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SETTLEMENT MONITOR

EDITED BY GEOFFREY ARONSON

This section covers items—reprinted articles, statistics, and maps—pertaining to Israeli settlement activities in the Gaza Strip and the West Bank, including East Jerusalem, and the Golan Heights. Unless otherwise stated, the items have been written by Geoffrey Aronson for this section or drawn from material written by him for Report on Israeli Settlement in the Occupied Territories (hereinafter Settlement Report), a Washington-based bimonthly newsletter published by the Foundation for Middle East Peace. JPS is grateful to the foundation for permission to draw on its material.

<i>Israel Leads Contest with Palestinians for “Staying Power”</i>	160
<i>A New Jordan Valley Settlement</i>	164
<i>Diplomacy Leading to Settlement</i>	169

ISRAEL LEADS CONTEST WITH PALESTINIANS FOR “STAYING POWER”

This article was taken from the September–October 2008 Settlement Report.

Israeli prime minister Ehud Olmert has revealed an interest in defining his own historical contribution by the year’s end, an intention no doubt fueled by his 30 July decision to resign from leadership of the Kadima party, and thus the premiership. Notwithstanding this choice (forced upon him by allegations of corruption), the complexities of Israeli politics may enable Olmert to remain prime minister until after Bush’s successor enters the White House in January 2009. Despite his abysmal standing in the polls—only 6 percent of Israelis consider him worthy to be prime minister—Olmert’s remaining months in power offer him a last opportunity to reverse the policies of occupation and settlement over which he has presided.

Olmert has spoken far more forthrightly and eloquently than his predecessors of the unbearable cost to Israel of continuing occupation and settlement—if only beyond the still-unfinished separation barrier. He has also begun what will certainly be a tortuous diplomatic and military path towards establishing a common language with Hamas, the

victor in the last Palestinian elections and the de facto government in Gaza.

Yet Olmert has acted in a manner contrary to his laudable rhetoric and his contacts with Hamas. Rather than break with the policies of his predecessors, he has promoted the consolidation of the instruments of occupation, settlement, and overlordship of Palestinians that will arguably be his most lasting legacy.

The parallel negotiating tracks established after the November 2007 Annapolis meeting—one between Olmert and Palestinian Authority chairman Mahmud Abbas, the other between Foreign Minister Tzipi Livni and lead negotiator Ahmad Qurei—have been “serious and professional” according to participants. Olmert has said that he does not “see a practical possibility of achieving understandings on the issue of Jerusalem by the end of the year,” but that on borders and refugees “the differences aren’t dramatic.” Aluf Benn, in *Ha’Aretz*, reported details of a proposal conveyed by Olmert to Abbas, according to which “Israel would keep 7 percent of the West Bank, while the Palestinians would receive territory equivalent to 5.5 percent of West Bank. . . . The land to be annexed to Israel would include the large settlement blocs, and the border would be similar to the present route of the separation fence. Israel would keep Ma’ale Adumim, Gush Etzion

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(including Efrat), the settlements surrounding Jerusalem, and some land in the northern West Bank adjacent to Israel (including the Ariel 'finger')." Interestingly, Israel's annexation of agreed upon parts of the West Bank would take place immediately upon signature of the agreement—"Olmert's proposal states that once a border is agreed upon, Israel would be able to build freely in the settlement blocs to be annexed [more than 55 settlements with a population of more than 400,000]"—while the transfer of "swapped" territory to Palestine, as well as settlement evacuation in the remainder of the West Bank (including approximately 70 settlements with a population of 70,000) would have no timetable and would have to await completion of "a series of internal [Palestinian] reforms," including the restoration of Fatah's rule in the Gaza Strip.

There are also reports of efforts to reach a bilateral U.S.-Israel understanding on the security principles that would govern an eventual Israeli-Palestinian agreement. If agreed to by Washington, the terms being discussed would signal American support for a permanent Israeli military presence throughout the West Bank and along its borders.

Even if the most forthcoming outcome of the Annapolis process materializes by the end of Olmert's term, the implementation of an agreement that promises an end to occupation and settlement and the establishment of a viable and sovereign Palestinian state will remain distant and uncertain.

Not so the other, more activist dimension of Olmert's West Bank agenda. Here Olmert's legacy is ominous and unambiguous: more settlements, more settlers and infrastructure to serve them, and the growing marginalization of Palestinian authority over the territory and people under its nominal administration.

It would be incomplete and misleading to focus on this record—the facts on the ground—without reference to Olmert's diplomatic engagement and his apparently genuine belief that it is in Israel's interest to remove some settlements; the same however, holds true for a blinkered attention to the uncertain and as-yet-unproductive diplomatic efforts begun at Annapolis.

How, then, can Olmert's continuing contribution to the sustainability and expansion of settlements be reconciled with his unprecedented critique of the settlement ethos?

