Contesting Limits

by

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I hereby declare that I am the sole author of this thesis. This is a true copy of the thesis, including any required final revisions, as accepted by my examiners.

I understand that my thesis may be made electronically available to the public.

ABSTRACT

After Israel's triumphant victory over its Arab neighbors in the 1967 Six-Day War, the State immediately began a policy of territorial seizure in the newly occupied areas. Tracing these seizure practices, their supporting spatial apparatuses and the legalistic manipulations which have enabled de facto annexation to occur, this thesis uncovers not only the involvement of military officials and political figures, but also shows the complex utilization of nature and landscape for geopolitical means. From Jewish-only settlements to closed military areas, nature reserves, unilaterally-seized areas of 'State Land' and the cantons of split Israeli-PA jurisdiction, the creeping practices of Israeli annexation in this conflict are occurring without regard for international law or for the purportedly crucial negotiation process.

Traditional assessments of the current status quo correctly identify the catastrophic effects of the continued Israeli occupation on the economic, social and environmental systems of the Occupied Palestinian Territories. Yet they fall short of realizing the unique potentialities for Palestinian resistance and subversion inherent within this same state of imbalance. This thesis therefore seeks to elucidate three ways in which the Palestinians can capitalize on unexploited opportunities within the current destabilized conditions of Israeli military occupation in the West Bank. It will argue that the agency of architecture provides a crucial means of political intervention in a protracted dispute where the traditional political figures are unable to affect change via the processes of the peace negotiations.

Beyond spatial tactics of resistance, the designs herein propounded have been conceived to thrive in a political environment which is shifting, volatile and indeterminate. Harnessing instability, they suggest new means of social, economic and environmental improvement for the Palestinians while simultaneously addressing their desires to establish an independent state. Cumulatively, these design proposals argue against the futile despair felt by many Palestinians that self-determination will only come by means of the perpetually stalled negotiations process. Instead, they outline new avenues for redirecting the trajectory of this conflict on the ground, through the strategic choreographing of Palestinian actions within, and taking advantage of, the very landscape in which they inhabit.

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صمود

(Sumud : Steadfastness)

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limit [lim-it] - noun:

[1] a confining or restricting object, agent or influence.

[2] the greatest amount of something possible or allowed.

GLOSSARY

1948 Arab–Israeli War/ Israeli War of Independence *(see also Nakba)*: commenced following a period of civil war between the Jewish and Arab populations in British Mandate Palestine. The internal fighting transformed into all-out war when the independence of the State of Israel was declared by David Ben-Gurion in May of 1948. At this time a military coalition of Arab states as well as Palestinian Arab forces fought against the newly-formed State of Israel. The fighting was terminated with the signing of the *1949 Armistice Agreements*.

1949 Armistice Agreements: a series of agreements signed between Israel and its neighboring Arab countries of Egypt, Lebanon, Jordan, and Syria. The agreements terminated the fighting of the *1948 Arab-Israeli War*, and established armistice demarcation lines, including the *1949 Armistice 'Green Line'.*

1949 Armistice 'Green Line': the demarcation line established between Israel and Jordan in the *1949 Armistice Agreements* following the *1948 Arab-Israeli War.* This line subsequently refers to the point of division between Israel and the occupied West Bank and serves to differentiate between the Palestinians which were granted citizenship within Israel after 1967 and those who remained stateless subjects under occupation in the West Bank. The line's name derives from the green ink used to draw it on the negotiation map.

1967 Arab-Israeli War/ Six-Day War: was fought between the 5th and 10th of June 1967, by Israel and the neighboring states of Egypt, Jordan, and Syria. The result was a rapid Israeli victory. Israel took *effective control* of the Gaza Strip and the Sinai Peninsula from Egypt, the West Bank and East Jerusalem from Jordan, and the Golan Heights from Syria.

Belligerent Military Occupation: as addressed in international law under the *Hague Conventions* of 1907 and the *Fourth Geneva Convention*. Belligerent military occupation occurs when territory is placed under the *effective control* of a hostile army. Differing from annexation, under the conditions of occupation, sovereignty is suspended, not transferred: the occupying force must ensure public order and enforce previously in-place laws, unless absolutely prevented, amongst other restrictions.

Biopower: a term coined by French philosopher, historian and social theorist, Michel Foucault. For Foucault biopower is differentiated from traditional sovereign modes of power by the nature of its operation. While *sovereign power* relies upon negative prohibitions and the threat of death from the sovereign, biopower is normalizing, expressing itself through the management of life, with the aim of producing docile subjects.

B'tselem: an Israeli human rights NGO whose stated goals are '*to document and educate the Israeli public and policymakers about human rights violations in the Occupied Territories, combat the phenomenon of denial prevalent among the Israeli public, and help create a human rights culture in Israel.*'[1]

Bustan Qaraaqa: is a community permaculture endeavor feeding into the grassroots environmental movement of the Occupied Palestinians Territories seeking to confront the problems of food insecurity and environmental degradation impacting Palestinians as a result of the ongoing occupation. It is based in the West Bank town of Beit Sahour, near Bethlehem.

By-Pass Road Network/ Forbidden Roads Regime: the network of roads running for hundreds of kilometers throughout the West Bank which were constructed by Israel on occupied lands. Depending upon their location, Palestinians are either prohibited or restricted from travelling along these roads. These constraints are determined by the travelers' ethnicity and have been unilaterally imposed by Israel. The necessity of such separate roads has been declared by Israel for 'imperative security considerations.' The roads enable access from Israel to the West Bank's Jewish-only settlements without their users having to pass through Palestinian areas.

Closed Military Area: areas amounting to thousands of hectares of West Bank land which are under amplified security restrictions that limit their access and use. Such closed areas exist both permanently and ephemerally. The title of closure can be imposed by the IDF via military order for a duration lasting as short as a few hours or indefinitely.

Colony Collapse Disorder: the sporadic disappearance of feral honey bees from apiaries. The exact causes of the disorder remain unknown.

Effective Control: the unquestionable rule of a sovereign over territory which is not their own. The laws of occupation apply if a state has *effective control* over the territory in question.

Facts on the Ground: similar in nature to a fait accompli, the term refers to the unilateral establishment of territorial realities through pre-emptive actions which are performed outside of sanctioned diplomatic channels.

First Intifada: an uprising by Palestinians against the Israeli military occupation. It lasted from December 1987 to 1993 and was predominantly characterized by non-violent resistance and civil disobedience by Palestinians.

1 "About B'Tselem", B'Tselem, accessed February 2, 2010. http://www.btselem.org/English/About_BTselem/Index.asp.

Fourth Geneva Convention/ Geneva Convention Relative to the Protection of Civilian Persons in Time of War: is the last of four treaties establishing the standards of international law for the humanitarian treatment of the victims of war. It was adopted in August 1949, and specifically defines the basic rights of both civil and military prisoners of war. It formulates protections for the civilians in and around a war zone, including under conditions of military occupation. Israel signed the Geneva Conventions on 12 August 1949.

Eretz Yisrael : a term referring to the territory of all of biblical Israel, or the Holy Land, which included the Occupied Palestinian Territories.

International Solidarity Movement (ISM): a Palestinian NGO which utilizes non-violent popular resistance to the Israeli occupation.

Israeli Civil Administration (CA): established in 1981 (through the issuing of Israeli Military Order 947) as the governing body operating in the West Bank for all administrative aspects of the Palestinian population. After 1995 it maintained control of Palestinian civil issues in 'Area C'.

Israeli Defense Forces (IDF): the military forces of the State of Israel, comprised of forces which operate on the ground, air and water. The IDF has no civilian jurisdiction and thus does not have authority over Jewish West Bank settlers, who are Israeli citizens.

Jewish National Fund (JNF/KKL): a quasi-governmental non-profit organization with the aim of promoting Jewish settlement vis-à-vis land purchase, development and planting.

West Bank (referred to as Judea and Samaria by the State of Israel): a geographical region in the Middle East which is surrounded by Israel to the North, West, and South, and by Jordan to the East.

Lawfare: a term most popularly coined by Charles J. Dunlap, Jr., which describes a type of asymmetric warfare in which domestic or international law is illegitimately used as a tool for war.

Miri land: land designated for agricultural use under the Ottoman Land Law of 1858. Ownership of this land remains vested in the state, while usage rights are afforded to the individual. Such usage can be secured either through payment to the state or through cultivation for a period of ten consecutive years. Failed cultivation of Miri land for three or more years grants the state the right to seize its possession and sell the land's access to a new cultivator.

Makhlul or State Land: land previously used as agricultural Miri land by Palestinian farmers which has subsequently been returned to the state due to failed cultivation for three or more consecutive years.

Nakba/ 1948 Palestinian exodus (*see also 1948 Arab–Israeli War*): *(from Arabic; translates to 'catastrophe')* refers to the events which saw some 711,000 to 725,000[2] Palestinian Arabs leaving, fleeing or facing expulsion from their homes within Israel and the Occupied Palestinian Territories prior to, and during, the *1948 Arab-Israeli War*. Its timing coincides with the creation of the State of Israel.

Ottoman Land Law: a land reform program established under the Ottoman Empire, which defined land types and uses, and required land owners to register their ownership. The Law served to increase tax revenue, impose military service on the owners and heighten Ottoman control in the region.

Palestinian Authority (PA): a Palestinian administrative body formed in 1994 to govern parts of the Occupied Palestinian Territories, primarily the Oslo-formed Areas of A &B in the West Bank.

Rabbi's for Human Rights: is an Israeli human rights organization comprised of Israeli Rabbi's and some rabbinical students who work on human rights issues in North America, Israel, and the Palestinian Territories.

Right of Return: a principle in international law covered by the 'Universal Declaration of Human Rights' and the 'International Covenant on Civil and Political Rights,' granting any person the right to return to his or her country of origin. Israel has suspended this right as it applies to the Palestinians following their exodus during the 1948 Arab–Israeli War and the 1967 Six-Day War and argued that such a return can only be discussed via the negotiated Peace Process.

Second Intifada: the second Palestinian uprising against the Israeli military occupation which began in late September 2000 and ended approximately in 2005. It is also referred to as the *Al-Aqsa Intifada*.

Sovereign Power: in Foucaultian terms, an expression of a sovereign's power through repressive and/or violent acts of control over the population.

Spaciocide: a term coined by French-Palestinian sociologist Sari Hanafi to describe systematic destruction caused by conflict which targets the spatial environment of one's opponent, rather than aims at achieving a high number of human casualties. Acts of dispossession, occupation and the destruction of one's living space are all considered components of spaciocide.

State of Exception / Martial Law: as developed by Giorgio Agamben, based upon the legal theory of Carl Schmitt, which describes the period of time during which a sovereignty suspends the rule of the law and by doing so can transcend its restrictions and provisions.

Sumud: (*Arabic: meaning steadfastness*) has become a Palestinian ideological notion and means of resistance to the Israeli occupation.

2 Benny Morris. *The Birth of the Palestinian Refugee Problem Revisited*. (Cambridge: Cambridge University Press, 2003), 604.

Two-state Solution: a proposed resolution to the Israeli-Palestinian conflict which would lead to the establishment of an independent Palestinian state alongside the State of Israel.

UN General Assembly Resolution 181 ***(also known as the United Nations Partition Plan for Palestine):*** adopted by the UN General Assembly on 29 November 1947, the resolution was designed to replace the British Mandate of Palestine with independent Arab and Jewish states.

UN Security Council Resolution 242: was unanimously adopted by the United Nations Security Council on 22 November, 1967. Reacting to the events of the *1967 Six-Day War*, the resolution called for Israel to withdrawal from the territories it had occupied and re-iterated the inadmissibility of territorial acquisition via means of war.

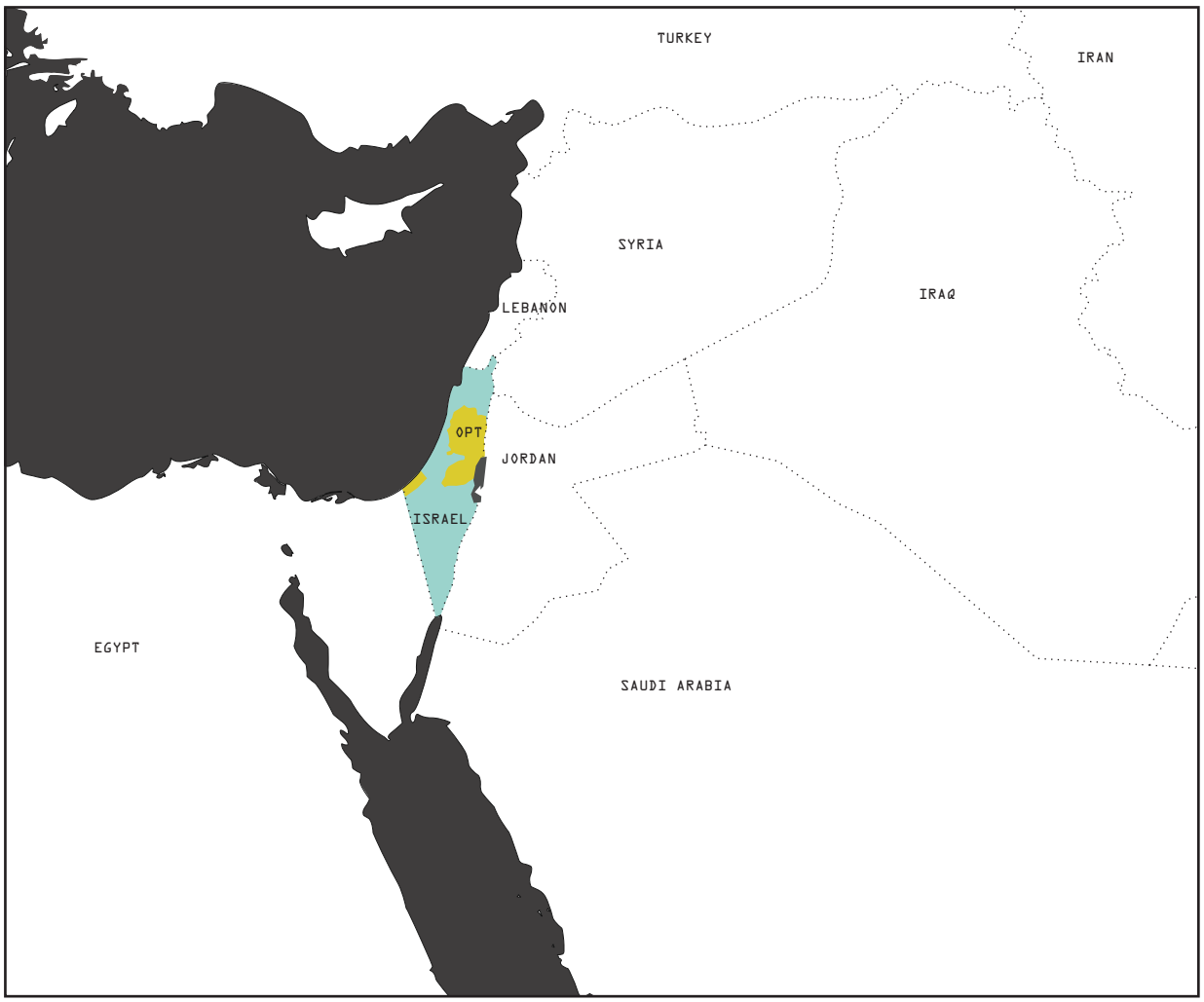
Urbicide: a term popularized by Bogdan Bogdanovic to describe violence against the urban fabric of the city of Sarajevo. Further work by Martin Coward focused on the capacity of such destruction to annihilate populations via their built environment.

Zaytoun: is a non-profit organization established to support Palestinian farming communities by helping to increase the market for their olive oil products internationally, and also by helping the farmers themselves improve the quality of their oil through training and equipment provision.

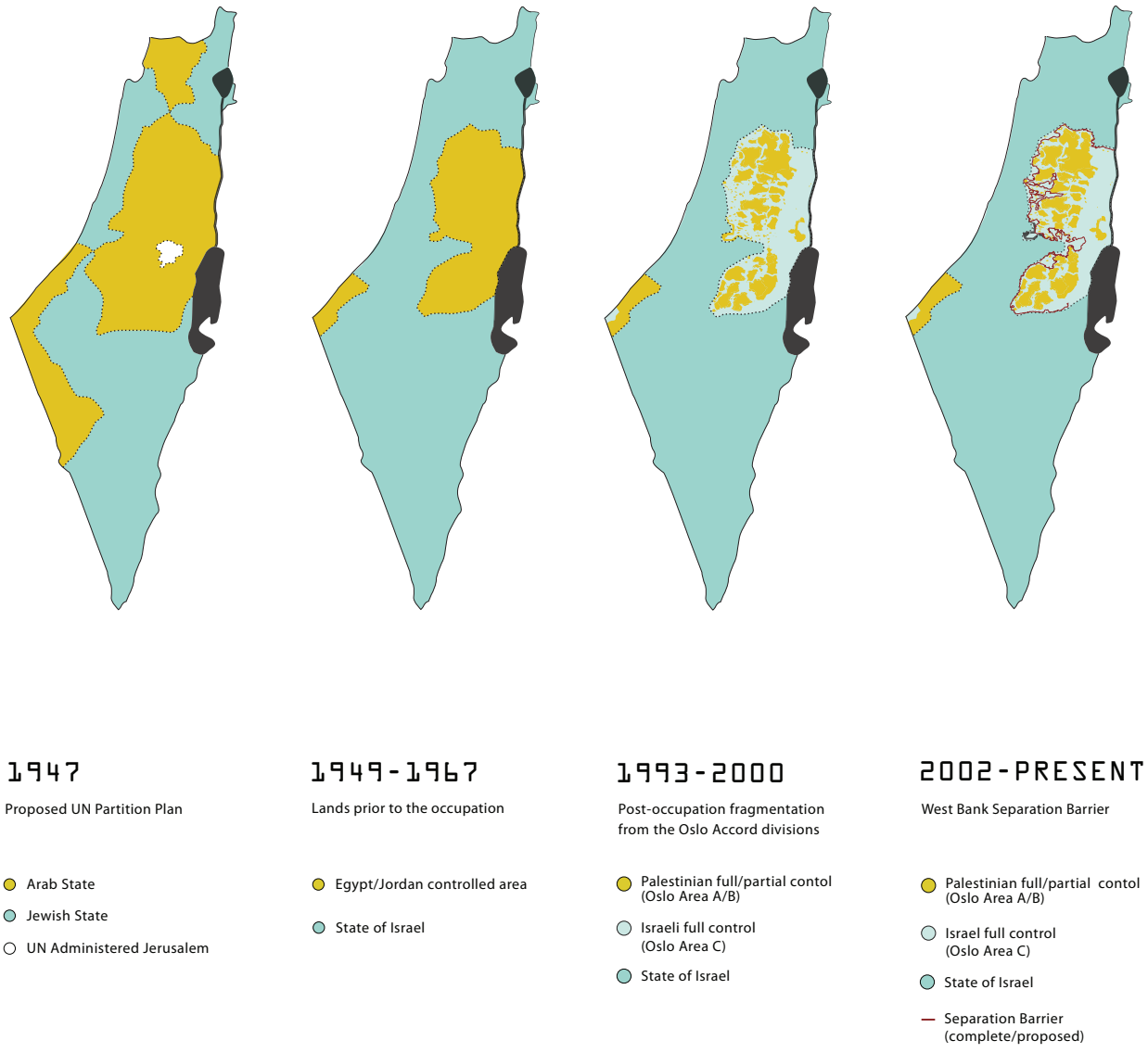
Zionism: is a Jewish political movement promoting a sovereign Jewish national homeland for the world's population of Jewish people, which was realized through the creation of the State of Israel. The movement has been deemed racist and colonialist by its critics, who see it as inherently exclusionary.

Separation Barrier/ Wall: a physical separation apparatus, comprised of various spatial components, which has been unilaterally imposed by Israel onto the landscape of the occupied West Bank. Construction began in June of 2002. The path of the unfinished barrier has undergone multiple modifications and is projected to extend 709km once completed.[3]

3 "The Separation Barrier", B'Tselem , accessed November 10, 2011, http://www.btselem.org/separation_barrier/map.

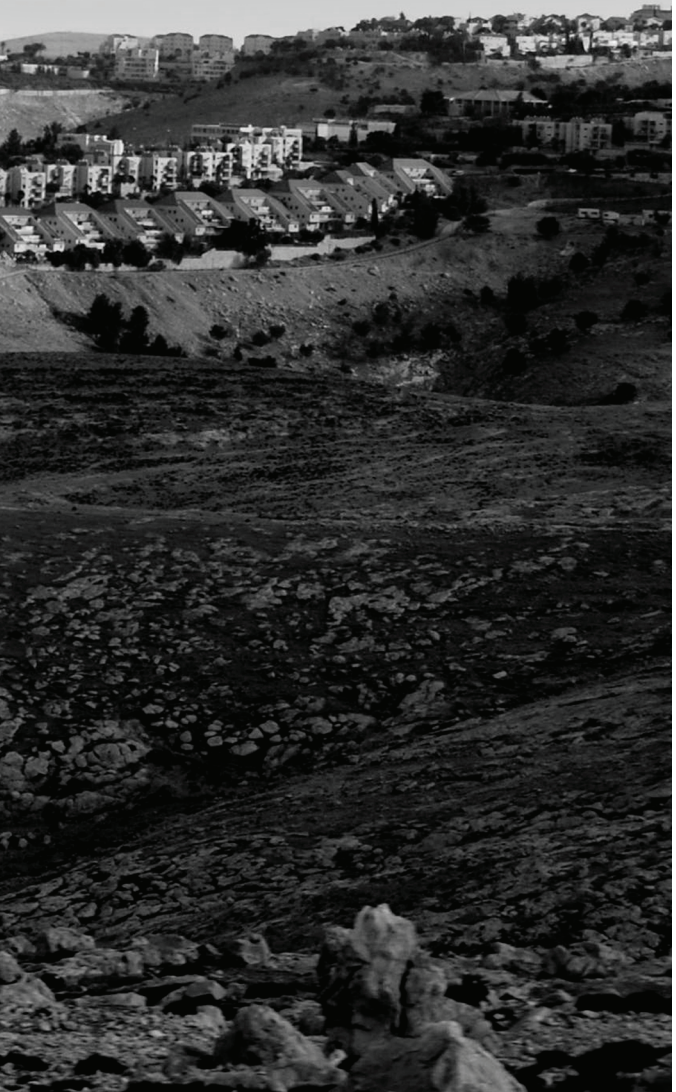


^ **fig. 0.01** *Regional map of the Middle East showing the location of Israel, the Occupied Palestinian Territories and their surrounding countries*



^ **fig. 0.02** *The shifting lines of division between Israelis and Palestinians as a result of the ongoing Arab-Israeli conflict in the Middle East.*





INTRODUCTION

"We'll make a pastrami sandwich of them, yes we'll insert a strip of Jewish settlements in between the Palestinians, and then another strip of Jewish settlements right across the West Bank, so that in 25 years time, neither the United Nations nor the United States, nobody, will be able to tear it apart."[1]

- **Ariel Sharon** at Israel's National Press Club in 1973

By 1998, a quarter-century later there were 164,800 West Bank settlers living in 123 settlements. As of today, there are over 311,400 settlers in 124 settlements. This figure does not include those living in over 100 illegal outposts, or the over 186,000 Jewish settlers of East Jerusalem[2]

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fig. 1.01 *Israeli settlements are predominantly situated on the West Bank's hilltops, gazing out over their surroundings. Here the settlement of Ma'ale Adumim winds through the West Bank, spanning out in long fingers that trace the sinuous path of the topography.*

1 George, S. Hishmeh, "Settlements now an Israeli security factor. Sharon's concept was to make 'a pastrami sandwich' of the Palestinians." *Daily Star*. July 18, 2002, accessed September 8, 2010. http://www.mafhoum.com/press4/116P51.htm

2 "Settlements & Land: Land Expropriation and Statistics", B'Tselem, accessed November 10, 2011, http://www.btselem.org/settlements/statistics

When the Israeli Defense Forces (IDF) entered the West Bank in the summer of 1967, overtaking the biblical lands of 'Judea and Samaria' in a mere six days, they posted a military notice intended for the local Palestinian population.[3] Announcing the imminent suspension of Jordanian rule, the notification read plainly, "*The Israeli Defense Forces are entering the area today and taking over control and the maintenance of security and civil order.*"[4] Two days later, another proclamation was issued. This one assured the local population that the new system of effective control would keep Jordanian law as its foundation, deviating only in instances when these laws were in contradiction with a subsequent Israeli military order, the discrepancies of which would henceforth be addressed by the commander of the Israeli army, who would now be entrusted with the authority to rule, or to appoint other persons to rule, in the West Bank and Gaza Strip.[5] Amidst a climax of wartime violence and destruction, the internationally recognized protocols of temporary military occupation promised to maintain stability for those who had lived in the West Bank prior to the IDF's entry. In fact, a general staff ordinance issued by the Israeli army at the time directly touched upon the issue of conformity to international law by decreeing that:

"*a military court and the military court administration will observe the provisions of the Geneva Convention of August 12, 1949, that relate to a civilian population during wartime, while maintaining judicial procedure, and in case of a clash between the latter and the aforementioned convention, the provisions of the convention shall prevail.*" [6]

Yet not long after its issuance, the ordinance was rescinded and its content eclipsed by pronouncements reflecting new plans for the Occupied Territories. Government officials, including the Minister of Justice, began referring to the territories as lands which Israel had 'liberated' during the Six-Day War, rather than occupied.[7] References to the term 'occupation' began to disappear completely; likewise the differentiation between those territories under Israel's control prior to and post- 1967 began to blur. With such measures put in place, the door was opened for unmonitored Jewish settlement expansion in the Occupied Territories, and from the late 1960's forward, their construction flourished. What had emanated from disorganized fervor riding on the back of a wartime victory soon coalesced into a full-blown, government-approved initiative of territorial appropriation. The once pastoral landscape of the West Bank was now overcome by an onslaught of highly secured Jewish-only residential enclaves, unabatedly consuming unpopulated areas of the newly occupied lands and seriously disrupting any potential for Palestinian national unity by creating geographic impediments to the Palestinian's territorial cohesion.

