state and the Palestinians as leading an anti-colonialist struggle. Decolonization is more relevant than a ‘peace process’ for the torn land of Palestine and Israel. Only a more accurate framing can help bring reconciliation for the benefit of Jews and Arabs alike.

Notes

1. Amos Oz, *My Michael* (Tel Aviv: Am Oved, 1976), 186 (Hebrew).
2. The Shaham plan was first and only reported by one of the participants in a scholarly article. Zvi Inbar, ‘The Military Attorney General and the Occupied Territories’, *The Law and the Army* 16, no. 1 (2002): 147–9 (Hebrew).
3. See Ilan Pappé, *The Ethnic Cleansing of Palestine* (Oxford: Oneworld Publication, 2006), 91–103.
4. Zvi Inbar, ‘Military Attorney General’.
5. *Ibid.*, 147.
6. *Ibid.*, 147–8.
7. *Ibid.*, 148.
8. Published by the University of Minnesota Press, Minneapolis, 1957.
9. See an extended discussion of the employment of these regulations inside Israel in my *The Forgotten Palestinians, A History of the Palestinian Minority in Israel* (London: Yale University Press, 2011).
10. Quoted in *Hapraklit* (The Advocate), February 1946, 58 (Hebrew).
11. See Ilan Pappé, *Forgotten*, 45–55.
12. Zvi Inbar, ‘Military Attorney General’.

13. He did it in December 1947, see David Ben-Gurion's speech to the secretariat of Mapai on 13 May 1947; Central Zionist Archives.
14. See the involvement of this process in Ilan Pappé, *Ethnic Cleansing*, 39–86.
15. See Israel State Archives, protocols of Government meeting, Section 43.4, meetings throughout June 1967. See also Tom Segev's interpretation for these documents, which are not far from mine in his book, 1967.
16. But some ideas of expulsions, or forced transfer were discussed, but eventually ruled out. The main wish was at least to move the refugees out of Gaza. See Israel State Archives (ISA), meetings 17–19 June 1967.
17. Very early on the Prime Minister Levy Eshkol and the minister of defence, Moshe Dayan, said to the protocol of the meetings that when they talked publicly about Israel's willingness to withdraw from the territories it occupied in June 1967 they did not mean the West Bank and the Gaza Strip. See Government meeting on 11 June 1967 in the ISA.
18. The Minister of Interior, Shapira, explained with regard to Jerusalem and its environs, and with implication to any territory Israel would wish to hold, that he supervised a similar process when Israel annexed illegally in 1950, those areas of Palestine which were allocated to the Arab Palestinian State in the partition resolution of 29 November 1947. ISA, Government meetings, 17–18 June 1967.
19. The discussion of this theme was summarized in the meetings by Moshe Dayan who assumed that one can keep the occupation for a very long period. Some ministers were looking already then to involve the Jordanians by offering them strong linkage to the territories, as did the minister Eliyahu Sasson and later on Dayan (government meeting). Some would seek the collaboration of Palestinian notables in running a very limited autonomy under Israel rule – an idea that never took off). See ISA, cabinet meetings, 18 June 1948.
20. Jeremy Bentham, 'Panoptican', in *The Panoptican Writings*, ed. Mirzan Bozovic (London: Verso, 1995), 29–95.
21. Michael Dahan, 'The Gaza Strip as a Panoptican and Pan Spectorn: Disciplining and Punishing of a Society', in *Procedures, Cultural Attitudes Towards Technology and Communication*, ed. M. Strano, H. Harchovec, F. Sudsweets, and C. Ess (Sydney: Murdoch University Press, 2012), 25–37.
22. See Shlomo Gazit, one of the early governor generals to provide this narrative in his *The Stick and the Carrot: The Israeli Rule in the Occupied Territories* (Tel Aviv: Zemora and Bitan, 1985), 22–60 (Hebrew).
23. ISA, Israeli cabinet meetings, 15 June 1967.
24. Edward Said, *Orientalism* (New York: Vintage Press, 2000), 9–28.