The Old/New Politics of Settlement

Israelis—including the political elite, the military, and governing bodies including the Land Authority and the courts—have always viewed the occupation through the prism of what President Shimon Peres recently described as "the competition here over staying power," whose roots hark back to the formative years of Zionist colonization in Palestine. Israelis continue to embrace this struggle as the defining aspect of relations with Palestinians. Competition for dominance and control—with settlements as the main currency—is the overriding context in which all policies are conceived and executed.

In the first decades of Israeli rule of the territories captured in June 1967, Israel enjoyed a national consensus in support of settlement. Critics of the policy were isolated and on the political margins. During this era, it would have been inconceivable for any Israeli prime minister to suggest, as Olmert has, that if the "two state solution collapses, the State of Israel is finished." Until recently Olmert himself considered such views blasphemous. The settlers were "our boys," continuing the time-honored Zionist tradition of marking the borders of Jewish sovereignty. By 1974, the limitations that Israel's Labor party sought to impose on this national enterprise were crumbling. The Likud's election in May 1977 removed them entirely. Under Menachem Begin's stewardship and throughout the 1980s, with enthusiastic support from backbenchers like Olmert, settlement "throughout the Land of Israel" was lauded as an expression of the best of Zionism and an appropriate "Zionist response" to Palestinian opposition to Jewish settlement anywhere in Palestine.

The first intifada, which began in December 1987, marked the beginning of Israel's popular and political disenchantment with the settlement enterprise. Yet during the Oslo years, settlement expansion and the "peace process" proceeded in tandem, settlements having been explicitly excluded from the diplomatic agenda. Neither Labor's Yitzhak Rabin or Likud's Benjamin Netanyahu uttered a word in support of Palestinian statehood, and discussion of settlement evacuation was absent from mainstream Israeli debate.

As prime minister at the turn of the century, Ehud Barak preceded Olmert in his alienation from the settlement movement as represented by the national-religious Right.

So too did public opinion. Israelis no longer view settlers, especially those claiming land east of the separation barrier, as “our boys” returning to the homeland, but as anachronistic artifacts from a bygone era, claiming lands that very few Israelis venture to visit. (A recent poll by Peace Now reports that 73 percent of Israelis have not traveled to a West Bank settlement in the last five years, and among those who have, 20 percent did so as part of their military service.) Overwhelming public support for Ariel Sharon’s evacuation of settlers and the IDF from the Gaza Strip in 2005 demonstrated the failure of settlers to “settle in the hearts” of the Israeli public.

Yet even as the settlement movement lost its pride of place among Israelis, and as politicians became more critical of settlers still wedded to the brutal confrontation with Palestinians over control of the West Bank heartland and East Jerusalem, the competition for staying power and domination, rather than partnership in a shared destiny, has continued to drive Israeli policy. Olmert represents not only the growing recognition among Israelis of Israel’s interest in retreating from the West Bank and supporting the establishment of a Palestinian state, but also the prevailing view supporting the zero-sum contest for control of the land. This duality is the key to the conundrum that characterizes Olmert’s record, and helps to explain the contradiction between Olmert’s impassioned but unrealized rhetoric acknowledging the costs of occupation and settlement and his real achievements in their favor.

At a time when Israel’s political elite no longer views settlers as sainted emissaries of Greater Israel, four dynamic decades of settlement expansion have created new centers of power in support of settlement on both sides of the separation barrier that Israeli politicians, including Olmert, no matter what their personal views, find easier to accommodate than confront.

“Does anyone really believe that Olmert, Tzipi Livni, Shaul Mofaz, et al., are capable of relocating (or expelling, depending on one’s point of view) 250,000 people?” asked Eitan Haber, formerly a close aide to Yitzhak Rabin. “Is there anyone in Israel today capable of giving that order and surviving politically? Israel will continue to spin out of control, until something major, something dramatic, something huge, and something unprecedented happens. Something that will bring the tailspin to a sudden end in the tempestuous waters.”

Settlement towns such as Ariel, Alfe Menashe, and Ma’ale Adumim today boast tens of thousands of secular, middle-class residents who see themselves as Israelis in pursuit of the good life, not settlers. They, like politicians and government ministries, view their communities as part of Israel and see nothing unusual in claiming (more than) their proportionate share of the national budget.

Settlements of exploding ultra-orthodox communities beyond the Green Line—Mod’in Ilit and Beitar Ilit are the fastest-growing settlements—have created a newly powerful political lobby for settlement expansion at least as important as the “religious Zionist” settlers who spearhead efforts east of the separation barrier and secular Israelis seeking to improve their “quality of life.” These non-Zionist ultra-Orthodox have been won over to settlement in the West Bank not because of any love for Greater Israel but as a politically palatable solution to the housing needs of their poor but rapidly growing community.

The concept of “settlement blocs” as applied to areas west of the separation barrier is meant to sanitize and remove from the negotiating agenda numerous settlements, all of which are illegal according to international law. By acknowledging the “reality” of these blocs in April 2004, President Bush established a diplomatic foundation for Olmert to justify their eventual annexation by Israel.