3 Meir Shamgar, "Law in the Territories Held by the IDF," *Hapraqlit*, 23, (1967): 540.
4 Shamgar, "Law in the Territories Held by the IDF," 540.
5 Rabah, Jamil and Natasha Fairweather. *Israeli Military Orders in the Occupied Palestinian West Bank 1967-1992*, (2nd Ed.) (Jerusalem Media & Communication Centre ,1995): 14.
6 "Notice concerning arrangements for law and justice, West Bank area, (No.2), 1967, Provision 35" in *Collection of Notices, Orders and Appointments of the Command of the Area of Judea and Samaria*, quoted in David Kretzmer, *The Occupation of Justice* (Albany: 2002): 27.
7 See Yaakov Shimshon Shapira, *Knesset Protocols*, :Vol. 49, Session of June 27, (1967): 2,420.

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In the aftermath of war, the practicalities of ensuring order and protecting the wellbeing of the local population demand imminent legal arrangements until sovereignty can be re-established. Because of the unstructured, volatile and at times violent nature of such makeshift arrangements, it is generally considered advantageous to all parties concerned that such ad-hoc measures be in place for as short a time as possible. The prosperity of Israel in the face of its forty-four year military *occupation* has proven the exact opposite. Spacious gated communities boasting state of the art security systems, bountiful water resources, private high-speed road networks and a controlled demographic environment away from 'undesirable others' has produced an Israeli experience of the Occupied Territories more akin to life in Palm Beach than to a previously war-torn, lawless land of occupation. The luxuries of the American dream have been synergized with the territorial aspirations of the Zionist vision in a process which Israeli political geographer David Newman has coined "suburban colonization."[8] The intention of this thesis is to show how, in the Occupied Territories, post-conflict instability, reinforced by Israel's harnessing of the legal ambiguity inherent in the situation, has in fact been highly productive and advantageous for the Israeli state. Under such conditions, Israel has found itself capable of catalyzing actions that would otherwise be overtly illegal and unimaginable.

[SEE OCCUPATION]

The specific events which led to the outbreak of war in 1967, including the respective struggles and disenfranchisements of the Jewish and Palestinian peoples, in addition to the long history of this regional battle, have been accounted and interpreted by many scholars. Without denying the complexities of the Arab-Israeli conflict, with its innumerable actors and permutations, the research of this thesis seeks to elucidate one very specific condition of the Israeli occupation: namely, how its unique power structures are operating spatially, and how they have manifested themselves across the landscape both tangibly and invisibly, directly and indirectly. In corollary, the subsequent design tactics follow by opening an arena for speculation into various present-day forms of spatial political intervention against the occupation. These designs will explore a number of subversive avenues available to non-state actors, particularly those in urban design and architecture, to adjust the unequal power relations in the occupied West Bank. Such inequalities in power relations have emanated from the prolonged suspension of sovereign control following the 1967 occupation and have caused division along ethnic lines to be deeply inscribed into the greater geographic region.

For practical reasons, *Contesting Limits* will focus on the West Bank, while recognizing that in many instances the worsened conditions in the Gaza Strip serve as a precursor for

8 David Newman, "Colonization as Suburbanization" in *City of Collision: Jerusalem and the Principles of Conflict Urbanism.* 113-120.

"When you freeze the political process, you prevent the establishment of a Palestinian state and you prevent a discussion on the subject of refugees, borders and Jerusalem… The vast majority of West Bank settlers will stay in their place forever… This whole package called 'the Palestinian state' has been removed from the daily agenda for an unlimited period of time."[9]

- Senior Israeli advisor to Ariel Sharon, **Dov Weisglass**

"We should not impose on this meeting a heavy load. I do not know if the Israeli side is bringing anything new, or if they are willing to put their position on the table." [10]

- PLO talks delegate **Saeb Erekat** regarding the recommencement of peace talks on 03 January 2012

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On September 2nd, 2010, following ten months and seven rounds of indirect peace talks, the United States was able to broker direct negotiations between Israel and the Palestinian Authority (PA). Despite a series of seemingly cordial discussions stretching throughout the month, Israeli Prime Minister Binyamin Netanyahu refused to extend Israel's partial settlement freeze in the West Bank. In reaction, Palestinian Authority (PA) President Mahmoud Abbas claimed he was abandoning further negotiations. The ability for the peace process to lead to anything of fruition was once again put highly into question.

Unfolding since the 1970's, by the turn of the 21st century the peace process had become a full-fledged political impasse. The imbalanced power structures of the occupation had placed Israel in a comfortable position to not have to make any demographic or territorial concessions in order to ensure the safety of its civilian population. In corollary, Palestinians were unwilling to sign over the areas which they saw as crucial to the creation of a future Palestinian state and refused to concede the right of return for Palestinian refugees from the 1948 and 1967 wars. Invariably, given the staunch stance of both parties, the negotiations time-and-time-again resulted in collapse and their absence produced an open-ended period of prolonged stasis. During this stasis, the negotiations became a scapegoat for the seemingly unending 'temporariness' of the occupation, allowing Israel to further sidestep its obligations under international law and to obfuscate its policies of territorial seizure by placing blame upon the Palestinians for their inability to be a 'partner for peace'.

The theme of 'stressing the temporary' is one that has pervaded all areas of the Israeli-Palestinian conflict, from the ongoing negotiations to settlement building, road closures and the Separation Barrier. With regards to the negotiations, the 'temporary' has become an excuse for actions legitimizing exploitation rather than merely being a by-product of the conflict's confusion. As such, the Israeli government has effectively seized this temporary period - not only within the frozen peace negotiations, but also within the ambiguities of international law regarding the conditions of military occupation - and used it to undertake strategic actions on the ground that have permanent geopolitical implications.

9 Ari Sharit, "Top PM aide: Gaza plan aims to freeze the peace process." *Ha'aretz*. October 8, 2004, accessed June 20, 2010, http://www.haaretz.com/print-edition/news/top-pm-aide-gaza-plan-aims-to-freeze-the-peace-process-1.136686

10 Reuters, "PLO to meet Israeli, Quartet envoys in Amman," *Maan News*, January 3, 2012, accessed January 03, 2012. http://www.maannews.net/eng/ViewDetails.aspx?ID=449647

the West Bank's bleak future.[11] While the accelerated deterioration of Gaza in many ways serves as a laboratory for the future cantons of the West Bank, because of this same acceleration, the tactics proposed to fight against Israel's practices of creeping territorial seizure in this thesis are not universally applicable. It is true that the enclosure of the urban Palestinian areas of the West Bank are quickly coming to resemble the highly dense and confined 'open-air prison' of Gaza. However, rather than addressing the role of architecture under military occupation within these dense urban Palestinian islands, the following design tactics propose action in the unpopulated rural areas of the West Bank - those areas which are at the greatest risk of Israeli annexation in the near future. While the intention is not to undermine the role of Gaza as a crucial part of any future Palestinian state, the following work does recognize Gaza's particular urbanistic conditions and, as such, feels that a universal approach throughout the Occupied Territories in resisting Israeli territorial seizure is not suitable.

Along the same lines, the following work aims to address a less-covered area of research regarding the spatiality of the Israeli occupation: one which focuses predominantly on the rural landscape, rather than on practices of militarism as they occur in urban cores. In this sense, the following research has attempted to deviate from the vast body of work produced by the great academics of this topic by emphasizing a civilian, rather that militaristic, and rural, rather than urbanistic, standpoint. Through his numerous works, Eyal Weizman has shown how within the Israeli-Palestinian conflict architecture and urban planning have been co-opted by the Israeli Defense Forces (IDF) as a tactical tool of war. Complimenting his work, *Contesting Limits* attempts to show how landscape and ecologies, too, might afford a form of tactical political agency, particularly to the Palestinians.

Perhaps most importantly, in light of the above framework, the following thesis sections aim to cautiously suggest a greater inherent ability for the agency of architecture to effect change; an aptitude that harnesses the unexploited potentialities for productivity encompassed within states of imbalance. Accordingly, *architects*, urban planners, and landscape architects, along with NGO's, academics and activists, have risen to the forefront of this conflict as groups of new key political players, or *political progenies*, solidifying into the built environment the forms of innumerable discrepancies and contradictions within the occupation's power structures. The extent to which the architect can absorb, distill and reroute all of these forces through design, and the degree to which such an expectation is reasonable, will remain an open tangent of query imbedded into the following subtext.

[SEE ARCHITECT]

[SEE POLITICAL PROGENY]

Facilitating change on the ground at an incredibly fast pace, these new *political progenies* mock the authority of the negotiations and antiquate its processes and delegations to the chapters of a bygone era. Outside of the cordial, but endless protocols of the political *negotiation process*, conflict resolution frequently occurs when superior power is met by superior ingenuity and determination. Asymmetric warfare is the quintessential medium of negotiation in this territorial battle. Unequal power relationships between the Israeli state and Palestinians, between occupier and occupied, leave little possibility for the peace talks to serve as an equitable means of resolving the complex and fluctuating geopolitical issues

[SEE NEGOTIATIONS: TEMPORARY]

11 See Darryl Li. "The Gaza Strip as Laboratory: Notes in the Wake of Disengagement." *Journal of Palestine Studies,* Vol. 35, no. 2 (Winter 2006): 38.

"We do not understand why we have to fight and send countless letters and warnings just so that the state will destroy what was not supposed to be built from the outset." [12]

- **Revagim Advocacy Group;** an Israeli settler organization

"A conservative estimate of total direct U.S. aid to Israel: $108 Billion and counting." [13]

- **Shirl McArthur;** retired U.S. foreign service officer

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The new generation of *political progenies* - those who have inherited the agency for political change and refracted it into innumerable diffuse and tangential locations - can be found ubiquitously in the Israeli/Palestinian conflict. Be their efforts collective or individualistic, adept or inept, altruistic or insidious, *political progenies* aim to muddle efforts by the narrowly-mandated 'old boys club' of lawyers, politicians, and prime ministers in the peace negotiations. These agents of change engage directly with the landscape, bypassing the formalities of the peace process and threatening to resolve its stalemates in an ever-more efficient manner by unilaterally producing their own self-serving 'facts on the ground.' In their stead they resurrect questions regarding the location of power's modus operandi and strain the tensions at play between legality, sovereignty and power.

Political progenies are entities which are both governmental and non-governmental, local and international, Israeli and Palestinian. On many fronts, their increasing presence marks a seismic shift in the course of the conflict. Prior to their proliferation, the negotiation process had long been viewed by many to be the only way through which to reach a solution to the longstanding Arab-Israeli dilemma. Indeed, while agency still lies in the workings of the negotiations, emphasis on their importance detracts from what currently has the most significant impact on the regions' geopolitical trajectory: the protracted frozen period of unresolvedness. It is during this interlude between negotiation sessions that the relevance of the negotiating parties is diminished. Power to impact change is then amplified in the arenas in which *progenies* operate. Within this window of opportunity, these actors are serving as the new decision-makers of the region's geopolitical future.

Perhaps at the forefront of these new *political progenies* are individuals from the design community, including *architects*, urban planners, and landscape architects, who are solidifying into the built environment the forms of the numerous discrepancies and contradictions of the occupation as they are played out between various actors over time. Despite Israel's supremacy, the various end products of power and control built into the occupied Territories should be viewed as the result of numerous acting forces, which have modified the State's original territorial strategies and have even led to some Israeli concessions along the way.

With media attention constantly focused on the notion of a divisive Israeli-Palestinian split, less recognised in this conflict is how, over time, ambiguous power structures have conflated the dyad of Israeli and Palestinian rivals by leading to the inevitable introduction of other local actors such as academics, humanitarian workers, insurgents and Jewish settlers. In their intense spatial proximity, these actors are sharing the same plain of engagement and, as such, their behaviours have become intertwined, forming intense multifaceted dependencies and relationships within what Eyal Weizman has called a larger *ecology of conflict*.

12 Gil Ronen, "IDF razes illegal arab stores near Givat Ze'ev." *Arutz Sheva*. June 12, 2011.

13 Shirl McArthur, "A Conservative Estimate of Total Direct U.S. Aid to Israel: $108 Billion." *Centre for Research on Globalization*. September 15, 2007, accessed January 10, 2010. http://www.globalresearch.ca/index.php?context=va&aid=6784

which make up this confict. Both implicitly and explicitly throughout this thesis, the wisdom of Palestinians investing their nationalistic hopes into a peaceful resolution vis-à-vis the negotiations is contested by highlighting Israel's proven ability to thrive under the conditions of their ongoing suspension.[14]

In line with increasing calls for Palestinians to respond to the restrictive forces of the occupation by taking unilateral actions on the ground, operating in a strategic manner within, and taking advantage of, the opaque legal conditions, the proposed design tactics should be seen as a preliminary effort to spatialize what such a response could look like.

In the face of intervention, design is confronted by the paradox of turning deficiencies into assets and making restrictions beneficial. It tackles the imperative demand for Palestinians to thrive at subsisting within fragmented, discontinuous and enclavized environments in order to maintain their current territorial strongholds. Yet furthermore, design can ensure that the Palestinians of the West Bank maintain the land they have in a manner that supports their collective aspirations for unity and a contiguous future Palestinian State. Israel's utilization of multi-faceted control apparatuses, combining disciplinary and bio modes of power – as elaborated by Foucault - with traditional, often brutal, acts of sovereign authority, have placed the Palestinian battle for self-determination at odds with the burdensome chores of daily subsistence under occupation. Territorial fragmentation has slashed the symbiosis between core and periphery and inscribed instead insular dysfunctionality. Illegal dump sites, overflowing surface sewage and environmental degradation render visible the systems of oppression imbued into this geography of conflict.

Ad hoc, improvisational plans to mitigate the effects of these lost ties have begun to emerge on the ground locally, but have failed to embody a coherent over-arching sense of nation-wide organization. As a result, actions by individual Palestinians have remained primarily self-serving, sporadic and disparate in nature. There is an urgent need to re-establish these connections at the local level in a manner that addresses the current difficulties in mobility and access to resources experienced by the Palestinians. Essentially, if the Palestinians are to resist the aggressive forces of land seizure and settlement construction, they too will need to find a tactical approach that restructures the operations of their day-to-day lives in a fashion that is congruous to fulfilling their ambitions for statehood.

The investigations of this thesis examine Israel's erosion of the lands slated for a future Palestinian state at their various stages of seizure. The sequence of the following thesis sections have been arranged to incrementally *contest the limits* of what is possible for territorial reclamation on behalf of the Palestinians. They do so by stressing the definitions between such dichotomies as permanent/temporary, designed/sporadic, built/natural, resource/waste, legal/illegal, superior/inferior and, ultimately, Israeli/Palestinian.

14 And indeed, Israelis themselves are beginning to concede as much: See Noam Sheizaf, "One of two states? The status quo is Israel's rational choice," *+972*, March 25, 2012, accessed March 25, 2012, http://972mag.com/one-or-two-states-the-status-quo-is-israels-rational-third-choice/39169/

"Every practicing architect in Israel is confronted with a situation in which distinctive 'architectural' dilemmas are infused with critical political implications."[15]

- Israeli architect **Sharon Rotbard**

"As it mixes with overt and covert lawlessness, architecture possesses the means to war." [16]

- American architect **Keller Eastering**

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In the lawless spaces of territorial power negotiations architects are being called to the frontlines as critical agents of asymmetric warfare. The innocence of formal geometric play and of architecture's apolitical autonomy have been overturned. Its faithful practitioners have been left in charge of negotiating a new type of contested landscape. The conflict architect oscillates between the roles of creator and translator, anarchist and assistant; alternates between producing their own spatial embodiments of political change and imbuing into the landscape changes in the political sphere as they have been orchestrated elsewhere. The architect operates as both agent and double-agent, colluding with, and resisting, the state. Like a ventriloquist doll that finds its own voice, the conflict architect operates in gaps, prying at points within the system, then subverting them against their own means.

Political progenies both within and outside of the field of design have identified and harnessed the potential for tools of architecture to navigate areas where power inequalities reside. In the Israeli-Palestinian conflict, war by other means has met war by *any* means. Towards such ends, architects must entertain subterfuge, irony and paradoxy in their territorial resistance tactics – enabling such designs to cleverly thrive under the occupation's conditions of disarray and indeterminacy.

It could be conceived that the role of the architect is now equivalent to that of the political peace negotiator: local design initiatives by the architect impact greater regional plays in geopolitics. Inversely, the documents propounded by peace negotiators work to forge the anomalies of territorial division into architectural paradigms. Architectural designs thus take on significant ramifications with regards to politics and human rights. When assessing the spatial complexities of negotiation documents, the architect must become a producer of spacio-political solutions - geographically applying these documents tainted and mired by the biased workings of cartography and legal semantics. The architect responds to the conditions present in contested territories on a scale and level of detail that politicians remain unable to tackle. Accordingly, in conflict landscapes, the work of the architect becomes a process of spatial negotiation in-and-of-itself. Architectural intervention becomes an appendaged avenue for bartering territorial gain post-negotiations. In light of which, each contested site becomes a legal case for geopolitical examination; a unique opportunity for further achieving expansion or re-appropriation.

In the lawless lands of protracted military occupation the architect must be inexhaustibly resourceful and strive to think propositionally, yet strategically. At all times, the architect as new *political progeny* must act using an overstretched repertoire of wit, guise and contextuality.

15 Sharon Rotbard, "Wall and Tower (Homa Umigdal) : The Mold of Israeli Architecture." in *A Civilian Occupation: The Politics of Israeli Architecture*. ed. Eyal Weizman and Rafi Segal. Rev. ed. (Tel Aviv; New York: Babel; London: Verso, 2003): 39-56.

16 Keller Easterling, *Enduring Innocence: Global architecture and its political masquerades.* (Cambridge: The MIT Press, 2005): 8.

Specifically:

Section I : Extraterritorial Appropriation seeks to transform the meaning and functions of highly restricted closed areas through the exploitation of their residual and neglected spaces. Seemingly insignificant acts of extraterritorial wildflower propagation have the hidden capacity to re-activate Palestinian apiaries by providing large swaths of previously unusable lands as their feeding grounds. The diminishing historical practice of Palestinian apiary management can be re-invigorated in a manner that not only stimulates economic growth but also re-enforces the biodiversity of the area.

Section II : Decaying Jurisdictions aims to capitalize on the legal ambiguity afforded by the temporary and represents actions through which meaning is altered, ownership is transferred, and structure is temporarily suspended on 'State Land' under Israel's control. Specifically, it seeks to challenge the very notions of built, un-built, and natural in areas where construction is prohibited, by inscribing new collective functions and instrumentality onto a waste-produced landscape. Israeli-seized State Land is reclaimed for the common use of Palestinians through the processing and re-envisioning of their household organic waste. This tactic exploits waste disposal issues existing across the West Bank by choosing to see garbage as both an asset for development and as a tool for operating in a manner of legal ambiguity. Bags of household organic waste interspersed with plant seeds and growth matter produce a new building block that is neither purely natural nor purely constructed and that ultimately can only be returned to nutrient-rich soil benefitting Palestinian agricultural plots. These building blocks aggregate to produce an armature for temporary pavilions which can be assembled, then disassembled, and transported off-site before Israeli demolition is possible. Designed to be used for numerous purposes, including market stands and farming rest-stops, these pavilions can be seen as ephemeral zones of commerce and social interaction that circumvent the laws preventing the construction of buildings in prohibited areas while simultaneously reinforcing and broadening the existing social and economic networks.

Section III : Seeping Boundaries co-opts one of the occupation's most destructive forces of spatial restriction for the Palestinians - the house demolition. Activating these sites of abandonment post-destruction, they are able to take on a new meaning and public purpose. Through a process of debris 'rearrangement,' the design transforms a site of disuse into an active wastewater treatment facility which stresses the limits of conformity to Israel's policies heavily restricting construction in the West Bank's Area C.

In summary, design tactic one addresses the most restricted of lands seized by Israel in the West Bank. Through its proposal, derelict buffer zones surrounding Israeli settlements, the Separation Barrier, and bypass roads, as well as volatile closed military areas, are proposed for re-appropriation by employing the softest and most ephemeral of the spatial tactics covered in this thesis. Tactic two follows by providing a more permanent, yet open-ended and adaptable design approach towards reclaiming West Bank areas which have been designated by Israel as official 'State Land,' yet as such lay dormant awaiting Israeli settlement expansion. Finally, tactic three addresses those lands in the West Bank still privately owned by Palestinians, but which remain under full Israeli jurisdiction in 'Area

C' and accordingly are at risk of future appropriation due to enormous restrictions on land usage and construction.

In acutely examining the specificities of the interplay between the conduct of various actors, the permutations of numerous power systems, and the inevitable concretization of all of these forces into the built environment, this thesis engages a political sphere which is typically hostile to the direct questions regarding sovereignty and territory it strives to examine. Bypassing the never-ending rhetoric of military necessity and unwillingness to negotiate, these pragmatic inquiries penetrate deep into the occupation's modus operandi and expose its inherent contradictions and false legal defenses at a time when unilateral Palestinian action towards statehood at the United Nations is receiving much criticism and scrutiny. In a conflict where the power structures are profoundly shifted in favor of the occupying forces, it is important to explore how manipulation of the embodiments of such power structures might reinforce a common sense of Palestinian identity as well as generate the social, economic and geographic cohesion required to establish the Palestinian state which has been longed after for almost a century.

In its final culmination this thesis does not purport to hold answers concerning the Israeli-Palestinian conflict's peaceful resolution. Nor does it predict the trajectory of events in the decades to follow. It is also simply not possible to provide an all-encompassing appraisal of this conflict within the scope of a single book; *Contesting Limits* does not presume to do so. In light of the above, it is hoped that the reader will interpret this thesis not as a lone document but rather as part of a broader academic discourse regarding both the spatialities of modern-day conflict and the greater global phenomena of social inequality being met by practices of large-scale segregation, both of which have continued to increase with great alarm throughout the mid-21st century. The various authors and academics mentioned herein make similar calls for awareness in the field of architecture, each with his or her own varying degrees of conclusive proposals for intervention.

By the very nature of spatial design, the work of an architect must always move beyond the realm of analysis and into that of propositional speculation, even, as in the instance of this thesis, when the environment of engagement is by nature open-ended, mutable and indeterminate. The imagined deployment of the following design tactics begins to render visible a variety of possibilities for what a new Palestinian constructed identity might look like. In the worst-case scenario, in the face of perpetual demolition, increased territorial seizure and amplified restrictions on movement, these designs retain the ability to improve the day-to-day lives of Palestinians in simple, but crucial, ways. One of the most powerful forms of Palestinian resistance will always be their continued, undeniable presence in the occupied areas, an ethos commonly incorporated in the Arabic notion of *sumud*, or *steadfastness*. By refusing to desert their smaller rural communities for compact urban cores, and by resisting the lure of emigration overseas, they are demanding that their existence in their homeland be addressed. In their most defeated of forms, the proposed actions will facilitate this inexhaustible Palestinian resolve. However, the agency of architecture embedded within the following spatial tactics allows for much more. Taken collectively, these designs have the capacity to propagate, not only for the sake of Palestinian daily subsistence, but for long term improvement, and for the re-establishment of unique, complex and highly adaptable

socioeconomic systems which are independent of the forces of the Israeli occupation aimed at impeding their creation. As such, they unleash a new hidden potential within landscape and ecology to contribute to the social and political realm.

The proposed tactical resistance seeks to turn the unilateral power structures of the West Bank on their heads; to make desirable the previously undesirable; to render the confinements of the law and their repercussions irrelevant; and finally to subvert the unilateral power afforded to Israel by the occupation. They invoke the *political progenies* engaging in this new sphere of on the ground spatial negotiation to begin a productive discourse on their roles and capabilities. They summon voracious creativity and continued tenaciousness moving into the next chapter of Palestine.