The YESHA Council, the representative institution for the 280,000 Israelis living in the West Bank, carries political and economic as well as ideological weight that politicians of all parties would rather cooperate with than confront. The route of the separation barrier is a reflection of their power. So too are Olmert’s recent decisions to approve new construction in Beitar Ilit and elsewhere, and to refrain from forced evacuation of settlement outposts championed by YESHA leaders.

There are, however, tensions within the settlement movement itself—for example, between the “outpost lobby” and the YESHA Council—over the most effective means to expand settlements and to extend “Jewish” control over the land. The YESHA leadership came of age in an era where respect for the IDF and collaboration with state institutions like the army were usually the rule. In contrast, many of the young people manning new settlement outposts disdain the army and do not recognize the authority of the state. Moreover, to them, “every

caravan is Masada”—an attitude that precludes compromise. Ze'ev Hever, for example, is a veteran member of the Jewish terror cells of the 1980s who worked closely with Ariel Sharon to settle the West Bank. According to *Ha'Aretz*, Hever “is being persecuted by the right wing, which is more extreme than he is. The man who invented the diversionary tactics that made possible the construction of the supposedly legal state-funded settlements is now regarded as too moderate and is being harassed for his willingness to give up two outposts in order to hang on to a hundred others.” Hever is reportedly considering leaving the settlement of Kiryat Arba (for the settlement of Ofra) because of threats made against him by even more radical settlers. Yet despite their internal conflicts, settlers remain united in their determination not to permit Israel's political or judicial establishment or its security forces to restrict their settlement agenda. They have largely succeeded.

Relations between the IDF—charged with defending the broadest prerogatives of settlers—and the “hilltop youth” manning the 100 or so new settlement outposts established in the last 12 years, are at times confrontational. The removal of a bus being used by settlers as a mobile home in an unauthorized settlement outpost led to confrontations in late July that an IDF official described as having “crossed all the red lines.” It was reported that in one instance a settler held a knife to the throat of a soldier and stole his helmet before fleeing. *Ma'ariv* quoted an IDF officer acknowledging that “the settlers intend to show that they have power on the ground with the goal of blocking any legal mission, such as the evacuation of outposts. We will have to rethink the matter and respond accordingly.”

Israel's High Court of Justice has also been mobilized in support of the contest for staying power. The court actively supports the advancement of settlement and occupation, as it did when it defied the views of the International Court of Justice on the legality of the separation barrier and asserted the rights of settlers. While the court has occasionally ordered the IDF to make marginal, if locally significant, changes in the barrier's route to mitigate harm to Palestinians, these instructions have been all but ignored by Olmert. Justices grant any settler who fancies a house or piece of land preferred standing to refute the claims of Palestinian owners. Earlier this year, the court validated the exclusion of Palestini-

ans from a road built “for public purposes” on land expropriated from them [see Settlement Monitor in *JPS* 148]. Even when court rulings appear to constrain settlement—the Elon Moreh case, which was meant to forbid the taking of private Palestinian land for civilian settlement, is the most prominent example—the settlement machine has conjured administrative and legal fictions that have nullified the courts impact (when it has not simply ignored the court's views), often with the court's passive complicity. So, in the wake of the court's Elon Moreh decision in 1979, the “state lands” rationale became the “legal” method of choice for land theft for settlement, and private land continued to be taken in any case. Most recently, in August, the court-ordered date for the evacuation of the outpost settlement of Migron, built on private Palestinian land, passed without any action by the Defense Ministry headed by Ehud Barak to enforce the judgment. Instead, settlers were offered the chance to remain (and expand) until new housing in a new settlement is constructed—an offer they refused.

“Barak has not made a single decision that was geared to tighten law enforcement in the West Bank,” observed *Yedi'ot Abaronot* columnist Nahum Barnea. “Forget about a decision—no one has heard him speak. Barak's support for the rule of law is very enthusiastic, very convincing, but it never crosses the Green Line. No less interesting than Barak's attitude towards the High Court is the court's attitude towards Barak. Time and time again the defense minister has asked to put off honoring his commitment to evacuate unauthorized settlement outposts, and every time that extension has been given. He promises to evacuate the settlements consensually despite the fact that in the case of Migron, at least, a settlement that has become firmly established, all the talk about a consensual evacuation is nothing more than a ruse—and the judges swallow their own spit and accede.”

Olmert declares that “only dreamers still believe in the Whole Land of Israel,” and worries, according to *Ha'Aretz*, that support among the American elite for the idea of a state of all its citizens “poses a very dangerous process that endangers our existence as a Jewish state.” Meanwhile, Olmert supports policies that will bring such a day closer. The settler population of the West Bank rose by 15,000 during 2007, an annual increase of 5.5 percent, a rate three times the national rate of growth. Olmert claims

that Israel is “closer than ever to firm understandings that can serve as a basis for agreements” with the Palestinians (and Syrians). If he is right, then in the short time left to him, it would be better to leave a legacy that ends occupation and settlement rather than one that perpetuates it.

A NEW JORDAN VALLEY SETTLEMENT

This question-and-answer series is excerpted from Peace Now's Settlements in Focus, published in October 2008 and available in full at www.peacenow.org.il.

Recently there have been reports that the Government of Israel is set to approve a new settlement in the Jordan Valley. What's the story?

In mid-July, the Israeli defense minister approved a plan to turn a long-disused military outpost in the Jordan Valley originally established in the 1980s, called Maskiyot, into a new permanent civilian settlement. If the decision is implemented, this transformation of Maskiyot will represent the first new settlement in the Jordan Valley since the mid-1980s, and would conflict with the Government of Israel's longstanding and much-repeated commitment not to establish any new settlements. . . .

What is the history of Maskiyot?

Maskiyot is what is known in Hebrew as a “Nahal” outpost—“Nahal” being a Hebrew acronym for “Pioneering Fighting Youth,” a term that dates back to pre-1948 Jewish militia terminology and has been adopted by the IDF. Among their other activities, Nahal units are responsible for creating military outposts in the West Bank. Between 1967 and 1977, 21 settlements were established in the Jordan Valley and its western slopes (all under the leadership of Labor governments). The first settlement, Qalya, was established in 1968 as a “Nahal” outpost. Qalya and other Nahal outposts were later transformed into civilian settlements, in what became the model for settlement development in the Jordan Valley.

In 1982, the army established Maskiyot. In 2002, the IDF left Maskiyot and a pre-army religious education program, with a few dozen students in temporary residence, moved in. [In 2005 there was discussion of moving uprooted settlers from Gaza to Maskiyot; this plan was tabled.]

After strong criticism from within Israel and from abroad, including pointed criticism from U.S. Secretary of State Condoleezza Rice, in mid-January 2007 [then–Defense

Minister Amir] Peretz froze the approval, taking construction at Maskiyot off the table, at least temporarily. A few months later, a group of some 8 families from the evacuated Gaza settlement of Shirat Hayam moved into trailer homes in Maskiyot, apparently deciding that they would not wait for approval to build at the site.

Maskiyot then fell off the world's radar screen for more than a year, until 23 July 2008, when an announcement was published in an Israeli newspaper by the High Council for Planning in the Civil Administration informing the public of the approval of Plan No. 303 for the construction of residential units in Maskiyot.

Could the plan have been announced without approval of the minister of defense and prime minister?

Many articles about the Maskiyot affair note dutifully that the plan (as of this writing) has not been formally approved by Defense Minister Barak and Prime Minister Olmert, as required in order to begin construction. However, this is not a wholly accurate depiction of the situation. No settlement plan could have progressed to the point of being approved by the key Defense Ministry committee and then announced by the Defense Ministry if ministry officials did not have a green light from Barak. . . .

Similarly, Prime Minister Olmert declared earlier this year that all settlement plans would require his final approval. In this case, the Defense Ministry laid down the gauntlet by announcing the Maskiyot plan. Once the plan was announced, Olmert could have stepped in immediately and exercised his authority to freeze the plan, nipping the current controversy in the bud. But he did not do so and there is no indication that he will do so. . . .

Is this plan significant in terms of the scope of settlement in the Jordan Valley?

. . . In political terms it is extremely significant. The future of the Jordan Valley is one of the most important territorial questions that must be addressed in order to resolve the Israeli-Palestinian conflict. Unilateral actions that seek to cement Israel's hold on the area undermine the chances of achieving any peace agreement, including one in which Israel could retain some control over the area through a bilateral arrangement with the Palestinians.

The character of the proposed Maskiyot settlers makes this plan even more problematic. Currently, the settler population of the Jordan Valley is generally nonideological,

and the vast majority would likely cooperate with, if not support, a future peace agreement that required them to relocate. A new settlement in this area, populated by some of the most hard-line ideological settlers (a category into which virtually all of the former Gaza Strip settlers fall), would significantly change the political coloration of the Jordan Valley, greatly complicate future negotiations over the area, and open the door for an influx of additional ideological settlers to the area. Indeed, some observers have suggested that this is one of the goals, if not the major goal, of the plan.

What is the history of settlement in the Jordan Valley?

... Settlement of this area began almost immediately after the June 1967 war, led by then-Defense Minister Yigal Allon. In July 1967, Allon unveiled to then-Prime Minister Levi Eshkol his plan to consolidate Israel's hold on what he believed to be crucial areas of the West Bank. The "Allon Plan" called for Israel to retain the Jordan Valley and the eastern slopes of the mountain ridge running through the West Bank (an area sparsely inhabited by Palestinians) in order to protect against an Arab attack from the east. The plan also called for establishing Israeli settlements in these areas as a way of defining the land that would eventually be annexed to Israel.

While the Allon Plan was never formally adopted by any Israeli government, it nonetheless became the framework for Labor party policy vis-à-vis the West Bank. In 1968, then-Prime Minister Eshkol declared, "The Jordan River is the State of Israel's security border." Between 1967 and 1977, 21 settlements were established in the Jordan Valley and along the eastern slopes of the West Bank's central mountain ridge, all under the leadership of Labor governments. The settlement boom in the Jordan Valley cooled somewhat after 1977, in large part due to a shift in Israeli government policy to permit settlement in areas of the West Bank previously considered off-limits.