[SEE POLITICAL PROGENY]

<<

- PART ONE -


MITS ISHI



POST-1967

OCCUPIED, ADMINISTERED & SEPARATED

"A state whose main preoccupation is security, and for whom security is the main legitimization, is a brittle organism; such a state will remain vulnerable to terrorism and will ultimately become terrorist itself."[1]

- **Giorgio Agamben**

"Operating at the margin of the law is one of the most effective ways to expand it"[2]

- **Eyal Weizman**

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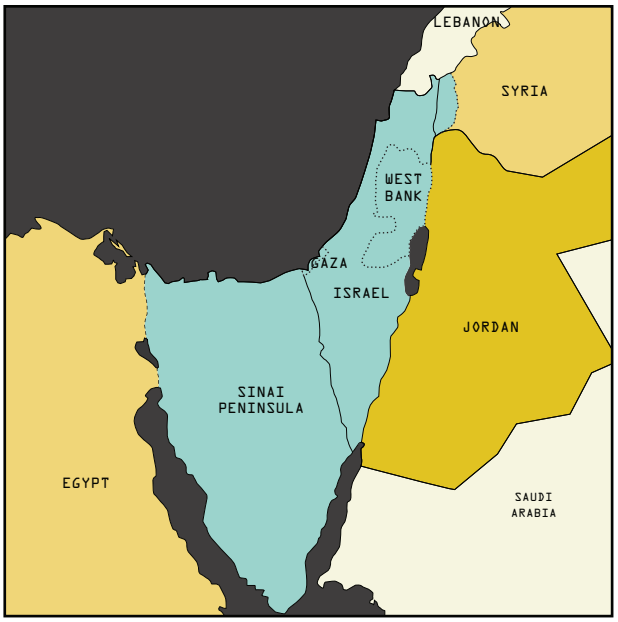
fig. 1.02 *The Separation Barrier stands out as the most domineering physical symbol of Israel's control apparatuses. It not only ethnically divides Israelis from Palestinians, but furthermore tacitly serves as a tool for Israeli land appropriation. By doing so, it stresses the limits of what is legally permissible in the name of security. Here, the Barrier cuts through the urban fabric of the Palestinian area of Abu Dis in East Jerusalem.*

1 Ronit Lentin, ed. *Thinking Palestine*. (New York : Zed Books, 2008): 10.
2 Eyal Weizman, *Lawfare in Gaza: Legislative Attack.* (Open Democracy, May 7, 2009): 5.



PRE 1967 SIX-DAY WAR

Israel holds control of the territories gained during the 1948 War



POST 1967 SIX-DAY WAR

Israel gains control of the Sinai Peninsula, Gaza Strip, West Bank and Golan Heights

^ **fig. 1.03** *The geopolitical status of Israel before (above) and after (below) the 1967 Six-Day War.*

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LEGALLY DISTINGUISHING THE PALESTINIANS FROM THEIR LAND

Almost immediately following Israel's victory in the 1967 Arab-Israeli War, there was concern and debate over the applicability of international law in the newly acquired territories. In the aftermath of the fighting a legalistic void swept over the contested areas; the UN issued 'Security Council Resolution 242', calling for Israel's withdrawal from the territories it had occupied, in exchange for peace with its Arab neighbours.[3] Despite lasting a mere six days, the war had brought about a substantial geopolitical shift in the politically unsettled region, resulting in the military might of Israel unquestionably reigning supreme.[4] The tensions from two decades of armistice had erupted under June's stagnant heat, shifting the regional power structures in favor of the Jewish state and leading to the 'reunification' of the divided ancient capital of Jerusalem, alongside the seizure of the West Bank. Having gained *effective control* over territory from Egypt, Syria and Jordan, Israel's most significant problem was now with the strategic management of the humanitarian crises caused by the fighting.

An Israeli regime of martial law was unilaterally imposed in the acquired areas under the absence of sovereignty, producing an indefinite state of legal suspension. Within such a framework, Israel not only had the self-appointed ability to suspend the former rule of law, but also to indiscriminately produce new orders to exempt its officials from various duties and obligations and/or to nullify and void disadvantageous categories previously existing within certain legal rights. This was the materialization of Giorgio Agamben's 'state of exception,' where a seemingly provisional and exceptional measure is covertly transformed into a technique of government.[5] Cloaked in the appearance of continuity with existing legal systems, a complex legal structure of Jordanian, British Mandatory and Ottoman Law was then modified by Israeli military orders, applied to deal with any incongruent clauses or to sanctify completely non-existent regulations in need of legal grounding. The complexities of this concocted 'legal' structure are so evolving and so opaque that Israeli philosophers Ariella Azoulay and Adi Ophir have declared; "*There is no law: the legal system in its entirety has*

3 United Nations General Assembly. *UN Resolution 242 : The situation in the Middle East. (1967)* http://www.un.org/documents/sc/res/1967/scres67.htm

4 Prior to 1967, the West Bank and Gaza Strip had been under the control of Jordan and Egypt, respectively. After the first Arab-Israeli war in 1948, Egypt gained control over the Gaza Strip following the dissolution of the British Mandate and maintained the area in accordance with the rules of a 'belligerent seizure.' Control over East Jerusalem and the West Bank, following 1948, fell to Jordan who had taken to fully annexing the territory by April of 1950. Yet throughout this time a separate sense of Palestinian nationalism continued to propagate.

5 Giorgio Agamben, *State of Exception,* tr. by Kevin Attell. (Chicago: The University of Chicago Press, 2005): 14

been suspended, being replaced by a series of ever-changing ad hoc orders and regulations."[6]

Both prior to and during the fighting, thousands of Palestinians fled their homes in order to avoid death and injury. Now stateless, these Palestinians ultimately became refugees and internally-displaced persons, collectively comprising the world's largest population of what Zygmunt Bauman has poignantly referred to as 'global human waste.'[7] Their many houses, businesses, schools and other buildings were destroyed in the wake of their departure. The destruction of Palestinian cities and villages exemplifies Ilan Pappe, Stephen Graham, Martin Coward, and Sari Hanafi's claim that Israel's attack on the Palestinian built environment constitutes a form of ethnic cleansing; one which is *urbicidal*, or *spaciocidal*, in nature rather than genocidal.[8]

The Six-Day War decimated Palestinian villages across East Jerusalem and the West Bank, such as Yalo, originally the historical Canaanite city of Aijalon, whose population had swelled 18 years earlier following the *Nakba*. Many of its displaced inhabitants were now experiencing expulsion for the second time.[9] These villages' ancient stone construction had become both architectural casualties and direct military targets of the fighting. In the years ahead, under the aura of state building, fervent tree planting initiatives by the Jewish National Fund (JNF) would erase the presence of many of these villages completely and further enmesh in the landscape of Israel a *politics of planting*.[10] Razed and vacated, the foundational rubble of Yalo, along with three other Palestinian villages, paved the way for the scenic landscape of 'Canada Park,' a serene nature reserve where Israelis were invited to spend countless leisure hours reconnecting with their geographical biblical heritage.[11]

As a result of the Six-Day War, approximately 300,000 Palestinians fled to neighbouring countries as refugees, however, over 1 million remained living in East Jerusalem, the West Bank, and the Gaza Strip.[12] Having been assured autonomy and a right to self-determination under the Fourth Geneva Convention and UN resolution 181, their assimilation within Israel was neither desirable nor easily foreseeable.[13] Yet for many, Palestinian independence remained elusive since their aspirations for statehood stood in direct opposition to the Zionist movement and to the existence of the State of Israel. Given the strong sense of Palestinian nationalistic pride which had been aggregating and gaining
momentum since the collapse of the Ottoman Empire and the end of the British Mandate, a new 'temporary' yet decisive course of action for managing this population was required.

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6 Ariella Azoulay and Adi Ophir, "The Monster's Tail," in *Against the Wall,* ed. Michael Sorkin. (New York: The New Press, 2005): 6.

7 Zygmunt Bauman, "The Crisis of the Human Waste Disposal Industry," *Tikkun.* October 2002, accessed October 21, 2011. http://www.tikkun.org/article.php/sep2002_bauman

8 See Ilan Pappe *The Ethnic Cleansing of Palestine;* Stephen Graham, *"Constructing urbicide by bulldozer in the Occupied Territories."* in *Cities, war, and terrorism: Towards an urban geopolitics.* 192–213; Martin Coward "Urbicide in Bosnia," Paper presented at *Cities as Strategic Sites: Militarization,Anti-Globalization and Warfare* conference Manchester, U.K., 6–9 November; Sari Hanafi *Spaciocide.*

9 Morris. *The birth of the Palestinian refugee problem revisitted,* 343.

10 Shaul E. Cohen, *The politics of planting : Israeli-Palestinian competition for control of land in the Jerusalem periphery.* (Chicago: University of Chicago Press, 1993).

11 Al Haq, *Displacement, Distruction and Appropriation: The Palestinian Villages of Latroun 40 Years After 1967*, June 2007.

12 See Nur Masalhah, *A Land without a People : Israel, Transfer and the Palestinians, 1949-1996* (London: Faber and Faber, 1997)

13 United Nations General Assembly. *UN Resolution 181 : Future Government of Palestine.* (1947), accessed September 24, 2010, http://daccess-ods.un.org/TMP/2095784.54494476.html

Perhaps tellingly, despite having theorized over victory prior to its completion, Israel did not immediately impose a change in the sovereign control over these areas. Intrinsically, it therefore did not offer the indigenous Arab population citizenship within Israel.[14]

Balancing the various internal and external forces at play, and overtly operating in contravention of international law, Israel implemented an ambiguous policy of military 'administration' facilitating the appropriation of the conquered land without having to succumb to the concessions associated with full territorial annexation.[15] While maintaining a loose approach to utilizing the existing pre-war legal structures, Israel skirted international criticism by emphasizing its observance of the most recognized doctrines concerning military seizure and occupation.

The resulting state of exception afforded by the occupation enabled Israel's legal manipulation, not only on the domestic stage, but also at an international level where the clauses of international law could tacitly, yet systematically be invalidated. Towards such ends, in order to maintain an aura of good faith with respect to legal conformity while simultaneously leaving the door open for the exploration of its own geopolitical goals in the Occupied Territories, Israel began discrediting the legitimacy of claims which described the seizure of these areas during the war as an act of 'belligerent military occupation.'[16] Post-war discourse had shifted from a concern for the stateless and occupied population to an obsession with rationalizing the inapplicability of confining legalistic definitions. Because of such semantic scrutiny, the unfinished business of securing the historical lands of Eretz Yisrael were now able to be fought covertly through legalistic means: by contesting the limits and scope of the definitions of international law. The war had not ended, but rather had transferred from the battlefield into the legal arena: Israel's weapon of choice was no longer heavy artillery but strategic *lawfare*.

Despite the broad scope of what has been defined as constituting military occupation under international law (which had precisely been made broad to prevent sidestepping suggestions of its inapplicability), following the 1967 war a number of key Israeli officials, including the military advocate general Colonel Meir Shamgar, rejected international law's applicability and rationalized that instead of falling under the classification of 'occupied' the lands taken by Israel should merely be considered 'administered'.[17] A seemingly minor distinction, this definition became part of an ongoing discourse surrounding the legitimacy of the seized territories, which involved the varying opinions of a multitude of state-bound

14 Those residing in annexed East Jerusalem were offered permanent residency status.

15 Which would mean recognizing the rights of the Palestinian population as citizens.

16 Such definitions are provided by the 1949 Fourth Geneva Convention, which is widely recognized as the most important document addressing the humanitarian laws protecting conquered territories and their civilian populations. Further reading, see Eyal Benvenisti, *The International Law of Occupation,* (Princeton: Princeton University Press, 2004) and Adam Roberts, "What is a Military Occupation?" *British Yearbook of International Law* 66 *(1984).*

17 Professing that since these areas were not in-and-of themselves an integral part of a sovereign state, but were merely seized areas under the pre-war control of Egypt and Jordan, Israel argued against Provision II of the Geneva Conventions. The definition of this provision stipulates that applicability is warranted when the territory in question was under the sovereignty of a party to the convention prior to its seizure.

and non-state-bound actors.[18] As a result, exhaustively dissecting legal provisions became an effective means for Israeli officials to mar the authenticity of the Palestinians and put into question their associated legal rights. In the lawless landscape of military occupation, legal parameters contain the means to operate as a tool for enablement and justification just as much as they might be used in the service of justice and civilian protection. For Israel, contesting the semantics of international law necessarily had to occur simultaneous with its territorial expansionist practices. It was the fundamental underpinning of contestation against the legitimacy of the Palestinians' right to the territory in which they inhabited. At the heart of the debate stood concerns regarding the extent to which the Palestinian population needed to be legalistically coupled with the wartime occupied lands.

The coercive force behind Israel's decision to discredit substantial portions of the applicability of international law- and particularly the Fourth Geneva Convention - in the face of strong international support for its implementation- was undeniably demographic. The establishment of Israel in 1948 as an ethnically Jewish state could not be seen as reconcilable with the absorption of a large indigenous Arab population. Providing the Palestinians of the newly acquired West Bank and Gaza Strip with citizenship would have fundamentally compromised the ability for the State of Israel to maintain a Jewish majority. Granting the right of return to the now millions of displaced Palestinian refugees would likewise jeopardize the Jewish majority.

The ethical downfall of such policies of ethnic superiority has meant that while Jews from around the world are encouraged by Israel to emigrate and become full-fledged citizens, roughly 30% of the people living inside territory controlled by this democratic country are not citizens and continue to be denied the most basic of rights. Succinctly summarized by Sari Hanafi, "W*hile populations are assigned different statuses as legal subjects, individual lives are suspended in an ontological no-mans land."* [19] These non-citizens have in many ways become de-territorialized bodies: human subjects without a legitimated relationship to territory. They dangerously resemble Agamben's figure of homo sacer: a being included within the law for the mere purposes of its exclusion. The policies of Israel's overtly exclusionary 'democracy' and military rule in the Occupied Territories were only made possible through the continued imposition of a state of exception. This suspended legal period enables legal rights to be granted to an Israeli portion of the population while simultaneously withholding them from the Palestinian one. By maintaining such a structure of ambiguous 'administration' in the occupied areas, instead of fully annexing them, Israel was able to avoid a demographic dilemma and skirted the need of having to immediately make any territorial concessions associated with military withdrawal. Accordingly, Israel's strategic utilization of a state of

18 It should be further stated here that the relative applicability of the Geneva Conventions in the Occupied Territories is an issue that has continued to be addressed and affirmed by the UN General Assembly on an annual basis. Most recently, UN Resolution 65/103 in January 2011 re-affirmed "*that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967*." The vast majority of the international community, the International Committee of the Red Cross, various United Nations bodies, and the International Court of Justice have all voiced their support of the applicability of the 4th Geneva Convention in the occupied Territories. Although the claim that the territories are 'administered' and not 'occupied' is overwhelmingly opposed by these bodies, it is a position still strongly held by the state of Israel and its official's to-date. As a signatory to the Geneva Conventions Israel is obligated to act in accordance with International Humanitarian Law, which perhaps remains why it is so adamant to disprove their applicability.

19 Sari Hanafi, "Spacio-cide: colonial politics, invisibility and rezoning in Palestinian territory." *Contemporary Arab Affairs*, 2(1) (2009): 114.

exception, imposed by the occupation, has proved to be highly productive.

The resulting policy implemented by Israel can be seen as embodying the highest degree of legal uncertainty that could be digested by the various affiliated actors. Just as territorial boundaries expand and contract during times of war, finally solidifying into the physical embodiments that portray the maximum territorial claims which each side is able to realize, so too, the legalistic debate over jurisdictional control between Israelis and Palestinians ultimately manifest itself as a product of the multitude of political forces at play in the debate.

Declaring that the legal standing of the Occupied Territories was uncertain, Israel maintained that any humanitarian action done would be a gesture of good will, not of legal obligations. As such, by adhering in a practical way to a number of the provisions of the Fourth Geneva Convention, Israel was able to convey the appearance of conformity with international law, yet in reality abide by only portions of its provisions. Put differently, by ascertaining the degree of international resistance the State would receive to its wartime territorial seizure, Israel was able to define for itself an arena of engagement, one whose restrictive limits could incrementally be expanded and contested in the service of territorial gain.

• • •

"If, and when, a political resolution of the conflict is reached, the green line -with some minor deviations- has the greatest likelihood of constituting the formal international boundary between two independent states." [20]

- British-Israeli political geographer **David Newman**

"The frontier is where Jews live, not where there is a line on the map." [21]

– Israeli Prime Minister **Golda Meir**

•••

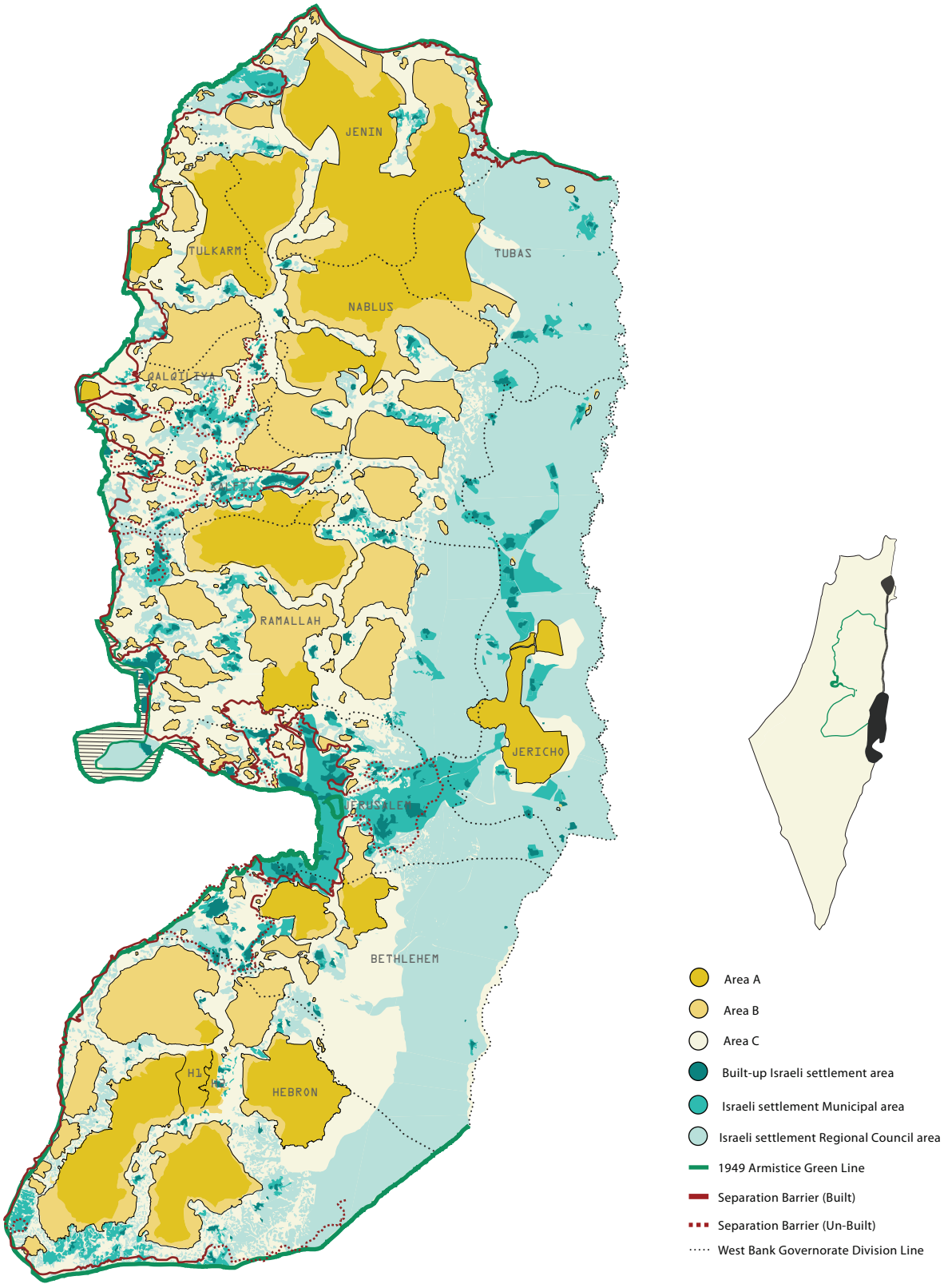
Some 1,000km from Jerusalem lays the Greek Island of Rhodes, a peaceful and picturesque locale surrounded by the Mediterranean Sea which served as the key setting for the negotiations between Israel and Jordan that followed the 1948 Arab-Israeli War.[22]

Arriving at the beginning of March in 1949, Israeli General Moshe Dayan met with Abdallah al-Tal of Jordan to establish an armistice line that would end the bloodshed of ten months of fighting. The territory in question stretched roughly from Um al-Fahm in the north to just above Beer Sheeva in the south and for the most part ran down the spine of the Judean Mountains, hinged on the heart of Jerusalem. Removed from the chaos of battle, the serene settings of the negotiations produced the necessary disconnect for the two parties to begin to reach an agreement. Yet as a result of this very same isolation, the setting presented a number of additional problems, perhaps most tantamount of which was the inability of the negotiators to maintain a first-hand knowledge of the complexities facing the notion of division on the ground.

The negotiating parties worked quickly to transfer their verbal agreements into cartographic form. A map at a scale of 1:20,000 served as an abstract representation of the space in which hundreds of soldiers had died and where others remained, awaiting final notice of the outcome of the armistice agreements.[23] What appeared to be a final step towards the resolution of the war was rather the next step in transferring the conflict off the negotiation table and once again onto the ground. The map was as unforgiving as it was efficient in its representation. A line of green ink deduced the thousands of civilians residing in these areas to a network of connectible and avoidable dots. Cartographic symbols belied the complex social, ecological and political relationships at play on the ground.

By 4th April 1949 an agreement had been reached.[24] When it was done, a 60-80m wide line of indisctinction had been placed upon the landscape.[25] This invisible boundary from Rhodes would become the first in a series of lines originating from negotiation maps that were produced extraterritorially and that would generate confusion regarding their implementation on the ground. Perceived at the time as an impermanent armistice document and not as the resolution of a sovereign border, the 'Green line', also fell victim to one of the conflict's most engulfing characteristics - the protracted *temporary*.

20 David Newman, "The Green Line as past and future boundary," *Bitterlemons,* February 24, 2008. Edition 8, accessed November 5, 2010. http://www.bitterlemons.org/previous/bl240203ed8.html.
21 Souad A. Dajani, *Ruling Palestine: A History of the Legally Sanctioned Jewish-Israeli Seizure of Land and Housing in Palestine*. (Center on Housing Rights and Evictions (COHRE) and Badil Resource Center for Palestinian Residency and Refugee Rights, Bethlehem, 2005): 72.
22 Hilde Henriksen Waage. "The Winner Takes All: The 1949 Island of Rhodes Armistice Negotiations Revisited". *Middle East Journal* 65 (2) (2011): 279–304.
23 Benvenisti, Meron. *Jerusalem: the torn city* (Jerusalem: Isratypeset, 1976): 88.
24 Armistice Agreement UN Doc S/1302/Rev.1 3 April 1949, Accessed November 5, 2010, http://unispal.un.org/UNISPAL.NSF/0/F03D55E48F77AB698525643B00608D34.
25 Ariella Azoulay, *Death's Showcase: The power of image in contemporary democracy,* (Cambridge: The MIT Press, 2001):187.



THE GREEN LINE RELATIVE TO THE AREAS OF THE WEST BANK

fig. 1.04 *Location of the Green Line relative to other areas of the West Bank.*

ERASURE OF A LINEAR BOUNDARY BETWEEN ISRAELIS AND PALESTINIANS

"Gradually, the Green Line was erased from all atlases, maps and textbooks published by the Israeli government, making it nearly impossible for Israeli school children to learn that Israel's recognized international borders actually pass along the line of the 1949 Armistice Agreements."[26]

- Israeli writer and lecturer **Neve Gordon**

With the establishment of a new complex system of governance for Israeli rule in the Occupied Territories, Israeli officials were presented with the opportunity to begin the seizure of a maximum amount of West Bank land, while sustaining a minimum amount of Palestinian demographic damage. As an immediate course of action, following Israel's imposition of a new nimble 'legal' system, it became necessary for Israel to re-invent in the minds of its citizenry the common understanding of where the boundary lay between Israel and the land of the West Bank Palestinians. By doing so, migration of Israelis into the occupied areas could occur with less political resistance. Identified by the international community as the only legitimate boundary between the two sides, the *1949 Armistice 'Green Line'* had previously been the line of demarcation. Yet, just as its physical presence was naturally diminishing following the 're-unification' of the West Bank with the mainland of Israel post-occupation, its legal and political relevance was also actively being discredited and erased by Israel's policy makers.

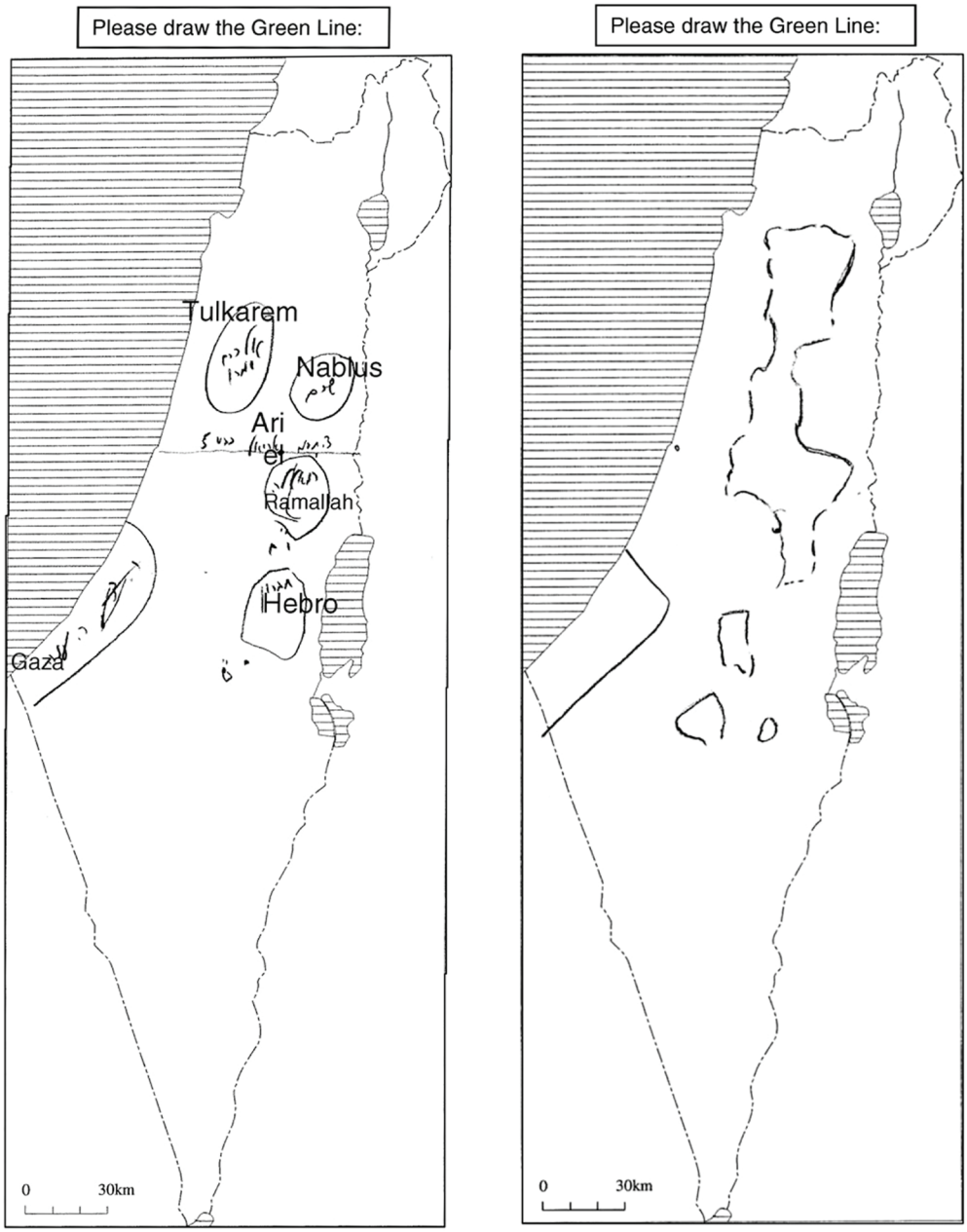
[SEE 'GREEN LINE']

• • •

In a 2006 study, geography professors Larisa Fleishman and Ilan Salomon asked a group of 488 Israeli university students a simple geographical question: *where is the Green Line?* Provided with a basic linear map of the greater land of Israel/Palestine, the students were prompted to draw the half-century old armistice line to the best of their knowledge. The results were staggering. Only 32% came close to accurately identifying the location of the boundary line that, for five decades, had continued to be at the centre of political controversy regarding the peaceful and equitable establishment of a two-state solution between Israel and the Palestinians.[27] The inaccurate, and telling, results of the students' depictions

26 Neve Gordon, *Israel's occupation*, (Berkeley & Los Angeles: University of California Press, Ltd., 2008): 7.

27 The average of 37.4% at Hebrew University and 26.5% at Bar-Ilan University. Fleishman, Larisa and Ilan Salomon. "Israel's Eastern border: Ask not 'Where is the Green Line?' Ask 'What is the Green Line?'" *Geoforum*, 39 (2008): 1032.



^ **fig. 1.05** *The results of Larisa Fleishman and Ilan Saloman's 2007 study asking Israeli university students to locate the Green Line on a map of greater Israel and the Occupied Territories. The inaccurate results convey a series of land locked islands - indicative of Israel's success in 'erasing' the Green Line in its aims of securing greater territorial gains.*

predominantly conveyed a series of discontinuous land-locked rings: a withering Palestinian archipelago drowning in the rigorous sea of greater Israel (*see figure1.05, opposite page*).

Although in fact highlighting a substantial knowledge gap in the Israeli education system, the findings were also an indication of a triumphant public relations victory on Israel's behalf. Indeed, a series of Israeli policies commencing right after the Six-Day War had *intended* for the Green Line to quietly fade away. From the early days of the occupation, the Israeli government had been fervently working to discredit the relevancy of the armistice line in order to reconstruct in its place a new civilian experience of the occupied West Bank.

Towards such ends, the Israeli government implemented what Neve Gordon refers to as *erasure practices*, including the physical linkage of infrastructure systems (such as roads and public transportation), from the mainland of Israel into the lands of the West Bank, in the effort to expedite grander schemes towards territorial expansion.[28] This obfuscation initiative was inaugurated by Israel only six months after the war's conclusion through the relabeling of the West Bank under its biblical names of Judea and Samaria, thus aligning the territory with Israel, not with its geographical status as the western bank of the Jordan River.[29] The Green Line had appeared on official maps and atlases from 1949 – 1967 and then fell from cartographic view following a governmental decision in November of 1967 to remove all of its traces, an act that was not rescinded until 2007 by order of the education minister, Yuli Tamir.[30]

What Fleishman & Salomon's study has so effectively exemplified through its use of mental mapping is the asymmetrical nature of the Green Line, not as a stationary border line, but as an intangible boundary. At the core of the controversy surrounding the post-occupation recognition of the 1949 Armistice Line were greater territorial issues surrounding the West Bank's landscape of conflict. The overly simplistic refutation of the Green Line's historical relevance as a cartographic element on state maps, atlases, and textbooks belied the realities of its present-day lingering manifestation across the landscape in complex, frequently invisible, and contested ways. As Israeli political geographer David Newman explains, "*the Green Line was simultaneously 'erased' and 'existent.'*"[31] Through the dissolution of the Green Line, a narrative of inclusion and exclusion was in the process of replacing that of earlier talk of conformity with international law. Once the erasure practices were in place, the door would be opened to redefine which occupied lands were most desirable for Jewish settlement expansion and which would be aggregated towards some discontinuous assemblage of a future Palestinian state.

In light of such conditions, rather than ceasing to exist, the Green Line had simply been transformed. In its new manifestation, it functioned not as a physically delineated border between two equal citizenries – or between Israel and Jordan as it had previously done - but as a complex control apparatus and filtration system; a sophisticated socio-political

28 Gordon, *Israel's occupation*, 7.
29 Raja Shehadeh and Jonathan Kuttab. *The West Bank and the Rule of Law* (Ramallah: International Commission of Lawyers, 1980): 10.
30 David Newman, "A Green Line in the Sand," (*New York Times*, 9 January 2007): 17.
31 David Newman, "The Renaissance of a Border That Never Died : The Green Line between Israel and the West Bank" in *Borderlines and borderlands: political oddities at the edge of the nation-state*. ed. Diener, Alexander, C. and Joshua Hagen. (Lanham: Rowman & Littlefield Publishers, Inc., 2010): 95.



fig. 1.06 *The experience of crossing the 1949 Armistice 'Green Line' from Israel into the West Bank on one of Israel's high-speed bypass roads is smooth and uninterrupted for the Israeli citizens: there are no barriers, checkpoints, soldiered posts or even signs to demarcate the Green Line's presence. Accordingly, few Israelis even realize when exactly it is that they are crossing into the West Bank. Here, a car from Israel drives over the exact location of the Green Line while entering the West Bank on Israeli-only bypass road #5.*

machine regulating the unequal power dynamics between Israelis and Palestinians; between occupier and occupied, citizen and stateless subject, both of which populations had been shifted following the war. In order to spatially reconcile this fragmentation of populations, the experience of navigating the territories under Israel's post-war control would have to be fundamentally re-choreographed along ethnic lines. While erasing geographical distinctions, the Green Line maintained crucial distinctions between the rights and freedom of movement granted to Israeli Jews, Israeli Arabs, and West Bank Palestinians, the most significant of which was the possession of Israeli citizenship.

For Israeli citizens, a smooth un-striated landscape of efficient *by-pass roads* now provided the West Bank settlements with an uninterrupted route of connectivity to the mainland, pre-1967, territory.[32] As a result, an Israeli settler from the settlement of Beit HaArava in the Jordan Valley could now enjoy high-speed travel to the beautiful beaches of Tel Aviv in a mere one hour's drive, or to Jerusalem in half that.

For Palestinians, the opening of the Green Line had also initially been advantageous. They were now able to reconnect with friends and family as well as seek employment opportunities within Israel, mostly as menial construction labor or in the hospitality industry. These new jobs greatly improved the livelihoods of many Palestinians, and in fact by the late 1980's some 120,000 of them had such employment positions within Israel, the majority of which commuted between their residencies and places of work across the Green Line on a daily basis.[33] However, hidden within this new Palestinian prosperity were the workings of Israel's behavioral control vis-à-vis means of disciplinary and bio modes of power. Maintaining a clean record in order to pass the security screenings tied to permit approval meant that acts of protest against the occupation carried too hefty of a price tag, both to the individual Palestinian and to their extended family, whose approval was also tied to the behavioral performance of the family. As a result, most Palestinians avoided such altercations and worked to simply sustain their daily lives.

From the beginning of the occupation onward, unrestricted access to Israel remained contingent upon the IDF's benevolence and authorization, with Palestinian access to Israel frequently being severed during security breaches, without notice or explanation. Throughout the 1970's and 1980's the Israeli Civil Administration (CA) issued many travel permits to Palestinians and for all intents and purposes the previous Green Line boundary of the West Bank was dissolving. However, following the First Intifada shifts in Israel's approach toward its occupied population saw issue rates for travel permits drop significantly.

Irrespective of Israel's relative benevolence with regards to issuing travel permits to Palestinians at the time, it should be understood that the functioning of the Green Line as a physical barricade separating the areas to its east from those to its west was no longer Israel's desired intention. Although unrestricted access to 'Judea and Samaria' for Israelis was always desirable, the uncontrolled back-flow of Palestinians was not. With the introduction

32 For a detailed description of the West Bank's divisive bypass road system, see B'tselem "Forbidden Roads: Israel's discriminatory road regime in the West Bank." August 2004.

33 Juval Portugali, "Nomad Labour: Theory and Practice in the Israeli-Palestinian Case," *Transactions of the Institute of British Geographers* 14, no.2 (1989): 207-220; Semyonov, Moshe and Noah Lewin-Epstein. *Hewers of Wood and Drawers of Water: Noncitizen Arabs in the Israeli Labor Market* (Ithaca, N.Y.: Cornell University Press, 1987).



^ **fig. 1.07** *The freedom of movement for Palestinians in the West Bank has been severely compromised by Israel's imposition of checkpoints and permits. These restrictions not only prevent physical passage through the use of constructed barrier systems, but they also utilize bio-modes of control to dictate Palestinian behavior. In order to pass through these checkpoints, Palestinians must first have an identification card. Next they require a special crossing permit, requiring multiple, prolonged bureaucratic processes and finally they require sponsorship from an institution within Israel, such as an employer, educator, or health care facility. Few Palestinians actually achieve final permit approval.*

of the permit regime and separate apparatuses for issuing licenses to Israeli and Palestinian vehicles, restrictions on movement for the Palestinian population embedded regulations into the behavior of the individual, enabling permit approval to be individually selective and restrictive.

The permit regime atomized Israel's modalities of control away from a specific geographically-bound location and into a transient sphere contingent upon the individual in question and, as such, afforded great elasticity in the territorial aspects of sovereignty. With Israel's imposition of complicated disciplinary and bio modes of power, the relative strength of the Green Line's physical enclosure became secondary.

As perceptions of the Green Line deteriorated in Israel, settlement construction became more and more palatable to its citizenry. The lure of affordable housing with all of the luxuries of a Western lifestyle, within commuting distance of Jerusalem, persuaded many less religiously motivated Israelis to make the move into the Occupied Territories.

With the signing of the *Oslo Accords* in the 1990's and the division of the West Bank into a series of land-locked islands under the jurisdiction of the Palestinian Authority, the Green Line's relevancy became even more compromised. The university students' cognitive mapping under Fleishman and Salomon, which so inaccurately identified the location of the Green Line, had in actuality conveyed a soberingly accurate depiction of the shrinking space of the West Bank on the ground.

[SEE OSLO ACCORDS]

• • •

"Within the Norwegian hotels and mansions where we held our talks, we felt strangely isolated. It was almost as if we were outside the movement of time. But in the Middle East time was running at breathtaking speed. Events sometimes scarcely allowed us to negotiate rationally." [34]

- Oslo Negotiator **Ahmed Qurie**

"The nodes of the West Bank's matrix of control act as on/off valves regulating movement, replacing the necessity for the physical presence of Israeli forces within Palestinian cities. This distributed logic would later allow Israelis to pull out of densely inhabited Palestinian areas under the terms of the Oslo Accord while still dominating the Palestinians physically, collectively and politically by remotely controlling movements." [35]

- **Eyal Weizman**

• • •

A quarter of a century into the occupation, secret rounds of negotiations between Israelis and Palestinians took place in the background of the official 'Madrid negotiations' in London. Originally commencing in Oslo, Norway, then continued in Taba, Egypt after a one year break, the 1995 Oslo Interim Agreement was born. The final agreements attempted to transfer partial control over to the newly formed Palestinian Authority (PA) through the creation of different areas of divided jurisdictional control in the West Bank, namely Areas A, B and C. The most populated Palestinian centres fell under the designation of Area A and comprised roughly 18% of West Bank land, placed under Palestinian civil and security control.[36] A second clustering of areas, predominantly made up of the lands bordering these built-up cores of Area A, would be designated as Area B (22%) and would fall under the civil control of the Palestinian Authority, yet would have security control maintained by Israel.[37] The remaining contiguous territory, comprising roughly 60% of the total West Bank, was placed under the complete control of the Israeli military and its Civil Administration branch.[38]

The Oslo lines of division, drawn by the negotiators, continue to sever the landscape of the West Bank with a series of 5.5m wide invisible boundary rings, or *atolls*.[39] Despite their geopolitical transformation, the Oslo negotiations were never meant to be seen as a definitive conclusion to the decades-old conflict. Indeed, from the onset, Oslo was only intended to serve as an incremental step in the ongoing negotiation process which was to take place over five years and was not intended to tackle such issues as the right of return for Palestinian refugees or the division of Jerusalem. These most contested and most crucial of topics were always reserved for 'later.'

As such, the Oslo negotiations were themselves only a part of the *temporary*. Despite their spatial reconfigurations, they failed to produce a tangible shift in the governance of the Palestinian people from a regime of occupation to one of autonomous Palestinian sovereignty. In effect, the outcome of the Oslo Interim Agreements has catalyzed the further fragmentation of the West Bank and has produced a series of land-locked enclave conditions. In many ways the Oslo negotiations did nothing more than impose further restrictions on the lives of the Palestinians, who now require Israeli permission to travel throughout certain areas of the West Bank.

Despite their expiration in 1999, the Oslo Accords continue to *de jure* operate as the governing system of jurisdictional division in the West Bank.

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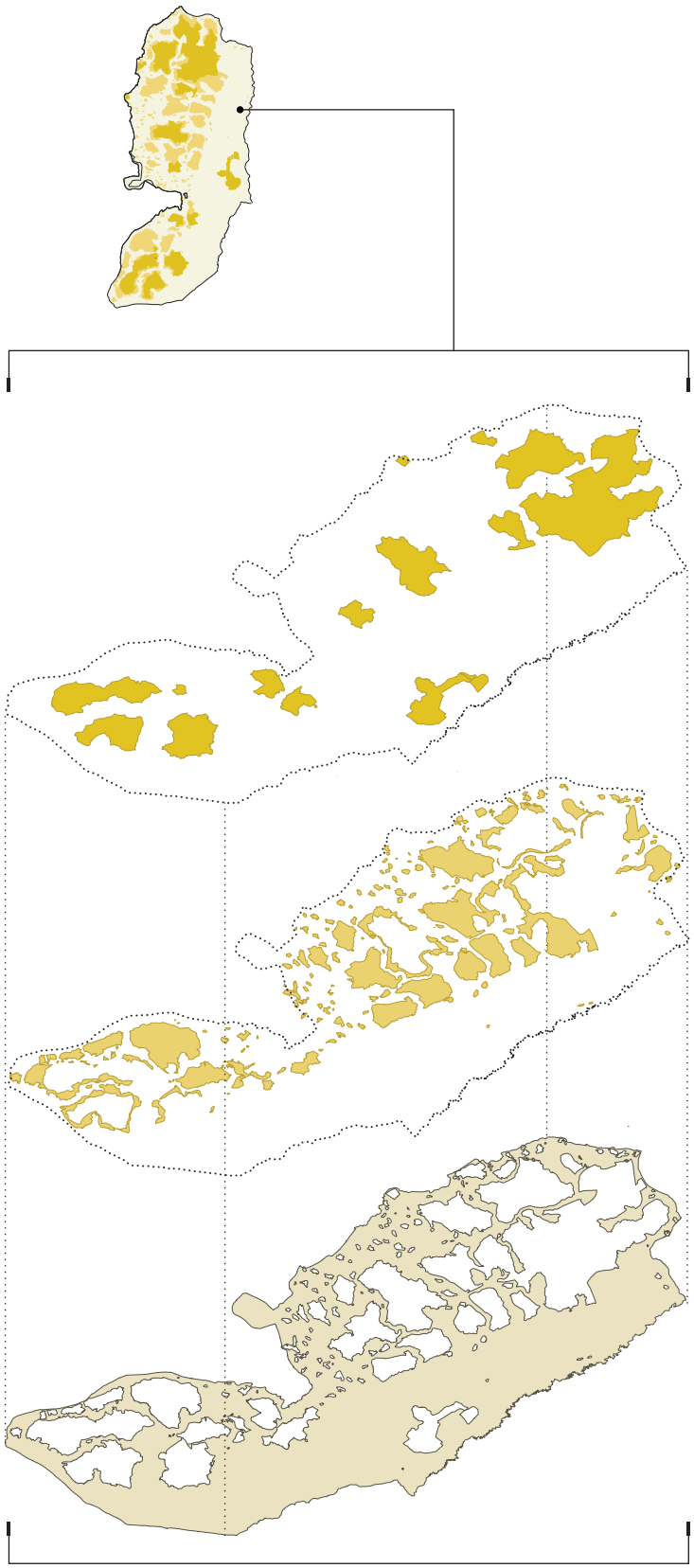
34 Ahmed Qurie, *From Oslo to Jerusalem: The Palestinian story of the secret negotiations,* (London: I.B. Tauris & Co. Ltd.): 231.
35 Eyal Weizman, *Hollow Land: Israel's architecture of occupation*. (London: Verso, 2007): 81.
36 Alon Cohen-Lifshitz, and Nir Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C,* Bimkom, (2008): 17. http://eng.bimkom.org/_Uploads/24ProhibitedZoneAbstract.pdf
37 Ibid
38 Ibid
39 For a complete cataloguing of these atolls, refer to the work of Decolonizing Architecture,

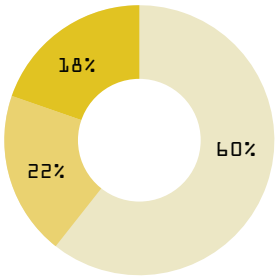


^ **fig. 1.08** *The 1995 Oslo Interim Agreement divided the West Bank into three areas of differing jurisdictional control. Rather than the Accord's intended purpose of transferring partial control over to the Palestinian Authority, its spatial divisions exacerbated the struggles of Palestinians living under occupation by isolating them into cantons of Palestinian-controlled land surrounded by a 60% majority of Israeli-controlled continuous territory. Here, a Palestinian women passes a sign demarcating the entrance into Palestinian-controlled Area A in the West Bank.*



^ **fig. 1.09** *Entrance into the Area A regions of the West Bank by Israeli citizens is illegal under Israeli law. The demarcation of these areas is done solely through signage. Here, a roadside sign warns drivers of their entrance into the Area A city of Ramallah.*





AREA A

Palestinian civil control
Palestinian military control

Land Coverage: 1,005 km²
Population: 1,436,330
Population Density: 1429.2/ km²

AREA B

Palestinian civil control
Israeli military control

Land Coverage: 1,035 km²
Population: 1,139,856
Population Density: 1101.3/ km²

AREA C

Israeli civil control
Israeli military control

Land Coverage: 3,456 km²
Population: 176,393
Population Density: 51.0/ km²

Area A Area B Area C

DIVISIONS FROM THE 1995 OSLO INTERIM AGREEMENTS

fig. 1.10 *Breakdown of the jurisdictional divisions resulting from the negotiations of the 1995 Oslo Interim Accords.*

THE CONCRETIZATION OF INEQUALITY : SOCIAL AND ECONOMIC STRANGULATION

"*Economic enclavization describes a process of growing economic separation or partition and bifurcation that strikingly parallels its political counterpart, Bantustanization.*"[40]

- American Political Economist **Sara Roy**

"*A territory held under belligerent occupation is not an open field for economic or other exploitation.*"[41]

- **Israeli High Court of Justice**

The relative prosperity experienced by the Palestinians during the first quarter-century of the occupation as a result of the 'erasure' of the Green Line came to an end following the imposition of tight restrictions on movement by Israel in reaction to the First and Second Intifadas. Various Palestinian attacks in protest of Israel's prolonged imposition of the occupation, including suicide bombings used predominantly during the Second Intifada, had led to a strong sense of fear in Israeli society; many perceived the passage of Palestinians across the Green Line as an impending threat. Reacting to these concerns, Israel continued to amplify its security measures against the Palestinians and, over time, Palestinian freedom of movement came to a standstill. The substantial tightening of security had a huge impact on the lives of Palestinians, many of whom, given the choice between low-paying local agricultural work or more lucrative manual labour inside Israel and the settlements, had opted for the latter and left their agricultural lands under-maintained and at risk of state appropriation simply to make a decent living. Following the imposition of the permit regime many of these workers could no longer reach their places of employment, and therefore the trend in migration steadily reversed, with the amount of Palestinians employed in Israel and the settlements declining by 67% since 2000.[42]

Israel's collective punishment and restriction on the freedom of movement of the entire Palestinian population in response to the Intifadas caused severe damage to Palestinian livelihoods and left many dangerously impoverished. Many of those who returned to a local agrarian lifestyle struggled to make ends meet. The percentage of Palestinians employed in agriculture in 1999 was 12.6%, this number was substantially down from the 26% recorded in 1980, due to Palestinians entering the Israeli labour market.

40 Sara Roy, "De-development Revisited: Palestinian Economy and Society since Oslo." *Journal of Palestine Studies*, 28(3). (1999): 68.

41 HCJ 393/82, *Jam'iyyat Iskan al-Mu'aliman al-Mahddudat al-Mas'uliyyah et al. v. Commander of IDF Forces in Judea and Samaria, Piskei Din 37(4) 785* (section 13 of the judgment, given on 28 December 1983, written by Justice Aharon Barak).

42 Palestinian Central Bureau of Statistics (PCBS). "Agricultural Statistics, Various Data," accessed November 4, 2010, http://www.pcbs.gov.ps/DesktopDefault.aspx?tabID=4022&lang=en

Following Israel's restrictions on movement, however, this number once again increased, reaching 16% in 2004.[43] With the movement of people and goods restricted, the social and economic inequalities imposed by the occupation became increasingly evident to those living in the West Bank. In contrast to figures showing the per-capita income growth of Palestinians during the occupation's early decades, the sudden restrictions on crossing the Green Line revealed that much of the earlier prosperity had actually been anchored to better wages earned by those working within Israel and had therefore not led to any independent development in the Palestinian economic sector. Worse over, conditions in the territories had become subjugated to the Israeli economy, and in many ways Palestinian control over their own resources had substantially decreased. Rather than simply stagnating, the economic situation of the territories had gone through the stages of what political economist Sara Roy has called '*de-development,*' a process in which the Palestinian economy was not only affected by Israeli measures but also prevented from re-establishing itself in the future.[44] Over the years, a number of Israeli restrictions and military orders have worked to ensure that Palestinian domestic investment and trade are truncated, leaving Palestinians highly dependent upon foreign aid and a market of higher-priced imports, predominantly coming from Israel.

Understanding how the state of exception imposed by the occupation was able to transform itself from merely serving as a system of internal governance after the 1967 War into a full-fledged catalyst for Israeli territorial expansion and Palestinian disenfranchisement requires an examination of the specific economic control apparatuses utilized by Israel throughout its duration. With regards to the agricultural sector, these apparatuses include reducing Palestinian production capacity by denying or restricting access to the necessary inputs such as water, fertilizers and arable land, stunting trade within and outside of the Territories through restrictions on movement and impeding the versatility and adaptability of Palestinian production through restrictions on crop species and approved land usages.

The procedure of suppression was systematically straightforward: Israel targeted the agricultural sector and manipulated it through a variety of military orders designed to make the Occupied Territories serve as a bountiful source of raw materials and a thirsty market for finished goods. Analyzing the performance of the agricultural sector under occupation provides perhaps the most prominent example of the changes which have occurred in the social and economic spheres. The prominence of agriculture in Palestinian society rests on its strong cultural linkages and affiliations with religious, social and familial rituals (including the historical connections between Palestinians and their land), but also more pragmatically: self-sufficient agriculture was how they fed themselves. In many ways then agriculture remains the most vulnerable sector of the Palestinian economy because its performance is so vital for the basic survival of the Palestinians. Its targeting by Israel can be seen as precariously placing the Palestinians above the 'red line'[45] as a way of hindering

43 Palestinian Central Bureau of Statistics (PCBS), "Agricultural Statistics, Various Data," accessed November 4, 2010, http://www.pcbs.gov.ps/DesktopDefault.aspx?tabID=4022&lang=en

44 Sara Roy, *The Gaza Strip: The Political Economy of De-development.* (Washington, D.C.: Institute for Palestine Studies, 1995) & Sara Roy, "De-development Revisited: Palestinian Economy and Society since Oslo." J*ournal of Palestine Studies* 28 no. 3 (1999): 64-82. additional reading: Sara Roy, "Ending the Palestinian Economy," *Middle East Policy* 9, no 4 (December 2002): 126.