Today, how many settlements are there in the Jordan Valley and its environs?

There are 27 settlements in this area, with a total population of 9,358 people, according to the Israeli Central Bureau of Statistics:

- Greater than 1,000 residents: Mizpe Jericho (1,641), Ma'ale Efraim (1,384), Kochav HaShachar (1,530)

- 500–1,000 residents: Rimonim (565), Sdemot Mehola (536)
- 200–499 residents: Mehola (351), Tomer (282), Qalya (266), Peza'el (214), Gitit (214)
- 150–299 residents: Almog (192), Mizpe Shalem (169), Argaman (166), Vered Jericho (180), Beqa'ot (171), Yitav (175), Gilgal (162)
- 100–149 residents: Massu'a (142), Netiv Hagedud (125), Na'omi (129), Hamra (132), Hemdat (147), Mekhora (114), Ro'i (128), Yafit (104)
- 1–99 residents: Beit Ha'arava (87), Niran (52)

The Israeli Central Bureau of Statistics does not provide numbers for three settlements, which were until a few years ago classified as "Nahal" bases, and then more recently civilians moved in. These are: Rotem (20 families), Ovnat (10 families), and Maskiyot (10 families). (Population numbers reflect Peace Now estimates).

Are there illegal outposts in the Jordan Valley?

There are 9 illegal outposts in the Jordan Valley. Three of them, together with the settlements of Yitav and Na'omi, are located in such a manner as to surround Jericho from the north and east, and to prevent Jericho from expanding to connect with the neighboring village of Auja. These outposts are attractive sites for ideological settlers who see the area as an important and strategic location that should be kept under Israeli control. These outposts are:

- Mevo'ot Jericho (also known as Sha'are Jericho) (15 families): Established in 2002, located north of Jericho.
- Mul Nevo (5 individuals): Located east of Jericho, this is an undeveloped, isolated outpost.
- Omer Farm (one family): An agriculture farm established in 2005 that has spread onto hundreds of dunams [1 acre = 4 dunams] north of Jericho.

Four of the outposts are at the edge of the central ridge (3 near the settlements of Kochav HaShachar and 1 near Mitzpe Jericho). These are:

- Mitzpe Kramim (around 15 families), located east of Kochav HaShachar.
- Ma'ale Shlomo (around 15 families), located south of Kochav HaShachar.
- Ahavat Hayim (a few dozen students and families), located west of Kochav

HaShachar, this outpost serves as a high school Yeshiva.

- Mitzpe Jericho North East (around 29 families): Established sometime before May 2001, this outpost is located along the strategically important road connecting Jerusalem and the Jordan Valley.

Two other outposts:

- Givat Sal'it (15 families), located in the very northern tip of the Jordan Valley, east of the settlement Mehola. This outpost was established following the September 2001 shooting and killing of a local settler, Sal'it Shitrit.
- Ma'ale Efraim Preparatory (with around 30 students and staff), located west of the settlement of Ma'ale Efraim. It was first established as a Field Education Center of the Society for the Protection of Nature in Israel, which was closed, like another Field Center in the Har Gilo settlement, following the eruption of the violence in September 2000.

In addition, a series of outposts has been established in recent years east of the settlements of Shilo, Itamar, and Elon Moreh. The apparent purpose of these outposts is to connect isolated mountain ridge settlements to the Jordan Valley. Some settlers and their supporters hope that Israel will retain not only the Jordan Valley, but will extend "fingers" into the West Bank heartland to incorporate these veteran ideological settlements as well. As Israeli map expert Shaul Arieli wrote for the Jaffee Center for Strategic Studies in August 2004: "Their [the settlers'] assumption is that the lightly populated Jordan Valley, which constitutes Israel's 'eastern security region' in the 'essential interests map' approved by the Israeli government under former prime minister Benjamin Netanyahu, can remain under Israeli control for the foreseeable future. The settlers therefore seek to strengthen the communities along the Allon Road, which runs on the Jordan Valley-eastern Samaria border southward to Jerusalem, and create a contiguous strip of communities from 'parent' settlements in the elevated areas to the Allon Road by erecting dozens of outposts. For example, seventeen outposts are located between Ariel and Mevo Shiloh approaching the Allon Road, six outposts are designed to connect Itamar eastward to the hill range, and fourteen outposts connect Ofra and Beit El to northern Jerusalem."

Is there anything that can be called a "Jordan Valley settlement bloc"?

No. Occasionally there are references to the "Jordan Valley bloc," generally in the context of arguments that favor keeping the area under Israeli control. However, objectively speaking, the settlements of the Jordan Valley are not a "bloc" in the same sense as any of the other West Bank settlement blocs (where a case can be made that the group of settlements in question is anchored by one or more very large settlements; are located in relatively close proximity to one another; share major infrastructure; are intertwined socially/economically; and together represent a large settler population, generally larger than that of the surrounding Palestinian localities).