45 Staying above the red line involves ensuring that the levels of poverty, welfare and famine do not drop below critical thresholds which have been determined and are regulated by international bodies, such as the Red Cross.

their economic autonomy and thus the potentialities for the development of a self-governing state. Such an arrangement worked to reduce the feasibility of an independent Palestinian state by creating huge Palestinian dependencies on foreign aid and outside sources of employment (both in Israel and abroad, particularly in the Gulf States). On a day-to-day basis Israel's control of the Palestinian economic sector also worked to effectively minimize Palestinian unrest and protest by sustaining the status quo at a level of performance that made full-fledged violent uprisings and resistance damaging to employment and thus unlucrative and too risky.

Domination and exploitation of the Palestinian economic sphere were some of the silent mechanisms used by Israel to control the Palestinian population and territory. For Israel, maintaining the obedience of the population over a long duration was simply not attainable through the sole use of traditional forms of sovereign power, such as acts of excessive violence and force, which would attract strong outside criticism and local violent backlashes. Therefore, outside of the periods of overt fighting and seige, Israel's power to control the Palestinians was ensured by employing numerous other modalities of control which relied upon disciplinary and bio-modes of power which could be embedded into the Palestinian way of life. The utilization of spatial control mechanisms such as checkpoints, permits, agricultural gates, road blocks and closed areas, were crucial to such ends. Oscillation between sovereign and bio-modes of power enabled Israel to have a complex, multifaceted system of control which could quickly and easily respond to any indeterminate situation presented by the occupation. It is precisely because of Israel's ability to prosper off the exploitation of the Palestinian people and their land that numerous academics have likened the situation in the Occupied Territories to colonialism, rather than a temporary military occupation.[46]

Adding to the complexities of the West Bank's economy, modifications imposed by the provisions of the Paris Protocol (as part of the Oslo Accords), in the mid 1990's bifurcated existing economic inequalities and introduced new Palestinian dependencies on both Israel and other foreign actors. Since the creation of the Oslo Accords and the Paris Protocol, Palestinians have become increasingly reliant upon international aid. Between 1994 and 2000 some $3.2 billion dollars in aid had already been provided to the Palestinians. After 2000, money from donor communities amounted to a further $1.2 billion per year.[47] This reliance on foreign currency is particularly alarming since it stands in direct opposition to the original intentions of the Oslo Accords, which sought to remediate the inequalities imposed by Israel's economic management of the Occupied Territories and open the doors to new times of autonomous financial prosperity for the Palestinians.

Dependence on foreign aid has become so engrained in the economic situation of the Territories that without it, the Palestinian economy would be on the verge of a total collapse. The World Bank's 2009 'Palestinian Economic Prospects Report' called for close to $2.8 billion

46 see the work of Sara Roy, David Newman, Eyal Weizman, Tanya Reinhardt, Neve Gordon, Noam Chomsky, Adi Opher, Sari Hanafi, to name a few.

47 World Bank, *Palestinian economic Prospects: Aid, Access and Reform.* (Economic Monitoring Report to the Ad Hoc Liaison Committee, September 22, 2008): 12-40, http:// sitesources.worldbank.org/INTWESTBANKGAZA/Resources/294264-1166525851073/ParisconferencepaperDec17.pdf



fig. 1.11 *Palestinians rely heavily upon the agricultural sector for economic prosperity. Because of this, many have had their livelihoods severely compromised by the occupation and its policies of restricted movement and closure. Here, local farmers sell their produce in the Bethlehem Market.*

in aid for that year alone.[48] With Israel officially being held accountable for the welfare of its occupied population under international law – an obligation the country refutes through their dismissal of the applicability of the Fourth Geneva Convention – the degree to which this funding is working in opposition to the occupation and in aid of Palestinian livelihood is highly thrown into question. The presence of foreign *political progenies*, bringing funds from around the globe, has entered this conflict in a manner which compounds the issues of inequality existing between Israelis and Palestinians by at times alleviating Palestinian hardship, but at others prolonging their grievances even further - or worse, amplifying them. The presence of the International Monetary Fund (IMF) (*who has been enlisted to oversee the Palestinian Finance Ministry*) and the World Bank (*who acts as manager to funds coming from outside donors*), has only produced a sense of Palestinian dependency which is in direct contradiction of the desired intentions for their intervention to lay the foundation for a viable Palestinian economy comprised of a strong private sector, free markets and a small and frugal public sector.

[SEE POLITICAL PROGENY]

With the commencement of construction on the Separation Barrier in 2002, passage into Israel has become increasingly difficult. Many Palestinians have needed to find employment back in the West Bank. For most this meant a return to the agricultural sector. As the processes of enclavization expand both physically, socially and economically, the need for Palestinians to generate their own local means of subsistence will continue to rise.

Within this framework of continued economic deterioration and dependency, the prospects of the Palestinian economy improving along the path of its current trajectory are thrown greatly into question. Advancing an understanding of these deteriorated humanitarian conditions for Palestinians, the status of their economic sector highlights the dangers of a state of exception when harnessed by powerful state actors in conflict situations as a means of ethnic oppression and segregation veiled under premises of militaristic necessity.

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48 World Bank. *Palestinian Economic Prospects: Gaza Recovery and West Bank Revival*. June 2009 http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/AHLCJune09Reportfinal.pdf

A BARRIER TO DEVELOPMENT

"The territorial conflict has resulted in the fragmentation of space, and spatial proximity is no longer a criterion for accessibility."[49]

- Sabine Horlitz & Oliver Clemens

On July 16th, 2002, bulldozers arrived at the West Bank's Salem checkpoint on the outskirts of the Palestinian city of Jenin to begin construction on the much contested 'Security Fence'.[50] After over a year of debate inside the Israeli Knesset and in the face of strong international criticism, the project was inaugurated by the Israeli earthmoving company *Y. Ze'evei* uprooting olive trees situated on privately-owned Palestinian land.[51] Landscape casualties of the occupation, these agricultural lands would soon be joined by hundreds of kilometers of others, likewise being appropriated for the barrier's merciless development. As Israel unilaterally carved its new sinuous security route through the hills and valleys of the West Bank the result was a large-scale feat of both construction and destruction. A perpetual lightning rod for disagreements, even during the first day of construction disputes surrounding the barrier continued in an Israeli cabinet meeting. As the engines of hydraulic excavators and D9 armored bulldozers roared away, Right-wing Israeli ministers inside the meeting began arguing vehemently against the barrier, claiming it to be an attempt by the government to prematurely establish a national boundary, one which they felt could only catalyze the creation of a 'terrorist' Palestinian state to the east of the 'fence'. Those on the political Left were equally as dissatisfied with the imposition of a unilaterally-planned high-security barrier. Cabinet minister Saeb Erekat argued that its erection was an Israeli attempt to fragment the West Bank into cantons which would "*start a new apartheid system … worse than what happened in South Africa.*"[52]

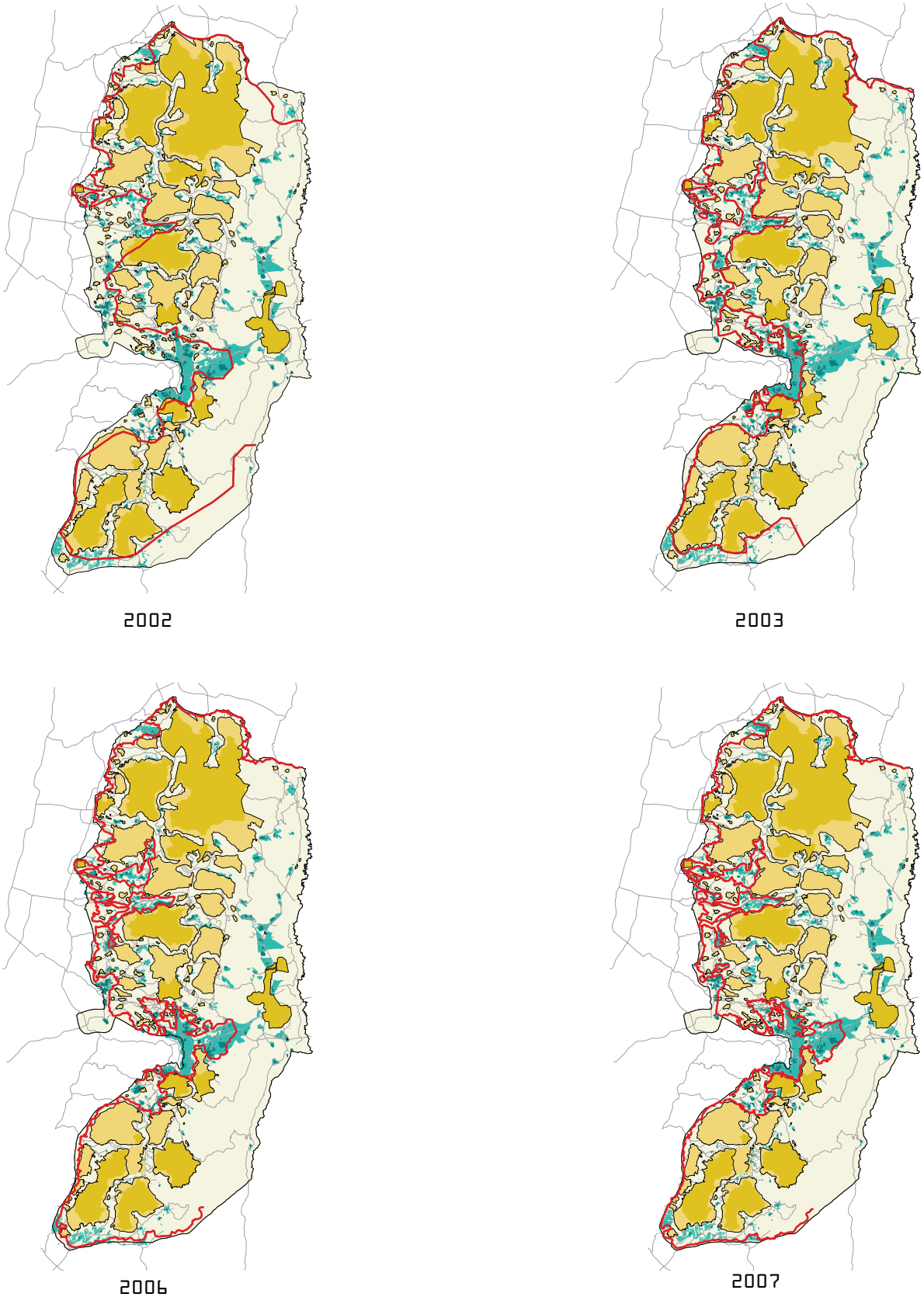
In justification of the Israeli government's decision to gradually construct the 'Security Fence' around the entire perimeter of the West Bank, Defense Minister Benjamin Eliezer sited a spike in Palestinian attacks resulting from the ongoing Second Intifada. Reinforcing

49 Oliver Clemens and Sabine Horlitz, "How much did you pay for this plot of land?" *Liminal Spaces* (n.d.). http://liminalspaces.org/?page_id=9

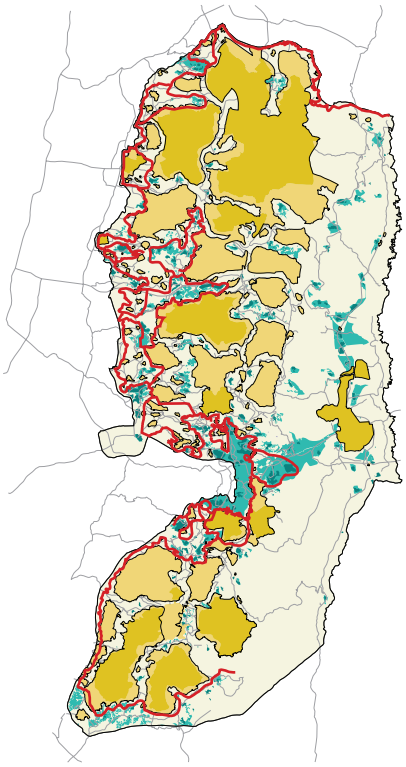
50 Gideon Alon and Amos Harel, "Construction of security fence begins," *Haaretz*, June 17, 2002, accessed February 12, 2012, http://www.haaretz.com/print-edition/news/construction-of-security-fence-begins-1.42213

51 Amnon Barzilai and Zvi Zrahiya, "Construction of 360-kilometer security fence begins near Jenin," *Haaretz*, June 11, 2002, accessed February 12, 2012, http://www.haaretz.com/news/construction-of-360-kilometer-security-fence-begins-near-jeNin-1.42692

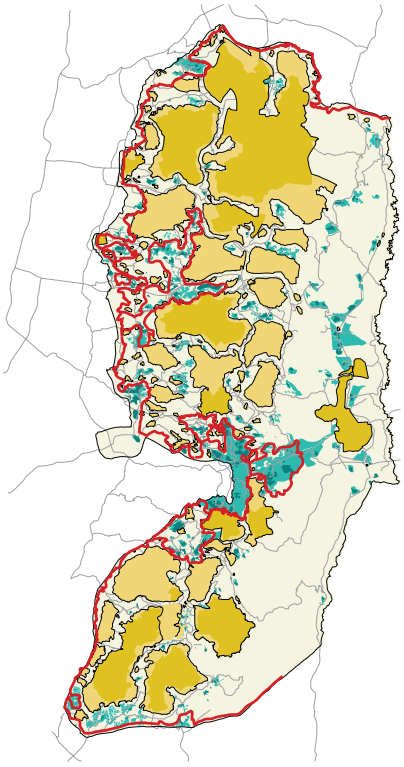
52 Alon, G. and A.Harel, "Construction of security fence begins." *Haaretz*, June 17, 2002.



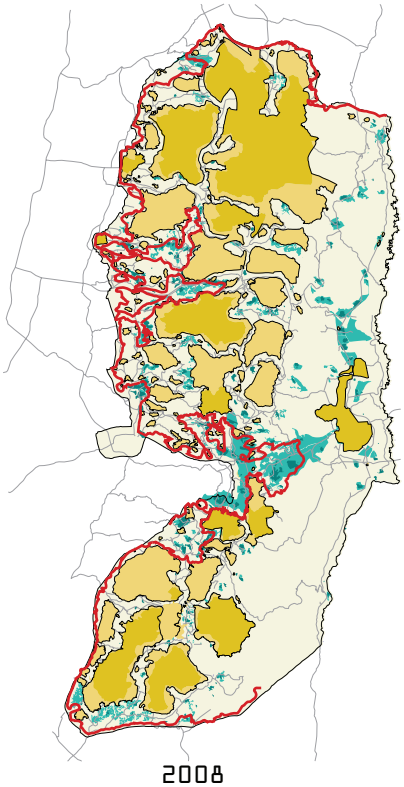
^ **fig. 1.12** *Changing trajectories in the route of the Separation Barrier since the commencement of its construction in 2002.*



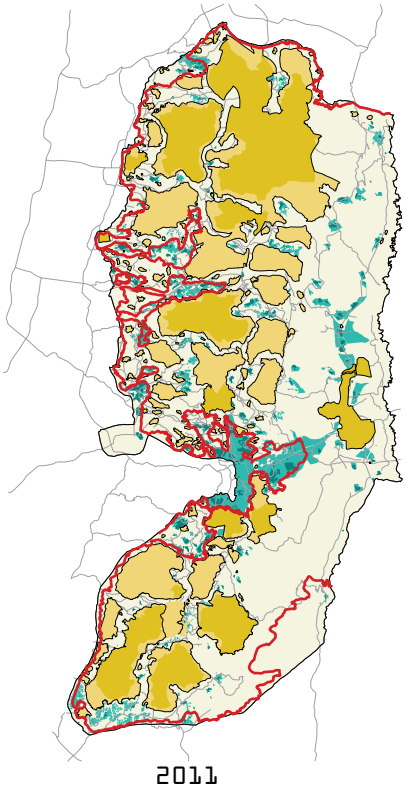
2004



2005



2008



2011

*data for 2009 and 2010 not available

Area A | Area B | Area C | Israeli Settlement Buit-up Area | Israeli Settlement Municipal Area | Separation Barrier Route



^ **fig. 1.13** *Israel has perpetually argued that its unilateral imposition of the Separation Barrier onto occupied territory is a temporary security measure. It has done so to skirt international criticism and the barrier's illegality. Cutting through the urban fabric of the West Bank with 8m high concrete slabs, the barrier has manifested itself far beyond the forms of a provisional defense structure and now permanently severs the social and economic networks of those Palestinians strangulated by its winding path.*

statements by Prime Minister Ariel Sharon, Eliezer maintained the government's position that the barrier was solely being erected for 'temporary security needs' and not for diplomatic or political purposes.[53] Exploiting the inherent ambiguity of the word 'temporary', the Israeli government was once again *contesting the limits* of international law in an effort to sway public and political opinion in favor of its actions in the Occupied Territories.

Such semantic obfuscation with regards to the Separation Barrier was not new. Throughout the campaign to justify its construction, this same claim towards temporality had been exhaustively enlisted by the Israeli government as a means of skirting the illegality associated with placing the barrier deeply into occupied territory. The rationale of temporality followed that since the barrier's presence was not intended to be permanent, it was not legally required to coincide with the location of a mutually agreed upon and internationally recognized border, but rather could follow a path which the Israeli government single-handedly deemed most appropriate to meet its self-appraised security needs. This illegitimate reasoning was dismissed most authoritatively by a 2004 International Court of Justice Advisory Opinion, which stated that the barrier creates a "*fait accompli on the ground that could well become permanent ... and would be tantamount to de facto annexation*,"[54] therefore rendering it in violation of international law.

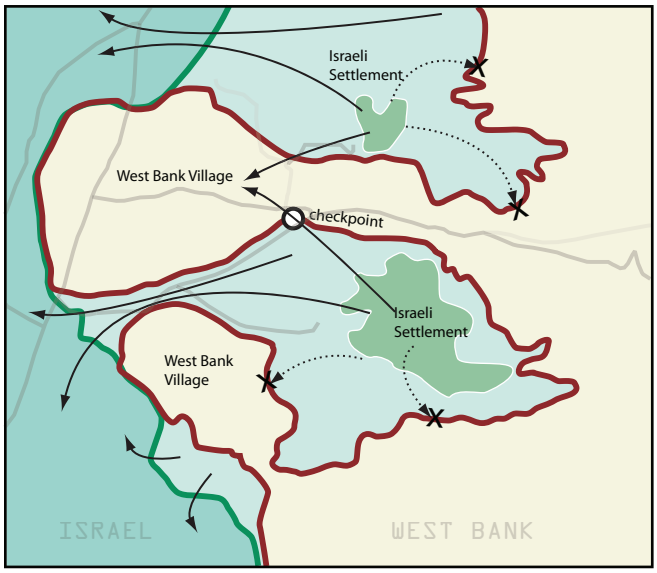
Further illuminating the barrier's dubious legitimization, UN Special Rapporteur John Dugard stated "*what we are presently witnessing in the West Bank is a visible and clear act of territorial annexation under the guise of security*."[55] However, holding tight to its position, Israel continued to impose the Separation Barrier upon the landscape of the West Bank, opting only to make revisions to its path when political opposition was overwhelmingly forceful. As a further measure of political obfuscation, when constructing the barrier, Israel did not identify its location as a border or as a replacement to the existing political line of the Green Line, but rather, merely as a security demarcation. These two contradictory lines between the land of Israel and the West Bank were thus left simply to co-exist.

The spatial ramifications of Israel's decision to overlay the Separation Barrier in adjacency to, but not in exact alignment with, the Green Line were vast. Through the introduction of this additional line of division between Israelis and Palestinians the varying legal conditions imbued into the trajectory of each immediately became entangled and enmeshed with

53 As construction pressed forward more and more debate began to surround the presence of the Separation Barrier in the West Bank. Yet the more the Israeli government adamantly professed the temporary and apolitical standing of the barrier, the more it became obvious that its political implications would be inescapably long lasting. Perpetually running over schedule and budget while facing ever-more fierce opposition as it entered new Palestinian cities and villages, the barrier became a huge geopolitical scar on the West Bank's landscape. See Alon, G. and A.Harel, "Construction of security fence begins." *Haaretz*, June 17, 2002.

54 The legitimacy of the barrier has also become entangled in the legal opacity caused by the absence of agreed sovereignty in the Occupied Territories. The Interational Court of Justice (ICJ) has ruled that the barrier is illegal under international law, however, Israel's own Hight Court of Justice (HCJ) has refused to rule on the matter, declaring it a political rather than juridical concern. Despite refusing to rule on its outright presence, the HCJ continues to rule on the location of particular segments of the barrier. This has placed too much emphasis on where the barrier is located, with the predominant discourse being centered around shifts in its location further to the rest, rather than its outright removal. For further reading, see International Court of Justice, "Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion," July 9 2004.

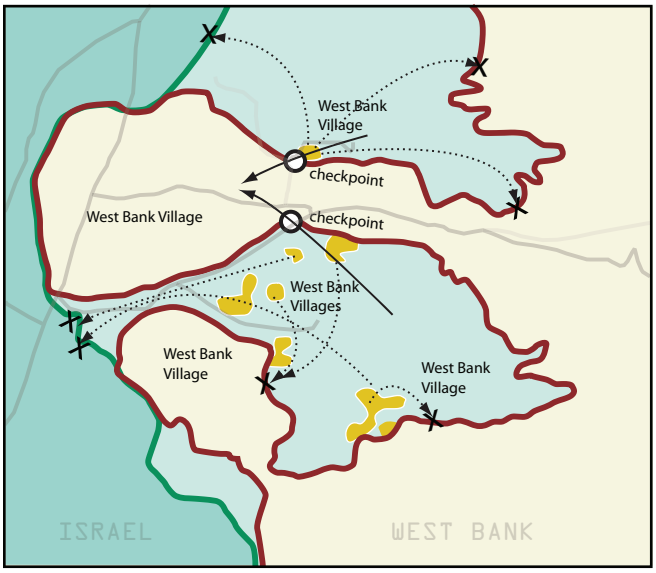
55 UN Economic and Social Council. *Question of the Violation of Human Rights in the Occupied Arab Territories, including Palestine: Report of the Special Rapporteur of the Commission on Human Rights, John Dugard, on the situation of human rights in the Palestinian territories occupied by Israel since 1967, to the Sixtieth session of the Commission on Human Rights,* 8 September 2003, para. 6, accessed February 12, 2012, http://domino.un.org/unispal.nsf/0/8976be248c8e02ae85256db1004dd7cc?OpenDocument.



SEAM ENCLAVE: ISRAELI SETTLER POPULATION

Zufin & Alfe Menashe Jewish Settlements shown

- Access to Israel is unrestricted. The green line does not serve as a boundary
- The settlers are Israeli citizens and therefore have access to the same amenities as those citizens living within the green line area of Israel
- Access to the West Bank is only possible at checkpoints



SEAM ENCLAVE: PALESTINIAN POPULATION

Arab ar Ramadin, Arab Abu Farda, Arab ar Ramadin and other adjacent West Bank Villages shown

- Access to Israel is prohibited without a permit. The green line acts more like a sovereign boundary
- Physical access to Israel is possible, but illegal without IDF approval. The separation barrier does not stop Palestinians in seam enclaves from illegally entering Israel
- The West Bank villagers are not Israeli citizens and therefore do not have access to the same amenities as those citizens living within the green line area of Israel
- Access to the West Bank is only possible at checkpoints. All amenities including schools and health care are provided behind the barrier in the West Bank.

Area C
Un-occupied Israeli Territory
Palestinian Built-Up Area
Closed Area (Seam Zone)
Israeli Settlement Built-Up Area

1949 Armistice Green Line
Separation Barrier (Built)
Separation Barrier (Un-Built)
Access Blocked
Checkpoint access

fig. 1.14 *The Separation Barrier creates enclaves of Jewish and Palestinian residents in its 'seam zone' areas.*

one another. At times the barrier amplified and reinforced the restrictions imposed by the Green Line, such as when the two trajectories overlapped and aligned in a particular area to demarcate the difference between Israeli sovereign territory and land under Israeli occupation. At other times, the barrier contradicted and discredited the Green Line's authority, such particularly being the case when Palestinians were found residing on the 'wrong' side of the 'Fence'.

As a result of these two co-existing lines of division, the previously established distinctions between Israeli and Palestinian territory began to blur inside the frontier-like gaps and crevices caused by the incongruity of the two boundaries. Frozen in the unyielding stasis of both the negotiations and the indefinitely running military occupation, this misalignment generated a slew of oddly-shaped spatial byproducts which, to date, continue to be suspended in an anomalous geopolitical vacuum; neither assimilated with Israel, nor physically unified to the West Bank. The unresolved status of Israel's national borders and the resultant competition between the Green Line and the Separation Barrier has had an incredibly adverse effect on the lives of West Bank Palestinians, roughly 8,400 of which will find themselves sandwiched into these 'seam zone' enclaves upon the barrier's completion, requiring permits and a proven land title merely to remain living inside their own homes.[56] (*For an example of the conditions of a seam zone enclave, see figure 1.14, opposite)*

Running some 709 km - a length twice that of the adjacent Green Line - the barrier stands as a new outlandish monument to Israel's ability to effectively 'seize the temporary' through unilateral acts of construction.[57] Comprised of two main physical enclosure typologies; an eight meter high concrete wall designed to cut through the dense urban fabric of Palestinian cities and villages, and a wider, barbed wire fencing system, complete with buffer zones hardwired with electronic sensors and flanked by military-access roads, designed to stretch across the West Bank's rural landscape, the barrier is neither temporary in its impact or form.[58]

The government's adamant claims towards the barrier's provisional and apolitical nature have been most discredited by the fact that its proposed trajectory would not solely prevent unmonitored entry of Palestinians into Israel, but would also effectively annex a number of the West Bank's largest settlement blocks into Israeli 'mainland' territory.[59] Furthermore, the barrier had managed to secure away huge swaths of unpopulated West Bank agricultural land in adjacency to these settlements. Underneath much of this land rests one of the region's greatest water resources, the Mountain Aquifer, responsible for supplying almost all of the Palestinian's annual water needs and from which Israel has repeatedly overdrawn its limits under the Oslo Agreements.[60] (*see figure 1.15*)

56 Bimkom. *Between Fences: The Enclaves Created by the Separation Barrier.* (2006): 3, accessed February 16, 2011, http://eng.bimkom.org/_Uploads/4GderotEng.pdf.
57 B'Tselem. "The Separation Barrier," (n.d.), accessed February 16, 2011, http://www.btselem.org/separation_barrier
58 While in most cases these seized areas technically remain accessible, such access is restricted to specific crossing points in the Barrier and is only available to those who can prove ownership and have a permit for access.
59 Ten settlements in total. See Yehezkel Lein and Yael Stein. *Behind the Barrier: Human Rights Violations as a result of Israel's Separation Barrier,* tr. Zvi Shulman. (Jerusalem: B'Tselem, March 2003): 8.
60 Amnesty International. *Troubled Waters - Palestinians denied fair access to water.* (London: Amnesty International Publications, 2009): 12.

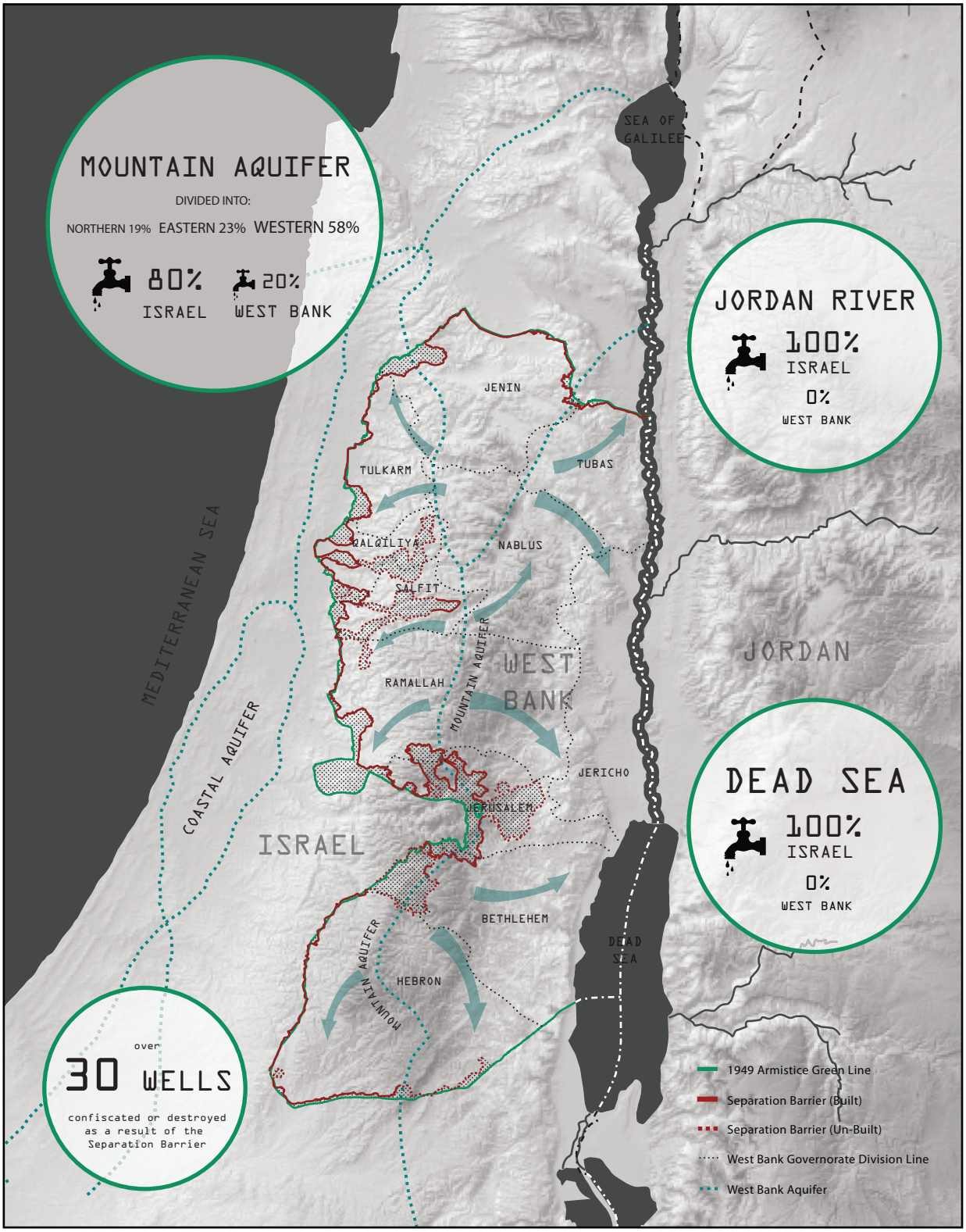


fig. 1.15 *The Separation Barrier's 'seam zone' includes a large amount of land located above the West Bank's Mountain Aquifer water resource. This aquifer is the sole source of water for West Bank Palestinians, yet they are allotted only 20% of its use. With the seam zone and settlements blocking surface access, Palestinian wells have been seized and the ability for them to drill new ones prevented.*

With the imposition of the Separation Barrier, these walled-in lands thus became 'safeguarded' from easy Palestinian use, further protecting them for future Israeli settlement exploitation and expansion.

In light of the seizure and confinement of so much private Palestinian land, the creation of the 'Security Fence' by Israel outside of mutual agreements with the Palestinians, could not help but be interpreted as political. Furthermore, with the settlements' themselves classified as illegal under international law, Israel's insistence upon the construction of a barrier to further secure their legitimacy – rather than undertaking an evacuation of the settlers in order to provide for their safety - thrust the status of both the settlements and the barrier to the forefront of the territorial land disputes.

What has gone less noticed as a result of the construction of the Separation Barrier is the enormous impact that its presence has had on the West Bank Palestinian's social and economic networks. Restrictions on movement have meant that many Palestinian populations struggle to stay connected with one another, making travel to family, employment, education and health care an incredibly time consuming and onerous task. Likewise, limited access to agricultural lands, caused by the presence of the barrier and sustained through the poor management of its agricultural gates, has meant that many affected Palestinian families are presented with fewer opportunities to improve their livelihoods within their local agricultural sectors. (*see figure 1.16*) As a result, many have had to turn to outside non-agricultural work, a prospect which stands in direct competition with their increased hindrances in mobility.

When analyzed at the larger scale, Israel's construction of the Separation Barrier can be seen not as a lone, or even new, strategy towards security, but rather, simply as one component plugging into the greater workings of Israel's methods and modalities of control under occupation. The overarching goal of these systems and processes is to decouple the Palestinians from their land: to annex the West Bank's territory while avoiding the demographic ramifications associated with making the Palestinians into Israeli citizens.

• • •

In its desire to completely separate two intertwined ethnic populations the ambitious scope and scale of the Separation Barrier has set a dangerous precedent for modern-day apparatuses of spatial enclosure being used as a means of population control. While following a tradition of walls of political division – from Berlin to Kashmir to the U.S./ Mexico border and Morocco – the West Bank Separation Barrier stands unique in its sheer scale and spatial complexity. Yet despite the overwhelming social imposition and spectacular geographic impact of such barriers, they continue to be plagued by their inability to attain a perfect hermetically sealed perimeter. Originally projected to reach completion a mere 10-12 months after its commencement, at a cost of roughly US$503 million, almost ten years later construction on the Israeli-Palestinian barrier remains ongoing at a cost of NIS 10million (approx. US$3 million) per kilometer.[61] Creating huge impositions on the freedom

61 "Israel Scrambles to Reroute Fence." *CBS News.* February 11, 2009. http://www.cbsnews.com/stories/2004/07/07/world/main627945.shtml ; State Comptroller, *Audit Report* on Seam Area, 30. See Y. Lein and Y.Stein. *Behind the Barrier : Human Rights Violations as a result of Israel's Separation Barrier,* 7.



^ **fig. 1.16** *Agricultural gates were introduced into the Separation Barrier as a means of enabling Palestinian farmers to access their confined fields. The actual result has been staggeringly different. Rather than facilitating access, these gates sit perpetually unmanned and by default are barricaded shut until the IDF permits access. As a result, the Barrier and its placating gates continue to take a financial, social and environmental toll on the West Bank. Shown here, an agricultural gate is opened to allow access for farmers from the West Bank village of Ras "Atiya.*

of movement of Palestinians, the barrier completely entraps their cities, towns, and villages as it weaves tightly around the West Bank's terrain and indefinitely holds to claims of its security-based temporary nature.

As it manifested itself as the physical embodiment of the political force fields surrounding it- stretching and contracting with the various rulings of the Israeli High Court of Justice , the barrier invariably came to signify both Israel's failed attempts to seize the entirety of the territory under its control, and the government's complete disregard for conformity with international law vis-à-vis the treatment of the occupied Palestinian population. The barrier has de-facto annexed further territory to Israel by operating unilaterally on the ground, shielded by the indefinite passé of the peace negotiations. Exploiting the negotiation's unresolved status while holding strong to a position that direct peace talks are the only arena through which territorial concessions will be made, Israel continues to harness the opportunities presented by the 'temporary.'

• • •

THE CHECKPOINT

"Checkpoints, ironically have become the 'public spaces' of this Intifada; it is at places like Surda where most Palestinians have a constant and direct confrontation as members of a collective with the Israeli occupation. It is at, and in relation to, checkpoints that the society has developed new meanings of resistance and ad hoc forms of civic organization." [62]

- Rema Hammami

"Checkpoints have become like Palestinian living rooms, the new downtowns of everyday life, private and public spheres available under occupation where one can (physically) share an experience with others." [63]

- Helga Tawil-Souri

Everyday thousands of internationals and Palestinian workers, students, merchants, medical staff, civil servants and the like cross Qalandiya checkpoint in the West Bank. Exiting their taxis, buses and Ford service vans, they traverse the chaotic liminal space of the checkpoint on foot – a distance of several hundred meters, bridging Ramallah and Israeli-annexed East Jerusalem. Qalandiya checkpoint is a spatial product of Israel's security response to the second Intifada. Its construction in March of 2001 saw it join a repertoire of other such Israeli-imposed checkpoints – each varying in their function and design - which, since the 1990's peace process, began to be imposed upon the Palestinian landscape under the auspices of an Israeli security discourse – one heavily reliant upon rhetoric of protection to Israel against Palestinian terror attacks.

The checkpoint is a place of transition and passage, but it is also emblematic of a multitude of the occupation's delirious co-existing dichotomies. It provides both connection and separation. It is a space of mobility and immobility. Its formation both feeds and freezes social gathering and dispersal. In their proliferation throughout the West Bank, checkpoints fragment Palestinian society just as much as they formulate new ad hoc public centres. It is this constant state of contradiction and flux – the checkpoint's inherent interstitial character – which enables it to serve as a place of Palestinian ephemeral jurisdictional reclamation.

As fleeting spaces of passage, the checkpoint is perhaps the quintessential physical locale of the 'temporary' in the Israeli occupation. In its ephemeral management of the inhabitants of the West Bank, the checkpoint's material formations are vast and varied. The checkpoint

62 Rema Hammami, "On the Importance of Thugs : The moral economy of a checkpoint," in *City of Collision: Jerusalem and the Principles of Conflict Urbanism.* (Boston: Birkhäuser, 2006): 257.
63 Helga Tawil-Souri, "Qalandia Checkpoint as Space and Nonplace." in *Space and Culture* 14(1) (2011): 16.



fig. 1.17 *The West Bank's checkpoints function as both place and non-place; they are a spatial apparatus of division and unintentional connectivity. Most frequently, these checkpoints of the West Bank are internal, dividing Palestinian space from itself, rather than from that of the Israelis. Here, a vehicle awaits inspection while transporting livestock through a vehicle checkpoint.*

appears in many forms: as an IDF jeep with soldiers checking ID cards, as barricaded roads sealed with large cement blocks, as a 12m high pre-fabricated metal control tower, and as an entire building complex comprised of a multitude of inspection components, ranging from long queues to automatically-operated metal turnstiles, search rooms and screening booths.

The fleeting imposition of some of these checkpoints makes assessing their quantity and location a futile task. In their shifting locations and short-term erections, the temporariness of these checkpoints encounters another one of Israel's modalities of control in the Occupied Territories; namely arbitrariness. The 'arbitrary' assembly and disassembly of checkpoints makes their presence much more difficult to classify and politically resist. The inability to document checkpoints in the shifting temporal landscape of the occupation is a strategic asset afforded to Israel by the 'temporary'; that which cannot properly be documented cannot be challenged. Indeed, by the time opposition is organized, the checkpoint ceases to exist or has been established elsewhere. Accordingly, the exact amount of checkpoints in place across the West Bank remains indeterminate and fluctuating. For example, over a mere one year period between 2006 and 2007, the number of 'permanent' checkpoints in the West Bank increased almost three-fold, with the Israeli NGO B'tselem recording 215 checkpoints in 2006 and the United Nations Office for the Coordination of Human Affairs (OCHA) documenting 588 in 2007.[64]

Qalandiya checkpoint serves as a strong example of how the provisional imposition of an Israeli security apparatus can ultimately become an indefinite (and thus in many ways permanent) device for population and territorial control. In its initial formation, Qalandiya was no more than an earth mound coupled with the stationing of a few soldiers, assigned to an informal roadside post to inspect passing vehicles.[65] This post was soon deserted, only to resurface weeks later in greater magnitude and with a stronger IDF presence. Concrete blocks were added to the dirt mound, and fencing dividers imposed upon the traffic to control vehicular and pedestrian flow. Soon after, in 2003, a watchtower was added and a roof was placed over the pedestrian walkway.[66] The physicality of the checkpoint continued to change over time; the permanency of its presence being amplified through incremental 'provisional security improvements,' all under the guise of the temporary. By 2006 Qalandiya had been integrated into the infrastructure of the Separation Barrier and was transformed into one of ten 'official' points of crossing in the West Bank, classified under the semantically sterile title of 'terminal' by the IDF.[67]

As Hagar Kotef and Merav Amir cogently argue, its title as such belies the unilateral imposition of such control apparatuses upon the occupied lands of the West Bank by Israel and conceals the fact that in many instances their purpose is to internally divide Palestinian areas from one another:

"Unlike other checkpoints, terminals are built through and through. Surrounded by concrete

64 "Statistics on checkpoints and roadblocks," B`Tselem, (2006), accessed March 7, 2012, http://btselem.org.english/Freedom_of_Movement/Checkpoints_and_Forbidden_Roads.asp and; OCHA (United Nations Office for the Coordination of Human Affairs) (2007b). *West Bank and Gaza Strip Closure Maps: December 2007*, accessed June 2, 2008, http:// ochaopt.org/documents/A3_Closure_Booklet_ December_2007.zip

65 Tawil-Souri, "Qalandia Checkpoint as Space and Nonplace," 9.

66 Ibid.

67 Ibid. See also Gideon Levy, "Theatre of the absurd," *Haaretz*, Decemer 17, 2005, accessed March 7,2012, http://www.haaretz.com/twilight-zone-theater-of-the-absurd-1.176737

walls, roofed, and containing clearly marked designated areas (such as "waiting area" or gates for people with wheelchairs), they are erected as architectural monstrosities… They are built like border crossings, reinforcing the illusion that they are normal sites marking the border between two sovereign entities and concealing the fact that Israeli rule applies on both sides of the terminal." [68]

The gradual amplification and increasing permanence of the West Bank's checkpoints can be read as progressive steps in Israel's imposition of the *politics of separation*.[69] As such, they form one component of Israel's broader matrix of control, interconnecting with, and reinforcing, the use of the occupation's other spatial control devices such as the Separation Barrier, Permit Regime and Israeli-only bypass roads. Through their processing and management of the Palestinians in ways that combine sovereign and bio-power to control the population both collectively and individualistically, checkpoints explicitly demonstrate how Israeli domination is inscribed into the way space is structured in the West Bank.

Through their ability to separate, stratify and fragment Palestinian society, such checkpoint sites become territorial expressions of Israel's control over Palestinian life. The spatial organization of these locales of subjugation affects how Palestinian society operates, underscoring the relevance of space in the production of memory, culture, history and politics. It is interesting then to note how the workings of Palestinian resistance have equally surfaced from within such oppressive spaces of Israeli control. In documenting the gradual changes of Qalandiya checkpoint over the past decade of occupation, Helga Tawil-Souri additionally notes the unexpected and unintentional emergence of acts of resistance to the occupation being performed by the utilization of such spaces by the Palestinians. She elaborates:

"It is a social and economic space given form, function and signification by the human beings in and around it. For example, by 2005, there were thousands of taxi drivers and merchants that had made it their center of economic pursuit. One could purchase all kinds of goods: chewing gum from little boys, cell phones and time-cards from merchants who owned stores nearby, contraband cigarettes from thieves, coffee and food from men who had invested in vans with built-in kitchens, live chicks and herbs from farmers, and underwear, gloves, and socks from merchants who used the checkpoint as their sole "store-front." [70]

In re-appropriating the space of the checkpoint for such commerce, the Palestinians were reacting to their shrinking territorial environment, mutating these spaces of control into new hubs for economic activity. The cooptation of checkpoints by Palestinians signals a counter-movement of jurisdictional claim by their utilization of contested space temporarily.

The once purely constraining presence of the checkpoint has been obscured by a new slew of unintentional dual purposes. The specific oppressive aims of the checkpoint to serve as an apparatus for surveillance and segregation of Palestinians has inadvertently also laid the foundation for a new gateway of capital production and a hub for the exchange of knowledge, information and social experiences. Paradoxically, the checkpoint serves as both separator

68 Hagar Kotef and Merav Amir, "(En)gendering checkpoints: Checkpoint watch and the repercussions of intervention," *Signs: Journal of Women and Culture in Society*, (32) (2007): 973-996.
69 As coined by Eyal Weizman.
70 Tawil-Souri, "Qalandia Checkpoint as Space and Nonplace,"14.

and connector, physically dividing communities in the West Bank from one another while providing a place for social interaction and chance encounter between otherwise divided Palestinians. As such, it inadvertently becomes a place of anthropological significance.[71]

Although in many ways such subversive uses of the checkpoint signal a weakening of the power of the Israelis within the structures of the occupation, in some ways, rather than a weakening, they foreshadow complacency and the impregnation of bio modes of power further into the lifestyles of the Palestinians. If practices of reclamation are not perpetually performed at the checkpoint in ways that focus on their revolutionary potentials, such utilization of these spaces could begin to signal a dangerous trend towards the only spaces of social gathering for Palestinians being those which are so deeply entrenched with the unequal power structures of the occupation, ultimately breeding passivity and complacency. As a result, the new social relationships emerging at checkpoints further exemplify the continued dissolution of the private sphere in Palestinian society; where the IDF can infiltrate any private Palestinian dwelling without the owner's consent and where the primary spaces of social exchange are those of military oppression: where any such encounters occur under the watchful gaze of soldiers and other IDF military personnel.

The coupling of such spaces of domination with social encounters therefore produces a new dangerous paradigm for Palestinian public space. If subverted perpetually, the re-choreographed space of the checkpoint has the capacity to join other acts of territorial reclamation underway in the West Bank, including those propounded by this thesis in the following sections. As a final note, Israeli writer Tamar Berger describes this potentiality of the checkpoint:

"A deeper look at the checkpoint also reveals a certain degree of agency, a place of Palestinian power and Israeli weakness, a place of resilience, even defiance. The Palestinians defy the brutality of the checkpoint with their very presence – passive in appearance, pacifist in practice, self-controlled and civil, as they traverse a threatening, humiliating obstacle that forces them to contend with great physical duress (terrible cold in winter, rain puddles, mud, heat in summer, dust, etc). A place meant to instill fear and resignation, but they neither give up not give in."[72]

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71 As furter argued through Helga Tawil-Souri's work. See "Qalandia Checkpoint as Space and Nonplace." in *Space and Culture* 14(1) (2011).

72 Tamar Berger, "Caliban in Qalandiya: Toward an analysis of a checkpoint," in *City of Collision: Jerusalem and the Principles of Conflict Urbanism.* (Boston: Birkhäuser, 2006): 251.

- PART TWO -

-SECTION I-

EXTRATERRITORIAL APPROPRIATION

The following anecdotes tell a story of landscape misdemeanor; of violent trees and murdered flowers; of seemingly innocuous natural elements cum undercover agents and villains. Collectively, they speak of the all-encompassing complexity of the Israeli occupation and its deep penetration into the inner workings of the landscape. They exemplify the fantastic futility of ardent attempts towards ethnic separation, while respectfully bearing tribute to the tragedies that have occurred as a result of such righteous determination.

Perhaps least recognized as an Israeli apparatus for spatial control employed throughout this conflict, the elements of the natural environment have in many ways easily afforded themselves to such ventriloquism. In their silent, yet spatially consuming forms, they are frequently presumed to be politically neutral and passive. Yet, oscillating between use by Israelis and Palestinians, nature continues to serve as both friend and foe. Utilized as both a medium and an agent for power retention by the innumerable actors of this conflict, the hidden potentiality for dirt, trees, plants and insects to cause ripples in the geopolitical status of the West Bank should never be underestimated. These elements have the capacity to be imbued with complex socio-political narratives and, indeed, over the course of this conflict they have become parties to political change in both direct and indirect ways.

Israel's ability to control the lands of the West Bank for future Jewish settlement expansion has relied heavily upon such environmentally-masked tactics. The nature reserve has become a place not only for conservation, but also prohibition; a place where Palestinian land purchase is forbidden, simple Palestinian residential construction is prevented, and even animal grazing is in violation of the law. Likewise, cultivation laws serve not only to regulate the agricultural landscape, but to restrict economic competition with Israel and to promote a dependency upon outside imports. Most significantly in the West Bank, landscape has been utilized by Israel as a tool for extraterritorial appropriation across the Green Line, by masking itself in the appearance of practices pertaining to land-use regulation under the occupation.

As such, it seems only appropriate that subversion would be found within the same complex natural ecologies that have been utilized by Israel towards restricting Palestinian spatial contiguity. Adopting the opponent's vocabulary of environmental regulation and conservation and playing off the false passivity of honey bees and Israeli-protected wild flowers, the following proposed design tactic derives its own spatial language for a counter-policy of Palestinian extraterritorial appropriation, social cohesion, and economic prosperity.







< **(previous) fig. 2.01** *The simple act of cultivating one's agricultural land in the West Bank has become highly political. With land ownership tied to continuous cultivation, Israeli settlers have taken to intimidating Palestinian farmers to vacate Palestinian-farmed lands. Here, IDF soldiers are summoned by Israeli settlers from the settlement of Elon Moreh to remove Palestinians cultivating their olive trees on Palestinian land in the village of Azmut, near Nablus.*

^ **(above) fig. 2.02** *The relevance of olive cultivation to Palestinian land ownership and economic fortuity means that olive trees are preserved at all costs. Here, rather than being cut down, an olive tree is integrated into a concrete wall which is securing a private Palestinian residence in the West Bank city of Hebron.*

"*Nature, it becomes clear, is not only an idea but also a detailed technology through which lived spaces are controlled and managed with a hegemonic edge.*"[1]

– Associate professor of Law, **Irus Braverman**

"*Look what's happening in an area wherein the economic situation is terrible, and instead of encouraging a man to bring his bread forth from the land, or to create his own food, look what they're doing. The land on which we're growing wheat and barley and all kinds of things, and which helps the livelihood of these families, becomes a park or becomes a forest.*"[2]

– Interview with **Hassan Abu Asala**
(From Shaul Cohen's *'The politics of planting*")

1 Irus Braverman, "Tree Wars: A study of natural governance in Israel/Palestine and in four North American cities." (PhD diss. University of Toronto, 2007): 16.
2 Cohen, *The politics of planting : Israeli-Palestinian competition for control of land in the Jerusalem periphery,* 140.

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MIRI VERSUS MAKHLUL

The tracking, documenting, and verification of land usage in the West Bank is perhaps on a scale and intensity more extreme than anywhere else on earth. Using state-of-the-art satellite imagery, the lifespan and cultivation frequency of trees is being meticulously monitored. The exhaustive collection and analysis of this data by the Israeli Land Appeal Committee is not being done for ecological reasons tied to plant monitoring or global warming, but for political reasons of extraterritorial jurisdictional control. Newer and more sophisticated technologies are being implemented in order to ensure that the primitive use of *Miri* land by Palestinians residing within the West Bank remains frozen in the 19th century. Land usage which is not in conformity with tight Israeli regulations renders it susceptible to seizure by the state, after which time it becomes re-designated as *Makhlul* land and placed under the possession of the Israeli government.[3]

The reclassification of land from Miri to Makhlul began in 1979 as an extension of the efforts by Israel during the 1960's and 70's to lay claim to lands affiliated with Palestinian 'absentees' by stripping their title from a designation of personal ownership to declaring them seized 'Survey Land'.[4] Whereas these initial post-war seizure tactics utilized by Israel scrutinized existing claims of Palestinian land ownership based on the owner's regional presence, the subsequent shift in the 1980's towards the relevance of Miri land has meant that the owner's physical presence is no longer solely determining land possession, but it is the land's very chosen usage which qualifies title.