With respect to the Jordan Valley, there is no large settlement that could be viewed as anchoring a bloc (the largest settlement has less than 1,700 people). The settlements are generally remote from one another and spread out over a vast area—for example, the distance between the northernmost settlement of Mehola and the southernmost settlement of Mitzpe Shalem is 56 miles, nearly the full length of the West Bank's border with Jordan, including the Dead Sea (this is the shortest, as-the-crow-flies distance; the driving distance between the two settlements is even longer). The settlements do not share infrastructure other than the main road that passes through that entire stretch of the West Bank. The social/economic lives of the settlers are only minimally intertwined—indeed, settlements in this area are classified by Israel as falling under three different regional councils (akin to "counties" or "parishes" in the United States): the Jordan Valley ('Arvot Hayarden Regional Council), the Central West Bank (Binyamin Regional Council), and Northern Dead Sea (Megillot Regional Council). And finally, the Jordan Valley settlements, as a group, do not represent a large settler population, let alone a critical mass; even leaving off the Jericho area, the Palestinian population of the area is substantially larger than that of the settlements, despite the massive subsidies and other incentives offered for the past 41 years to entice Israelis to live there. . . .

What is the religious orientation of the Jordan Valley settlers?

Secular: Almog (kibbutz), Argaman, Beqa'ot (moshav), Bet Haarava (kibbutz), Gilgal (kibbutz), Hamra (moshav), Massu'a, Mekhora, Mizpe Shalem (kibbutz), Nirán (kibbutz), Na'omi (moshav), Peza'el, Qalya

(kibbutz), Rimonim, Ro'i, Vered Jericho (moshav), Yafit (moshav), Yitav (Russian immigrants), Netiv Hagedud

Religious: Hemdat, Kochav HaShachar, Mehola, Mizpe Jericho, Sdemot Mehola (moshav), Maskiyot, Ovnat

Mixed (growing religious population): Ma'ale Efraim, Gitit (moshav), Tomer

What is the political orientation of Jordan Valley settlers?

As we noted in a previous article which examined the voting patterns of settlers: "The settlements in the Jordan Valley were historically affiliated with the Labor party, which was the party that initially established the settlement drive in the area . . . However, during the 1980s the Likud party established a large support base in the Jordan Valley and in the 2001 elections was the largest vote-getter in most of the Jordan Valley settlements, although Labor still drew a substantial amount of support. In the March 2006 election the Likud suffered a significant defeat in the Jordan valley, winning an average of less than 10% of the votes. Kadima replaced the Likud as the main power in most of the settlements, winning 30% or more of the vote in most of the settlements. Labor remained relatively strong, and the NU-NRP list and Yisrael Beitainu both did well in settlements that have more recently attracted religious settlers and Russian immigrants. . ."

How many Palestinians live in this geographic area?

According to the Palestinian Central Bureau of Statistics, as of mid-year 2005 the Palestinian population in the Jordan Valley was around 53,000 people (this includes all the villages in the Jericho governorate, as well as a handful of villages from the governorates of Tubas and Nablus, but not Nablus itself). The population is broken down as follows (numbers are rounded off): Jericho/Auja area (including Aqabat Jabr refugee camp): 35,000; Jiftlik area: 6,700; North Jordan Valley: 3,150; Nablus/Tubas area (i.e., the eastern slopes of the mountain ridge): 7,700. In addition, the area is home to an unknown number of Bedouins (probably a few thousand) who maintain a seminomadic lifestyle.

What is the situation in the Jordan Valley with respect to movement and access for Palestinians?

Restrictions on movement and access for Palestinians into and within the Jordan Valley are especially severe. The IDF has placed checkpoints on all the roads leading

into the Jordan Valley, and has total control on entry and exit into the area. For a long period of time (most of the years 2003–2005) the IDF completely closed the Jordan Valley . . . Only Palestinians who reside in the Jordan Valley (and whose identification documents confirmed this fact) were permitted to enter; no other Palestinians could enter for any purpose (including family visits, business, or transit).

Following major protests, the situation today is somewhat improved. Palestinians who do not live in the Jordan Valley are generally permitted to enter, but the IDF still bars entry of the cars of any Palestinians who do not live in the area. So any Palestinian non-Jordan Valley residents who want to come to the area must enter via special taxis that are permitted by the IDF to pass through the checkpoints. The exception is the city of Jericho itself, where access into the city is normally open, via one road. However, Palestinians cannot leave Jericho to travel into the rest of the Jordan Valley.

In addition, for some years now the IDF has barred all Palestinian access to the Dead Sea. A checkpoint south of Jericho (or north of the Dead Sea) prevents any Palestinian vehicle from entering the area. According to testimonies of soldiers who served at this checkpoint, the checkpoint was established in response to pressure from Israeli settlers in the area who are trying to develop resort sites along the shore of the Dead Sea. These settlers fear that Israelis will be reluctant to come to their resorts due to the presence of Palestinians in the area. The Dead Sea has traditionally been a popular site for Palestinian visitors and vacationers from throughout the West Bank, especially since the early 1990s, when Israel began to bar Palestinian entry into Israel, thus closing off West Bankers' access to the Mediterranean. Now, some observers have concluded that in order to permit the settlers to develop resorts in the area, the entire Dead Sea has been made inaccessible to Palestinians. The Association for Civil Rights in Israel (ACRI) has filed a petition against the checkpoint with the Israeli High Court of Justice.