From 1979 - 2002, the central area of focus regarding land appropriation in the West Bank shifted to land defined as Miri land under the original Ottoman Land Law of 1858, which is an outdated law remaining in place in the West Bank due to the continuation of the Jordanian legal structure law under the terms of military occupation. This system of Jordanian laws relies heavily upon earlier Ottoman legislations.[5] In an interview that professor of Law Irus Braverman conducted with David Kishik, the head of the inspection unit of the Israeli Civil Administration, Kushik describes the threat that the Israeli government sees in Palestinians cultivating Miri land in the West Bank - land that could otherwise be set aside for the sole

3 See A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C,* 29.
4 Which would be placed in the hands of a trusteeship. Yet these lands have frequently been used for settlements.; A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C,* 29.
5 Following Israel's regognition of the Hague Convention under Proclamation II. See State Comptroller, State Comptroller's Annual Report 56A, 2005):206, as mentioned in Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C,* 30.

use of Israelis as State Land;

"*But no one wants to be uncivilized and say that this is a war over land. [. . .] If there wasn't Article 78 [we] would have found something else. [But] the trees look so naïve, as if they couldn't harm anyone. Just like children. But then, many years later, they turn into terrorists that actually kill people*"[6]

What Kishik is referring to ties into a greater practice of securing territory by means of tree planting which has been ongoing in the Israeli-Palestinian conflict for generations. At its core, this spatial arms race can be deduced to the dichotomy of Israeli pine vs. Palestinian olive tree; something that Irus Braverman discusses at length in her book 'Planted Flags: Trees, Land, and Law in Israel/Palestine.'[7] Originally a practice by the Jewish National Fund (JNF) within Israel's pre-1967 borders, performed in an effort to 'improve' the landscape and to generate a direct correlation between its Jewish 'improvers' and the newly established land, these tree wars are now being played out in the West Bank on a level of increased complexity. The pine tree becomes a proxy watchman of the land for Israel, guarding its extraterritorial sovereignty against Palestinian usage until it can be slated for settlement expansion or permanently appropriated during the final status negotiations. As a result of the imbedded political symbolism of landscaping, it has become impossible for [SEE ARCHITECT] a planner, *architect*, or landscape architect to apolitically design and construct on behalf of the Palestinians in the Israeli-controlled West Bank territory of Area C. The obfuscated palimpsest of legal structures and Israeli military orders tied to land ownership and usage has thrust the architect into a role at the forefront of the conflict whether knowingly or not.

As a result of the issuance of Military Order #1015 by the IDF on January of 1983, Palestinian cultivation of fruit trees became subject to Israeli military approval.[8] Military order #1039 further supplemented this original order by adding permit restrictions to an extended list of trees and vegetables, including tomatoes and eggplants. Although not always enforced, failure to secure such approval is subject to fines, imprisonment and crop demolition. On top of the restrictions on cultivation, Palestinians are prohibited from using abandoned land or State Land to undertake new acts of cultivation. The resulting shortage of usable land for cultivation purposes has meant that all produce items which are restricted or prevented from local cultivation must be imported from outside, frequently coming from Israel or the

6 Irus Braverman, ""The Tree Is the Enemy Soldier": A Sociolegal Making of War Landscapes in the Occupied West Bank." *Law & Society Review*, 42(3) (2008): 29.

7 Aside from the socio-cultural affiliations between the binary oppositions of olive and pine tree that Braverman so cogently articulates in her work, it is important to also note that the status of land containing pine trees is classified differently from that of agricultural land, since the pine tree is considered a 'forest tree.' The relevancy herein lies in the fact that, unlike agricultural lands, forest areas have been designated protected state lands by the Israeli government and as such are not up for re-assessment based upon cultivation practices. Furthermore, it is illegal to remove the trees of a national forest reserve in order to introduce privately-owned agriculture, as evidinced by the epigram at the opening of this section. On a much more fundamental environmental level, the acidity of pine needles provides an added degree of protection against cultivation since their alteration of the grounds PH makes it extremely difficult for other plants to grow within the same environment. The afforestation projects on state land by the JNF have been working hard to ensure that all land that comes into the hands of the Israeli state stays there. In Irus Braverman's various works she discusses the role of the JNF within the pre-1967 borders of Israel to use planting as "a way to physically freeze the situation of undeveloped land eventually intended for Israeli development. See Irus Braverman, *Planted flags : Trees, Land, and Law in Israel/Palestine*. (Cambridge, UK : Cambridge University Press, 2009).

8 Jamil Rabah and Natasha Fairweather. *Israeli Military Orders in the Occupied Palestinian West Bank 1967-1992*, (2nd Ed.) (Jerusalem Media & Communication Centre, 1995): 128.

settlements and typically at a price premium.

Monitoring Miri land usage in Israeli-controlled Area C is done by a variety of committees and divisions of Israeli military personnel, as well as non-governmental Israeli settler organizations such as The Regavim Advocacy Group.[9] The inspection unit of the Israeli Civil Administration is responsible for the detection and physical removal of unauthorized new Palestinian tree plantings that have 'infiltrated' Israeli-declared State Land.[10] When questions of uncertainty regarding the duration and degree of cultivation arise in their work, the qualitative assessment of a tree's life is reinforced via the secondary evidence of aerial photography. According to Braverman, Malka Offri of 'The Survey of Israel: Agency for Geodesy, Cadastre, Mapping and Geographic Information', is the sole expert called on to testify regarding aerial photographs pertaining to Palestinian land cultivation in the West Bank's Area C.[11] Through her process of overlaying color identification markers on the images, Offri deduces the multi-faceted landscape on the ground into a codified document ultimately affirming or negating the presence of a decade or more of Palestinian agricultural cultivation.[12]

In order for their owner to remain recognized by the 'Israeli Land Appeal Committee', lands used for agriculture must be overtly visible and farming must be continuous. As a result, not all approved forms of land cultivation are created equal. Braveman describes how by biasing aerial photography as an instrument for cultivation evidence, the committee is not only documenting cultivation, but prescribing which plants are most legible across the landscape, and therefore most likely to be approved;

"*The technical blindness of aerial photos to certain seasonal vegetation leads the discussion back to trees. Indeed, mostly because of the tree's unambiguous and continuous physical presence through the seasons, the technology of aerial photography strongly favors trees. In this sense, the status of the aerial photo as admissible evidence to the Land Appeal Committee results in that it has the power not only to read the landscape but also to make it.*"[13]

Emphasizing the legality of certain types of agriculture has played a role in ensuring their dominance across the West Bank's landscape. If the proliferation of this narrow range of acceptable plantings is perpetuated, severe ecological, economic, and public health ramifications may also begin to present themselves to Palestinians over the long term.[14] The reliance upon a limited range of 'approved' agricultural plants, and more specifically, on those which can render themselves most visually legible leads to an overabundance of certain crops while invariably causing a shortage of other much needed ones which then cease to be produced locally. Entangled with unequal water access and export issues, this

9 serving as a key *political progeny* in this conflict, Regavim has taken on much of the land use monitoring work in the West Bank, highlighting unauthorized Palestinian construction to the Israeli Civil Administration.
10 Braverman, "The Tree Is the Enemy Soldier": A Sociolegal Making of War Landscapes in the Occupied West Bank," 15.
11 Braverman, "The Tree Is the Enemy Soldier": A Sociolegal Making of War Landscapes in the Occupied West Bank," 18.
12 Braverman, "The Tree Is the Enemy Soldier": A Sociolegal Making of War Landscapes in the Occupied West Bank," 21.
13 Ibid.
14 The list of restricted types of agriculture is covered by Israeli Military Orders 1019, 1039, 1147. See Jamil Rabah and Natasha Fairweather. *Israeli Military Orders in the Occupied Palestinian West Bank 1967-1992,* (2nd Ed.) (Jerusalem Media & Communication Centre, 1995).



fig. 2.03 *Agricultural land across the West Bank is increasingly suffering from environmental degradation. The most visible forms of deterioration, such as sewage spill and waste deposits (shown here in the village of Battir) are only one component in this process. The practice of monocultural planting, which has resulted from Israel's cultivation restrictions, presents an equal, yet less visible, threat to the West Bank's agricultural prosperity by rendering crops highly susceptible to widespread epidemics.*

has resulted in a substantial decline in the variety of fruits and vegetables being grown by Palestinian farmers in the West Bank.[15] Ultimately, the result is an increased Palestinian dependency upon outside food sources. The danger in this reliance is tied to their higher food costs and perhaps most crucially, the vulnerability of food deliveries, which can easily be halted or terminated during crop shortages, military curfews or security closures, known to last for indefinite periods of time. Furthermore, additional hardships are experienced by those rural Palestinian communities entrapped behind the Separation Barrier who are finding mobility to outside markets time consuming and cost prohibitive. These communities may be left with little choice but to sustain a diet comprised of a narrow list of foods which remain locally cultivated. On the whole, tight restrictions on the use of Miri land have meant that plantings which do not directly tie into the explicit agricultural use of the land place its ownership in jeopardy. These restrictions eliminate the potential for Palestinians to maintain a garden on a casual or infrequent basis, or as a means to support other indirect uses, such as nectar provision for practices of bee keeping, as elaborated in the following section of this thesis.

In addition to the negative impact that Israel's restrictions on land-use and agriculture have caused to the economic prosperity of Palestinians, their environmental impact on the West Bank has been no less redeemable. The prevalence of a near-mono-cultural landscape places the West Bank's agricultural crops more susceptible to insect epidemics and mass crop annihilation since insect infestations spread rapidly through plants which share vulnerabilities to a particular pathogen.[16] With the olive tree being especially vulnerable to infestations by the olive fly and the fungal disease *Cycloconium*, or 'Peacock Eye,' threats on the quantity and quality of Palestinian olive production remain ongoing.[17] The vulnerabilities are highest in the West Bank's rural areas where pesticides are not always affordable or easily accessible. The crops in these regions stand a substantial risk of mass annihilation if an infestation were to spread.

Perhaps the most silent of landscape casualties, a reduction in plant species could dangerously lead to an overall decrease in Israel's and the West Bank's ecological biodiversity. Paired with practices of illegal dumping and improper sewage disposal in the West Bank (covered in the following sections), the result is the further degradation of Palestinian agricultural land, making the profitable usage of these lands increasingly unfeasible. In the presence of a less diverse rural agriculture, the multitude of animal, bird and insect populations living in the area can also be expected to decrease. With such tight restrictions being imposed on what still exists of the Miri land under cultivation in the West Bank, it is unrealistic to envision the usage of this land as a means for promoting biodiversity within its current capacity.

As a clearer course of action, emphasis needs to be placed back onto the hundreds-of-

15 Yet at the same time, Israeli settlers with ample access to water and no restrictions on agricultural practices are growing an abundance of various fruits and vegetables on the very same land that has been seized from the Palestinians. These crops are then sold back to the Palestinians at a price premium which many families cannot afford. Other Palestinians refuse to purchase from the settler's as a matter of principle.

16 As opposed to polyculture, which through the mixing of crops has an inherent natural variation and likelihood that one or more of the crops will be resistant to a particular pathogen.

17 Oxfam. *The road to olive farming: Challenges to developing the economy of olive oil in the West Bank.* (2010): 10, accessed March 10, 2012, http:// www.oxfam.org/sites/www.oxfam.../the-road-to-olive-farming_0.pdf.



^ **fig. 2.04** *A snapshot of the typical West Bank landscape of Miri land, where nature is ordered along stone-wall agricultural terraces and olive trees continue to grow where they have been for centuries. The deterioration of this Miri land across villages like Battir (shown here) threatens to render the historical vernacular of the Palestinian landscape extinct.*

thousands of dunams of occupied land suspended in confined classifications in the West Bank, which continue to sit 'safeguarded' away from Palestinian use. Such a focus is particularly pertinent since under the provisions of the Ottoman Land Law Miri land *should* remain accessible for Palestinian agricultural use. Since the main aim of the Ottoman Land Law was to register the rights of individuals to their specific farming as a means of taxation, once returned to the state, these areas should be available for cultivation by a new Palestinian farmer, whom after a period of ten years can then claim full exclusive rights to the land's use. In practice however, the Israeli Civil Administration has blocked the potential for this to happen in two strategic ways. Firstly, by declaring these lands as state property and refusing to allow new Palestinian farmers the right to cultivate them. And secondly through the re-designation of many of these areas as closed settlement areas. As a result, despite the territory of the West Bank being in political limbo on the negotiating table, (the entirety of the West Bank ostensibly being slated for the future Palestinian state) presently the only individuals capable of using State Land are Israeli citizens. References to the term *state* and *public* thus begin to insidiously reveal who is considered as included and excluded from these collective categories.

The protracted length of the occupation has resulted in a conflict that has wholly engulfed every aspect of daily Palestinian existence, to the point in which even one species of tree can signal a legitimate tie to an area over another. Tree and plant classification, species, size, growth cycle and water requirements are no longer the sole factors for design consideration based upon the merits of aesthetics and sustained ecology. These factors have been sidelined by what Shaul Cohen has called the *politics of planting*.[18] Using native plant species takes on a whole new deeper meaning of complexity under occupation due to imbedded correlations between the 'authenticity' of the plants on the land and the 'authenticity' of the people who inhabit the land and grow them. Because of this, the power in using natural elements as weapons of extraterritorial appropriation comes through in their inherent blurring of responsibility; the olive or pine tree is simply growing, the landscape is only something which occurs naturally. It is unclear at what point responsibility is assigned to humans for imbuing these nature systems with such deep political significance.

With plants serving as proxy agents for actions on behalf of their planters, such distinctions are difficult - if not impossible - to ascertain. Accordingly, designers entering into the quagmire of spatial complexities generated from this conflict need not only to be familiar with plant species and their legalistic restraints under Israeli Military Orders, but also need to foresee missed political opportunities hidden inside these plants' botanical strengths. How can a specific plant tacitly contribute to the spatial arms race of this conflict? Will they underscore the conditions of division and restriction in the West Bank or will they work towards overturning the laws and restrictions which make Palestinian spatial strangulation possible?

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18 Shaul E. Cohen, *The politics of planting : Israeli-Palestinian competition for control of land in the Jerusalem periphery.* (Chicago: University of Chicago Press, 1993).



fig. 2.05 *Since the introduction of an Israeli campaign in the 1960's, wildflowers such as G. Tournefortii (shown here) have been afforded great legal protection from the state of Israel. The exceptional treatment and subsequent legal provisions imposed towards the security of these flowers and other natural elements in Israel and the West Bank stands in stark contrast to Israel's treatment of the Palestinians, millions of whom are statelessly residing in a land where they receive no protection from Israeli law.*

A RUN-IN WITH *GUNDELIA TOURNEFORTII*

"Go out to the Landscape, but Don't Pick!"[19]

–Israeli wildflower protection slogan

On Thursday, March 3rd, 2011 three Palestinian men were detained by the IDF in the West Bank's Jordan Valley.[20] Under the rising spring heat of this barren, semi-arid landscape, they had been caught committing a crime. Held up as evidence by the Israeli soldiers was *Gundelia Tournefortii*, or *A'kub*, a native thistle plant most commonly known for its use in springtime Palestinian cuisine. Only suitable for consumption when the fresh young sprouting buds bloom between February and March, it can be assumed that the suspects had been found purposely uprooting the plant in order to dine on it. However, in light of the soldier's ardent observation, today, it seemed, the delicious thistle plant would not be making its way to the dinner table. The accused Palestinian men were finally released three hours after their detainment and their case was referred to 'The Israeli Nature and Parks Authority', where they would undoubtedly face further reprimanding and fines.

Despite G. Tournefortii having longstanding usage in both traditional Palestinian culinary recipes and medicine, a 1960's campaign launched by the 'The Israeli Nature Reserves Authority' and 'The Israeli Society for the Protection of Nature' placed the native plant, alongside dozens of other wildflower species, on a protected list, preventing its picking within Israel.[21]

A seemingly innocuous plant, G. Tournefortii does not opulently stand out in the landscape. The IDF soldier's fervent identification of its mistreatment and subsequent intervention towards its protection invariably raised humorous speculation amongst those later hearing of the incident as to whether the soldiers had merely been amateur botanists or if the IDF had scheduled plant sensitivity seminars alongside the intensive sessions of combat training.

19 Alon Tal, *Pollution in a Promised Land : An Environmental History of Israel.* (Berkeley, CA: University of California Press, 2002): 173.

20 Machsom Watch, "Hostile Terrorist Activity in Jordan Valley – Picking of Wild Plant," March 3, 2011, accessed March 3, 2011, http://www.machsomwatch.org/reports/checkpoints/03/03/2011/afternoon/17352?checkpoint=587; Yehoshua Bryner, "Palestinians Delayed for Five Hours for Picking Protected Plant," *Walla News*, March 7, 2011, accessed March 7, 2011.

21 Simcha Lev-Yadun and Shahal Abbo, "Traditional Use of A'kub (Gundelia tournefortii, Asteraceae), in Israel and the Palestinian Authority Area." *Economic Botany,* 53(2) (2009): 217-219. and Tal, *Pollution in a Promised Land : An Environmental History of Israel,* 173.

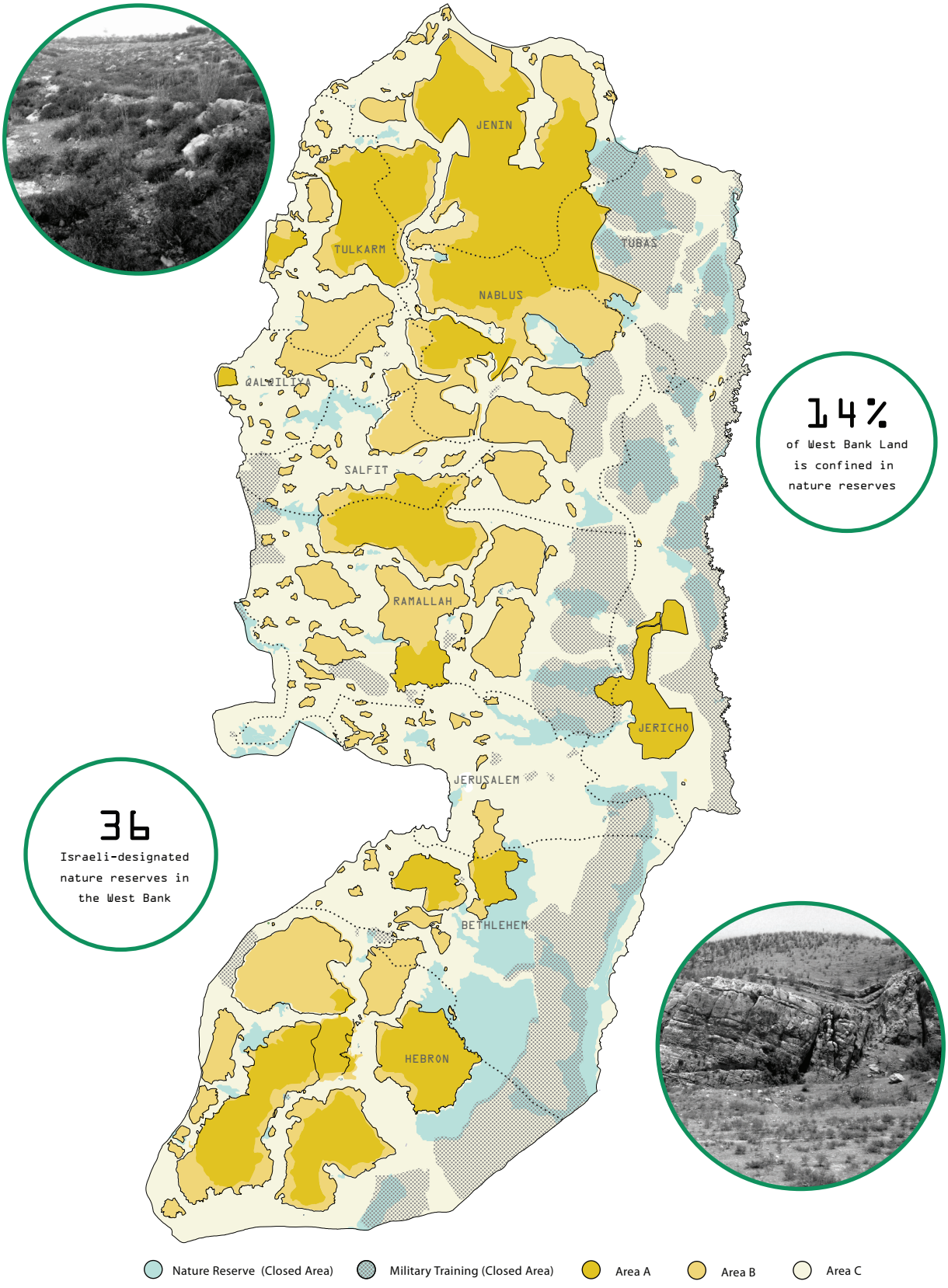

fig. 2.06 *Map of nature reserve closed areas located in the West Bank and their overlap with IDF closed military areas.*

Irrespective of the ludicrousness of the situation, the implication of Palestinians in having violated the prohibition of an Israeli governmental authority brought to the fore much greater questions regarding the jurisdictional legality of the Occupied Territories and served as an example of how the Palestinian population remains subject to Israeli rule without, in corollary, receiving any of the rights and protection associated with Israeli citizenship. Perhaps most surprising in the situation is the realization that Israeli government officials and even parts of the Israeli society could react with condemnation and anger when they discover that a protected wildflower has been uprooted from its land, but not when a Palestinian has.

In many ways then, the image of the detained Palestinian holding the uprooted G. Tournefortii cannot help but conjure a poetic analogy from the relationship of the two; both entities existing within an Israeli legal framework which considers their presence as exceptional and separate from the law as it applies to those subjects in their adjacency. As such, the West Bank Palestinian and the protected Israeli wildflower are perhaps more similar than they may first appear. In their removed legal statuses, they symbolize the position of one another and underscore Israel's practices of imposing order through the differentiation of particular entities as exceptional within the law. The wildflower is granted outstanding protection - beyond that of other Israeli plants in its vicinity - just as the Palestinian remains exceptionally excluded from the legal rights assigned to his adjacent Israeli subjects.

The Israeli wildflower campaign which led to the protection of G. Tournefortii commenced in the 1960's under increasing concern that the native flora and fauna of Israel was being shadowed by the mighty thrust of Zionist development.[22] Despite a full 25% of Israel's post-1967 land being set aside for nature preservation and despite the stated desire of the Israeli government to establish some 373 nature reserve areas, many Israelis were dissatisfied with their fragmented and discontinuous characteristics, feeling these reserves could not ensure protection to threatened species outside of their enclavized boundaries.[23] Based on these concerns, the Israeli Nature Reserves Authority utilized the 'protected natural assets' statutory provisions as a vehicle towards securing the protection of a list of flowers, plants, fish, trees and mammals outside of the perimeters of the nature reserve. As a result, the list of chosen species, including G. Tournefortii, was to be protected extraterritorially.[24]

As these zones of environmental conservation were introduced into the territory of the West Bank, their protectionist mandates began to take on a greater, more political magnitude. Some thirty-six Israeli-designated nature reserves – 83% of which fall into Israeli-controlled Area C – are located in the West Bank.[25] Beyond their traditional intention of protecting nature from man, in the absence of agreed sovereignty in the West Bank, these areas simultaneously began to serve the dual Israeli political purpose of safeguarding unpopulated lands away from Palestinian ownership and use. Accordingly, the West Bank's nature reserves became islands of Israeli-controlled territory where Palestinians were prohibited from building, farming and grazing. Given the strict enforcement of Israel's protection to nature reserves,

22 Tal, *Pollution in a Promised Land : An Environmental History of Israel*, 173.
23 Ibid.
24 Ibid.
25 Applied Research Institute Jerusalem. "The Nature Reserves in Light of the Israeli Assaults." (2005), accessed March 10, 2012, http://www.poica.org/editor/case_studies/view.php?recordID=713



fig. 2.07 *Preservation of the natural environment in the West Bank by Israel has resulted in some thirty-six areas being designated as nature reserves. In the creation of these reserves, Israel has simultaneously restricted Palestinian ownership and use of a substantial portion of land in the West Bank. Shown here is the nature reserve of Ein Gedi, which boasts a number of natural water springs, whose runoff is bottled and sold for profit by Israeli companies.*

it could very well be said that the plants of the nature reserve are granted more protection under Israeli law than the Palestinians currently are. The Israeli rationale for such tight restrictions on nature reserve areas is straightforward. Beyond wildlife protection, the longer the lands of the nature reserve remain vacant, the greater the possibility of their future annexation to Israel, particularly considering that all of these reserves are already run and operated by the Israeli Nature Reserves Authority. In a legalistic effort to keep these areas vacant of Palestinians, only those residents who had been living within the confines prior to the change in classification to nature reserve were allowed to remain residents, and even they were subject to harsh restrictions on the use of their property.