How much of the land in the Jordan Valley is controlled by the settlements?

Virtually all of the land in the Jordan Valley, other than actual built-up areas of the Palestinian population, has been placed under the jurisdiction of the settlement regional councils in the area (Arvot Hayarden and Megillot). This means that land not defined as belonging to a specific settlement

is still under the control of the settlements' regional councils (and off-limits to the Palestinian), and in some cases is actively farmed by settlers. Almost all of the settlements, despite having tiny populations, nonetheless have huge footprints on the land, with extensive agricultural areas (large fields, greenhouses, etc.). . . .

In addition, Israel's policy of demolishing Palestinian homes has been especially focused on the Jordan Valley. Looking only at the first quarter of 2008 (the first regular report period following the November 2007 Annapolis Conference and the relaunching of Israeli-Palestinian peace talks), the UN's Office for the Coordination of Humanitarian Affairs (OCHA) noted in a May 2008 report that "Eighty-six percent of the demolitions in area C due to lack of permit in the first quarter of 2008 (107) were in Jordan Valley locales." Within the Jordan Valley, certain areas have been the particular focus of home demolition efforts. The OCHA report notes, for example that on 11 March 2008 twelve structures in the northern Jordan Valley village of al-Hadidiya were demolished by Israel. OCHA observes the Israeli High Court rejected a petition from the villagers against the demolition orders on the grounds that "1) the affected buildings were located in an area defined as agricultural in the Mandatory Regional Outline Plans, and 2) the buildings posed a security threat to the Ro'i settlement . . ." In addition, the plight of the village of al-Aqaba has drawn a great deal of attention (in part because of a campaign by local and international activists). The OCHA reports notes that "The village of al-Aqaba lies at the edge of the Jordan valley and comprises 3,500 dunams of land. It is entirely situated in area C, between two military bases . . . 35 of the 45 structures in the village have received demolition orders due to 'lack of permit' . . ."

Why are Israeli policies with respect to the Jordan Valley so restrictive?

The restrictions on movement and access in the Jordan Valley, combined with the restrictive land use policies, have resulted in a situation where the Israeli public, to the extent that it is aware of the Jordan Valley, does not really view it in the same light as the rest of the West Bank. Israelis driving through the area—and historically, the main Jordan Valley road, Route 90, was and to some extent remains the primary route used by Israelis to travel from southern Israel or Jerusalem to reach the Galilee—don't see many Palestinians using the highway or

living along it. What they see are other Israeli vehicles and the IDF and alongside the route, desert or Israeli agricultural development. By keeping the area free of Palestinian traffic, Israelis and tourists who use this route can feel they are traveling a road that is no different than any road inside Israel.

More broadly speaking, many Israelis still believe that the Jordan Valley must remain eternally part of Israel—the vital security buffer between Israel and Arab lands to the east. According to this perspective, the Palestinian population of the area—which is sparse and spread out over a huge area—is at best an inconvenience to be minimized, and at worst a liability that must be overcome. Israeli policies in the area, historically and through the present day, would appear to seek to minimize the number of Palestinians in the area, while maximizing Israeli control over the land and Israeli control over the transportation routes.

Where does the Jordan Valley stand in the context of final status agreements?

The Jordan Valley has always enjoyed special status in regard to political arrangements. Traditionally, Israel has viewed it as a buffer against aggression from the east (Jordan and Iraq). Many argue today that this is no longer relevant, given the peace treaty with Jordan and the elimination of the military threat from Iraq. In any case, some prominent Israeli figures—like former Likud prime minister Benjamin Netanyahu—still attribute security importance to the Jordan Valley and talk of the Jordan Valley settlements as a settlement bloc that should be retained in the context of political arrangement (keeping in mind that it is in no way a bloc, as discussed above).

The Jordan Valley has come into play more recently with regard to Israel's West Bank security barrier (fence/wall). In March 2003, during a cabinet ministers' tour of the route of the separation barrier, Prime Minister Sharon declared that he intended to build an eastern separation fence. This new section of the fence would be some 300 kilometers, running from the Green Line in the north, along the Jordan Valley and the Allon Road, and ending in the southern Hebron hills (and keeping the Jordan Valley outside the territory to be bounded within the separation fence). The original map with the route of the barrier issued by the Israeli Ministry of Defense in October 2003 appeared to include the first stage of this plan, depicting a barrier running close to the Green Line

along the northern end of the West Bank, and also including a section jutting out from the main barrier running south along the central mountain ridge. Faced with international and internal opposition, Israel dropped the plans for an eastern barrier, at least for now.

During the 1999–2001 final status negotiations, initial Israeli proposals placed the Jordan Valley under various levels of Israeli control, with part of it annexed to Israel and other parts left under Israeli control via long-term lease arrangements, with the understanding that such areas would eventually come under full Palestinian sovereignty. These proposals were rejected by the Palestinians, who view the Jordan Valley as the only land reserve that could be used by a future Palestinian State to absorb large population increases expected from natural growth and refugee absorption. Additionally, Palestinians view control over their own borders as an important attribute of sovereignty.

At some point during the final status negotiations Israel gave up its demand for control over the Jordan Valley. When this happened is the subject of some debate, with some negotiators (like U.S. special Middle East coordinator Dennis Ross) pointing to oral Israeli proposals made at the end of the July 2000 Camp David summit. Others (like Israeli negotiator Shlomo Ben-Ami) point to the Clinton parameters, presented by President Clinton in 23 December 2000 and accepted by Israel, which called for Israeli annexation of 4%–6% of the West Bank, and amount inconsistent with Israeli annexation of the Jordan Valley.

DIPLOMACY LEADING TO SETTLEMENT

These excerpts are taken from an article titled "Failure Written in West Bank Stone," written by Gershon Gorenberg and published in the Washington Post on 30 September 2008.

Outgoing Prime Minister Ehud Olmert insists that Israel's future depends on a two-state solution. Building new homes in settlements only makes it more difficult to withdraw. When President Bush convened the Annapolis conference last November, there was media buzz about a settlement freeze.

Olmert said that every request to build from within the government required his approval. Yet in the past year, construction

has increased—despite Olmert's talk, despite Bush's supposed commitment to his 2003 "road map" plan with its freeze on settlement.

Nearly a thousand housing units are being built in Ma'ale Adumim, according to Peace Now's Settlement Watch project. At Givat Ze'ev, another of the settlements ringing Jerusalem, a 750-unit project was approved this year. The government has asked for bids on building nearly 350 homes in Beitar Ilit, also near Jerusalem. Meanwhile, hundreds of homes have been added at settlements deep in the West Bank, with the government's acquiescence if not approval.

All this fits a historical pattern: Diplomatic initiatives accelerate settlement building in occupied territory. When the peace effort fades away, the red-roofed houses remain as a monument.

Ma'ale Adumim, a hive of apartment buildings on the parched slope between Jerusalem and Jericho, is the most imposing example. Secret discussions about settling at the site began within the Israeli government in August 1974. At just that time, Secretary of State Henry Kissinger was mediating between Israel and Jordan on an interim peace agreement. Israeli foreign minister Yigal Allon proposed that Israel would withdraw from Jericho as a first step toward realizing his larger plan: Israel would also give up major Palestinian towns deeper in the West Bank.

But Allon wanted to keep much of the West Bank under Israeli rule—including a ring of land surrounding Jerusalem and separating it from Jericho. By the fall of 1974, the Israeli-Jordanian contacts had failed. But Allon's political ally, settlement czar Yisrael Galili, pushed on with Ma'ale Adumim. Building is easier than negotiating, and it is harder to stop.

The government's method of acquiring land for the settlement was audacious—and, until now, well-hidden. After a tenacious freedom-of-information legal battle, Israeli human rights activist Dror Etkes of the organization Yesh Din recently received data from the Israeli army's Civil Administration on West Bank land expropriations. In April 1975, Israel expropriated 11 square miles east of Jerusalem "for public use." In 1977, another square mile was taken.

On his laptop, Etkes showed me an aerial photo of the settlement today, superimposed on a map of the expropriation. Most of the built-up area of Ma'ale Adumim lies inside the land that was confiscated.

This is a *prima facie* violation of international law. Under the 1907 Hague Convention, an occupying power may expropriate land only for the public use of the occupied population. Taking private West Bank land for Israeli use is therefore barred.

That's just one example of the historical pattern. In 1970, Israel and Egypt ended their "war of attrition" under a cease-fire proposed by Secretary of State William Rogers. The next stage of the Rogers initiative was supposed to be peace talks. Fearing pressure to withdraw, the Israeli cabinet approved the first settlement in the Gaza Strip to stake Israel's claim to the territory. Diplomacy stalled, but settlement continued in Gaza.

The pattern repeated itself in 1998, when President Bill Clinton convened the Wye River summit to revive the Oslo process. The

summit ended with an Israeli commitment to resume West Bank withdrawals and a Palestinian pledge to suppress terrorism. Neither promise was kept. But Ariel Sharon, then foreign minister, returned home and publicly advised settlers to "grab more hills, expand the territory. Everything that's grabbed will be in our hands. Everything we don't grab will be in their hands." That spurred establishment of the tiny settlements known as outposts that dot the West Bank.

Since Annapolis, hard-line settlers have continued building, hoping to block any pullback. The government, meanwhile, is building in the so-called settlement blocs—settlements that it insists Israel must keep under any agreement. As in the past, it is writing its negotiating position in concrete on the hills. That includes more construction on the expropriated land at Ma'ale Adumim....



A Palestinian woman waits to cross a checkpoint in Hebron as Israeli settler children play, 3 November 2008. (Menahem Kahana/AFP/Getty Images)