The intention to preserve the natural environment has indeed been a sincere Israeli endeavor and one which has perpetually been requested by its citizenry. Yet, while working towards the preservation of the environment, the character of these nature reserves has become entangled with territorial land claims and at times the restrictions on the usage of these areas by Israelis and Palestinians was unclear or contradictory. In many instances, particularly in the Jordan Valley, the land of nature reserves substantially overlaps with IDF military training areas, making claims to environmental protection dubious and doubtful. Likewise, in other regions of the West Bank, the lands of nature reserves have been used for Israeli settlement construction, serving no form of natural preservation whatsoever, in fact quite the opposite.[26] In their unique environmental classifications, the nature reserve became one of the first segregated enclave spaces in the landscape of the West Bank.

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26 Applied Research Institute Jerusalem. "The Nature Reserves in Light of the Israeli Assaults." (2005)

THE CLOSED MILITARY AREA

"Imagine what a person feels, seeing his property and land being stolen right before his eyes, while his hands are tied and he can do nothing. The land is right before my eyes. It's only a few dozen meters away, and I see it every day, morning and night, but I can't enter it whenever I want."[27]

– **Abbas Alwan**, farmer, resident of 'Ein Yabrud Village, Ramallah District

The '*closed military area*' arrived early in Israel's arsenal of legalistic territorial reclamation tools. Immediately following its imposition it began to work as part of a greater body of prohibitions acting to secure West Bank land away from the use of Palestinians. As a report issued by the Israeli NGO *B'tselem* explains;

"*The closing was carried out pursuant to military orders prohibiting persons from entering and remaining on the land, including for grazing purposes, except for persons who were on the land before it was closed. The military commander has the authority to arrest persons who enter the land, and to confiscate their livestock."*[28]

The procedure was relatively straightforward. Initially appropriated as Israeli State Land, these closed areas later become slated for settlement construction, at which time, access to both the built-up settlements and their perimeter buffer zones becomes restricted. The State Land classification of these lands is then also amplified to the more prohibitive classification of Israeli 'closed military area' and Palestinians are prohibitted from entering - let alone grazing or cultivating - in these areas without a special permit. (*For a map of the various closed military areas see pg. 99, fig. 2.13*). As further elucidated by *B'tselem* in another report;

"Entry into the vast areas over which Israel has seized control over the years ... is denied to the Palestinian residents after a military order is issued declaring the land a closed military area. This prohibition drastically restricts the possibilities available to Palestinians for economic development in general, and for agriculture in particular."[29]

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27 B'Tselem. *Access Denied: Israeli measures to deny Palestinians access to land around settlements*. (2008): 5, accessed 12 March 2010, http://www.btselem.org/download/200809_access_denied_eng.pdf.

28 The declarations were made pursuant to the Order Regarding Security Provisions (Closing of Training Areas) (No. 377), 5730 – 1970, and section 90 of the Order Regarding Security Provisions (Judea and Samaria) (No. 378), 5730 – 1970, which was amended numerous times. See Eyal Hareuveni and S. Vardi, ed. *Dispossession and Exploitation: Israel's Policy in the Jordan Valley and Northern Dead Sea*, tr. Zvi Shulman. (B'Tselem, 2011): 15, http://www.btselem.org/download/201105_dispossession_and_exploitation_eng.pdf.

29 Yehezkel Lein and Yael Stein, *Land Grab : Israel's Settlement Policy in the West Bank,* (Shaul Vardi and Zvi Shulman, Trans.). (B'Tselem, 2002), accessed June 10, 2011, http:// www.btselem.org/download/200205_land_grab_eng.pdf.



fig. 2.08 *Closed military areas exist throughout the West Bank as exceptional zones of amplified Israeli security restriction. The proliferation of such areas has meant that Palestinians are now faced with even less territory for use towards their own collective needs. Constraints on minor forms of construction, animal grazing, and even entry inside these areas have left most of such lands in a state of decay. Unmaintained and underutilized, their derelict existence is simply waiting for a time when settlement expansion inside these areas will become politically acceptable.*

The designation of land as a closed military area has also occurred for a number of reasons outside of those solely affiliated with the classification of lands for Israeli settlements. In the Jordan Valley for instance, the title of closed military area denotes huge swaths of land which sit underutilized, occasionally serving as IDF training areas or live firing zones. In juxtaposition to the casual usage of these areas by the IDF, many Palestinians (primarily Bedouins) living within these closed areas have repeatedly been displaced and had their places of residence demolished. Others have been reprimanded or had their livestock confiscated for grazing in these closed areas of Israeli restriction.[30] Elsewhere in the West Bank, closed military areas have been assigned to the zone existing between the Separation Barrier and the Green Line. (*See pg. 99, fig. 2.13*). The narrow ribbon of land of the '*seam zone'* has left its residents suspended in a no-mans-land where access to the rest of the West Bank is severed, yet entrance into Israel is prohibited.

Within the ambiguously demarcated confines of all of these areas, Palestinians are forbidden to enter without authorization from the Israeli Military Commander. Surprisingly, in many of the same areas, access by Israeli citizens and all foreign tourists remains possible without any form of special permit for entry. It is only the local Palestinians whose access is banned.

The perimeters of these closed military areas are physically demarcated in a number of ways: the presence of an illuminated patrol road, two-meter high barbed wire fences, electronic sensor devices, attack dogs and simple signs are amongst the most common. In culmination, these enclosure systems demarcate the rough outlines of an unofficial collection of West Bank boundary conditions, ones invisible to Israelis, but which serve to warn Palestinians that they will be entering into a space of further legalistic suspension once inside.

Comprising some 100,800 hectares, or 18% of the West Bank, closed military areas are the most restricted of areas in the West Bank's regions presently under Israeli-control.[31] Within closed areas, special open-fire regulations enable shooting at Palestinians who are considered as trying to 'infiltrate' these areas, regardless of their claimed intentions. The power to shoot and kill without trial instantaneously strips them of what meager legal rights they may have possessed and deduces them out rightly to nothing more than *bare life*.

In their slow erosion of the contiguity of the West Bank, the presence of closed military areas has greatly contributed to the social and economic hardships of the Palestinians and fundamentally inhibited their freedom of movement. Much of the land lying within the closed zones which are encircling the settlements and bypass roads remains privately-owned by Palestinians who had depended upon its cultivation as a source of income and livelihood. Despite specific provisions within the military edicts applying to these closed areas which ensure Palestinians access to their farming areas, entry has remained incredibly restricted, is contingent upon proven land ownership and security tests, and is limited to particular timeslots assigned by the IDF.[32] Palestinians persevering these initial impediments to land access soon realize that once on their land, they still have no protection from the aggression

30 The declarations were made pursuant to the Order Regarding Security Provisions (Closing of Training Areas) (No. 377), 5730 – 1970, and section 90 of the Order Regarding Security Provisions (Judea and Samaria) (No. 378), 5730 – 1970, which was amended numerous times. See Hareuveni, Eyal and Vardi, S, Editors. *Dispossession and Exploitation: Israel's Policy in the Jordan Valley and Northern Dead Sea,* tr. Zvi Shulman. (B'Tselem, 2011): 15. http://www.btselem.org/download/201105_dispossession_and_exploitation_eng.pdf

31 UN Office for the Coordination of Humanitarian Affairs. *Restricting Space: The Planning Regime Applied By Israel in Area C of the West Bank.* (December 2009): 6.

32 Yehezkel Lein and Yael Stein. Behind the Barrier: Human Rights Violations as a result of Israel's Separation Barrier, tr. Zvi Shulman. (Jerusalem: B'Tselem, March 2003): 11.



^ **fig. 2.09** *The IDF's imposition of temporary closures in areas where security breaches have occurred or Palestinian protests are taking place constitutes the creation of an ephemeral closed military area. When such closures are declared, Palestinians are prohibited entry into the specified area. It is in the manner that Israel has been able to stifle political dissent and to unabatedly punish those who resist. Shown here, a peaceful protest against the construction of the Separation Barrier occurs in the Palestinian village of Ni'lin on 17 September, 2010, despite the Israeli closure of the area.*

of Jewish settlers or Israeli soldiers. Many Palestinians have been beaten or shot by those who oppose their presence in such areas.[33]

With regards to the settlement buffer zones, some 4,558 dunams of land has officially been designated as part of the Israeli Civil Administration's *'Special Security Areas'* (SSA) which encircle twelve settlements located to the east of the Separation Barrier and are closed to Palestinian entry.[34] All of the land within a settlement's Municipal boundary is also considered a closed military area. Originally, under attorney general Michael Ben-Yair, a maximum distance of twenty-five meters from the outermost house of the settlement was prescribed to SSA zones.[35] This distance was then increased to fifty meters under attorney general Elyakim Rubinstein, who allowed even further expansion beyond this point with special approval.[36] Taking their material forms in innumerable permutations and configurations which respond to the specific political, geographic and security conditions of each settlement, these expanding boundaries are continuously evolving in relation to the *conflict ecologies* surrounding them. For example, in many instances, the settlers themselves have established their own barricades, well beyond the IDF-assigned confines of the settlement. These unapproved settler barricades are typically set up arbitrarily on Palestinian land and are designed to further sever access to Palestinians using the territory for cultivation and grazing. In almost all instances, these de-facto settler barricades have remained in place, and in some instances they have even been upgraded by the army. Ever-pressing for the maximum attainable amount of territorial expansion, the distended waistlines of these settlement buffer zones now sit bloated from their copious consumption of Palestinian land.

EPHEMERAL CLOSED MILITARY AREAS

Aside from the fixed geographical areas of the West Bank which have been classified as *closed military areas*, these zones of amplified military authority also exist in various West Bank locations on a short-term provisional basis. For instance, when the IDF enters the Palestinian village of Al Walaja to continue construction on a portion of the Separation Barrier (an ongoing process since early 2010), the entire village is temporarily declared a closed military area, so as to enable construction to be performed unimpeded by Palestinian opposition and protest.[37] Perhaps most notably, with regards to ephemeral closed military areas, in the Palestinian village of Ni'lin the area was ordered closed for an entire six month period as a means of clamping down on the relentless protests which occur weekly against the construction of the Separation Barrier there.[38] During such times, the IDF holds the ultimate authority to impose force on anyone who it perceives to be a threat, without that person's due prosecution and with immunity being granted to the acting soldier. The IDF's repeated incursions into Palestinian-controlled Area A, in violation to the provisions of the Oslo Accords, highlights the compromised nature of Palestinian jurisdiction in these areas and shows that despite a transfer in jurisdictional authority, these areas remain under Israeli

33 B'Tselem. *Access Denied: Israeli measures to deny Palestinians access to land around settlements*. (2008): 25, http://www.btselem.org/download/200809_access_denied_eng.pdf
34 B'Tselem. *Access Denied: Israeli measures to deny Palestinians access to land around settlements*, 34.
35 Ibid.
36 Ibid.
37 "PCHR Weekly Report: 13 abducted in 58 separate incursions this week; settlers attack olive harvest." International Middle East Media Centre. October 28, 2011, accessed October 28, 2011, http://www.imemc.org/article/62382
38 Hass, Amira. "IDF declares West Bank protest villages a 'closed military area." *Haaretz.* March 15, 2010, accessed March 12, 2010, http://www.haaretz.com/news/idf-declares-west-bank-protest-villages-a-closed-military-area-1.264781.



^ **fig. 2.10** *Throughout the contested, mutable landscape of the West Bank boundary demarcations are manifesting themselves in unconventional and unforeseen ways. These boundaries work by embedding their restrictions into seemingly disparate entities and objects: turning the army jeep, soldier, curb or dirt trench into integral parts of a greater apparatus of short-term security enclosure. Shown here, IDF soldiers form a line demarcating the closed military area imposed upon a protest in Izbat Tabib as a result of the local Palestinians' attempts to remove concrete blocks and boulders, which were preventing them from accessing a local road.*

occupation. It furthermore underscores the continued power of Israel as sovereign to act as the sole entity empowered as '*he who decides on the exception,*' to borrow the concept of Carl Schmitt.[39]

These innumerable zones of provisional legal standing have turned the West Bank into a babushka doll of states of exception. Within the West Bank's greater state of legal suspension additional such spaces exist as further islands of provisional legal standing, cumulatively producing an overall '*archipelago of exceptions*' inside the West Bank's small land mass of 564,000 hectares.[40] Wedged beside islands of Palestinian villages and settlement enclaves, closed military areas are perhaps the quintessential examples of these spaces of further legal exception. Within their perimeters a uniquely modified construct of legal authority has been placed in effect, one which enables the ruling army ultimate authority. The unabated power assignments given to soldiers to act provisionally as they see fit in these areas arbitrarily prescribes behavioral conduct and rights to Palestinians, which are in variation to those applied to the West Bank's lands in their adjacency.

Accordingly, the closed military area serves as an amplified example of the Israeli-imposed systems of legal suspension which are affecting the West Bank at-large. The mutable characteristics of these closed areas also highlights the schizophrenic nature of a substantial portion of the territory of the West Bank – switching jurisdictional alliance from Palestinian to Israeli, then back to Palestinian- over the duration of few hours, a concept with will be explored further in Section II of this thesis. Under such oscillations in spatial authority, the physical demarcations of sovereignty operate through transient objects and entities: the IDF jeep and the network of patrol soldiers become part of a greater malleable boundary, their fluctuating motion expanding and contracting elastically as they secure the perimeter of the area they wish to enclose. (*See fig. 2.10, opposite*). Once the IDF incursion has concluded, this boundary once again dissolves, returning its spaces of confinement back to their Palestinian private and public designations. Perhaps most importantly then, it becomes clear that sovereignty manifests itself as a product of both time and space: existing not just within a particular area but also within a specific window of implementation. During these periods of incursion, the shift in dominion signals Israel's capacity to *seize the temporary* and use it as an effective means for imposing legalistic opacity and brute sovereign force. In propagation, these acts of incursion erode the already compromised sense of Palestinian autonomy which has been established within the confines of the enclaves of Areas A and B.

Arbitrary in their formation, structure and duration, the IDF's declaration of these closed areas are coming to signify new spaces of fractured sovereignty existing within the Occupied Territories. Their innumerable permutations and resultant hybrid jurisdictions forecast a different spatial conception of territorial boundaries; one which has difficulties distinguishing between 'inside' and 'out.' Not to be overlooked in such scenarios, the sporadic nature of these fluctuating sovereignties offers moments of subversion, which emerge from the environment of power imbalance and present themselves for exploitation to a keen observer.

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39 See Carl Schmitt, *Political Theology*, tr. George Schwab. (Cambridge: MIT Press, 1985): 5.

40 As akin to Zygmunt Bauman's term used to describe the culmination of states of exception culminate on a supra-national level. Land mass: A. Cohen-Lifshitz and N.Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C,* 28.


Palestinian Bees Entering into Israeli
Closed Military Areas to Collect Nectar
Palestinian Apiary Hub Located
Within the Confines of 'Area A'
Wildflowers Planted by Palestinians
for Extraterritorial Apiary Feeding



-DESIGN TACTIC I-

THE EXTRATERRITORIAL LAND OF 'MILK AND HONEY'

The following design investigation into a tactical approach towards Palestinian 'Extraterritorial Appropriation' attempts to generate a practice of spatial resistance against the Israeli occupation in the West Bank by working towards the simultaneous exploitation and alteration of the significance of Israeli Closed Military Areas.

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fig. 2.11 *The proposed extraterritorial wildflower growth for apiary feeding occurs on the lands surrounding a West Bank settlement*

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In August of 2011 the Palestinian Authority released a report identifying various economic opportunities for the West Bank Governorate of Bethlehem. Within its pages, the report outlined a number of unexploited avenues available to Palestinians to increase the situation of their dilapidated economy. In the section concerning agriculture, specific attention was paid to honey production as an undeveloped area with potential for economic improvement. Notably, a 42% deficit in the locally available honey in the West Bank was recorded in 2008 as well as a large shortage in Israel, valued at US $2 million dollars.[41]

Historically, apiary management in the areas which now comprise Israel and the Occupied Territories served as a dependable source of income to the local population, providing farmers with relatively easy modes of establishing an agricultural practice. Such practices have a particularly long legacy in the areas of Jericho and Gaza, but have also occurred throughout the rest of greater Palestine. Indeed, recent excavations in Tel Rehov, inside Israel have revealed apiary systems dating back to the ninth or tenth century, BC.[42] Despite the relative popularity of the practice historically, modern-day bee-keeping took a turn for the worst in 1985 when the Varroa mite killed approximately 80% of the hives in the region, leaving their farmers with next to nothing to maintain.[43] For Palestinians, the difficulties of recovering their apiaries post-Varroa mite were further compounded by the challenges they faced in their lives under occupation.

Perhaps one of the greatest challenges, with enhanced security protocols such as curfews, closures, checkpoints and permits, farmers could no longer perform the seasonal practice of relocating bee hives (as a means to ensure a steady supply of nectar). For example, bee keepers from the Neumeh Beekeepers Co-operative near Jericho could no longer easily move their bees to Gaza in April in order to capitalize on the vast array of citrus trees providing nectar there.[44] Throughout the West Bank, Israel's restrictions on Palestinian mobility has led many farmers to abandon their hives in search of alternate forms of employment. Since its collapse in the mid-1980's the Palestinian apiary sector has remained largely overlooked and neglected in terms of its economic potentials. Much as those previously working in

41 2008 total production was 10 tons, leaving a deficit of 5.68 tones. 2008 total production was 10 tons, leaving a deficit of 5.68 tones. See Palestinian National Authority, Bethlehem Governorate. *Study of Economic Opportunities in Bethlehem Governorate.* August 2011, accessed September 13, 2011. www.tvet-pal.org/.../Bethlehem_eco_study_Eng.final%20report.pdf.

42 Tel Rehov excavations press release, "Hebrew University excavations reveal first Biblical period beehives in 'Land of Milk and Honey'" 3 September 2007, accessed November 22, 2011. http://www.rehov.org/bee.htm.

43 Lord, William. "Beekeeping in Jericho and Gaza." *American Bee Journal.* (1994), accessed November 22, 2011, http://www.beesfordevelopment.org/uploads/Beekeeping%20in%20Jerico%20and%20Gaza001.pdf.

44 Ibid.

apiaries have switched to various industries outside of agriculture, the contribution of these bees to the region's biodiversity and to the pollination of crops has diminished as well.

Similar to the struggles brought on by the 1980's Varroa mite epidemic, in recent years worldwide bee populations have once again drastically fallen. The impact of *Colony Collapse Disorder* was first greatly felt in North America in 2006 and it has since been experienced in Europe and elsewhere across the globe. As a result of this collapse disorder, the re-establishment of global bee populations has become a concern, not solely in the interest of securing honey production, but to offset the ramifications on the decreased pollination of thousands of plants in the global agricultural sector. When considered for its feasibility in the Occupied Territories then, re-invigorating apiary management should not only be seen as an offset to the West Bank's overstretched olive production sector, but furthermore as a means of reinforcement to the sustainability of agricultural trees vis-à-vis their secured pollination.

Although the direct cause of Colony Collapse Disorder remains largely unknown, many Israeli farmers on the other side of the Green Line have successfully reinforced their hive activities by providing the bees with a greater source of nectar. Eucalyptus trees supplied by the Jewish National Fund (JNF) to Israeli apiaries have resulted in huge acreages of the nectar-producing tree, planted to serve the sole purpose of feeding the apiary's honeybees.[45] While the practice of supplementing a bees natural nectar supply with orchards was easily adopted into Israel, such a practice faces many obstacles when considered for implementation in the Occupied Territories. As has been elaborated in the previous sections of this thesis, the allotment of land for any purposes not directly tied to approved forms of agriculture under the Ottoman Land Law is simply not foreseeable in the West Bank given that such activities could result in a loss in ownership title which would result in land seizure by the Israeli state. With fertile land serving as a staple income generator to many Palestinians, most are not willing to gamble its loss in order to partake in new experimental apiary projects. With deprived access to a continuous nectar source still serving as the primary inhibitor to the reactivation of Palestinian apiaries, establishing a means of providing such nectar without compromising the security of the West Bank's Miri land becomes necessary.

Currently, Palestinian permit restrictions on access to the West Bank's closed military areas presume that land usage is inseparably tied to the land's access by humans. By engaging the honey bee as a proxy agent of cultivation, this legal constriction ceases to be relevant. Accordingly, the design tactic herein proposes that the closed military area be targeted as a new large-sized feeding ground for the suggested amplification of the Palestinian apiary sector. The legalistic oversight which has placed restrictions on human entry into the closed areas, but not onto that of animals, birds and insects, opens up a new fissure –a space of opportunity- towards the Palestinian reclamation of these most restricted of West Bank lands by proxy: through their ephemeral occupation by honey bees.

By utilizing the native seeds of Israeli-protected wildflowers to create 'cultivation capsules' - namely, a projectile ball comprised of an organic growth base interspersed with wildflower

45 "Australian Eucalyptus Trees Keep Israel's Honey Buzzing Year-Round." *Green Prophet*. 7 September 2010, accessed November 10, 2011. http://www.greenprophet.com/2010/09/australian-eucalyptus-israels-honey/

seeds- (*see pg. 98, fig.2.12*) the planting of these closed areas becomes possible without Palestinian physical access ever being required. Similar, yet more robust actions may also be possible in closed areas where access is prohibited, but not frequently monitored and where physical barricades are absent. In such unmonitored areas, it would be possible for teams of activists to enter and plant larger nectar-producing trees, such as Eucalyptus, leaving before being noticed. Once established, the nectar from these plants is then collected by the honey bees, rather than by Palestinians, requiring no human interference on the land whatsoever. In many ways, the honey bee is the perfect extraterritorial agent. Camouflaging with its natural environs, it skirts Palestinian accountability while the wildflowers it feeds upon sit shafeguarded within the protection of The Israeli Nature Reserves Authority and, likewise, of Israeli law. In such an instance, the protected wildflower serves as a proxy for Palestinian legitimacy, leveraging its own superior legal status as 'protected' as a stand-in for the inferior Palestinian stateless position.

This concept of extraterritorial control, although perhaps somewhat unprecedented in its utilization of natural environmental elements, is not particularly new. Since the commencement of the Second Intifada, Israel has grown increasingly reliant upon its ability to compensate for deficiencies in security - caused from limitations in its ability to permanently maintain a presence on the ground - by engaging operations which could occur from the air. After experiencing a multitude of Israeli soldier casualties and complications from on-the-ground incursions, particularly in Gaza prior to the 2005 'withdrawal,' the IDF learned quickly that by splitting apart the plane of engagement between itself and its Palestinian opposition, direct confrontations, and thus Israeli casualties, could be avoided and potentially even eliminated. In describing the IDF's logic behind such a process of spatially delaminated incursions, Eyal Weizman states:

"*They, and other military planners, referred to the occupation that will follow the Occupation – i.e. the domination of Palestinians after the evacuation of the ground space of the Gaza Strip and parts of the West Bank is completed – as the 'invisible occupation', the 'airborne occupation' and/or 'occupation in disappearance'.*"[46]

Controlling the West Bank's enclaves extraterritorially is becoming the modern-day modus operandi for Israel towards its aim of maintaining demographic separation without sovereignty. And, indeed, this practice may very well need to become a paradigm for the small assemblage of a fragmented and discontinuous future Palestinian state.

Working towards jurisdictional subversion via apiary management, this same sense of logic presents itself on the scale of the individual apiary node which serves as a clever means for territorial reclamation via the aeronautical use of bees rather than on-the-ground Palestinian cultivators. Accordingly, a new sort of *entomological colonization*, perhaps even *entomological asymmetric warfare*, begins to take form. While the short-term applicability of such apiary incursions may not unquestionably impose longstanding Palestinian control over these restricted West Bank areas, they do serve as an ongoing prod at Israeli sovereignty, compromising its authority in the Occupied Territories and eroding its restrictions through a multitude of incessant incursions throughout time.

46 Weizman, *Hollow land: Israel's architecture of occupation,* 237-238.

Given the imbalanced power relations of the occupation, one must always be cognizant that at any point in the coming years – be it at the two or twenty year marker – these lands may simply be consumed by the settlement enterprise and as such will cease to serve their intended Palestinian purpose. In lights of Israel's undeniable superiority as occupier, this is a threat that the Palestinians cannot overcome within their current situation. However, this is not to say that all efforts would have occurred in vane. Providing Palestinian economic fortuity, as well as maintaining an area for the learning and practicing of skills are important factors for consideration, especially when viewed against the alternative of a passive resignation of these lands to the forces of Israeli annexation.

Profaning[47] the law and highlighting the absurdity of Israel's vehement attempts at ethnic separation becomes equally as important as the provision of economic fortuity and territorial reclamation in the implementation of this tactic. The proposed manipulation of the intentions of the occupation's biased legal framework show how Israel could be caught in its own legal opacity. Perhaps, in the future, when the IDF issues Military Order #4,284 restricting the flying of Palestinian bees in the West Bank without a permit, or when Israel spends countless Israeli taxpayer's dollars to undertake a mass culling of its own protected wildflowers on vacant barren closed lands, the need for pressure on the state to conform with international law and to withdrawal from the territories it occupied in 1967 will be realized.

Because of the complexity and legal obfuscation of land use practices under the Israeli occupation, it also becomes important to make the hidden geo-political masquerades of this conflict legible on the landscape. The simultaneous blooming of thousands of wildflowers in the West Bank's derelict regions – predominantly those surrounding the settlements and Israeli-only bypass roads is intended to produce a rapidly legible visual register on the landscape, exposing the underlying confining conditions of a brutal regime of protracted occupation. In the fields and rings of closed areas, blooming animonies and other wildflowers will exploit the tactical abilities of nature, rendering the 'invisible occupation' once again profoundly visible.

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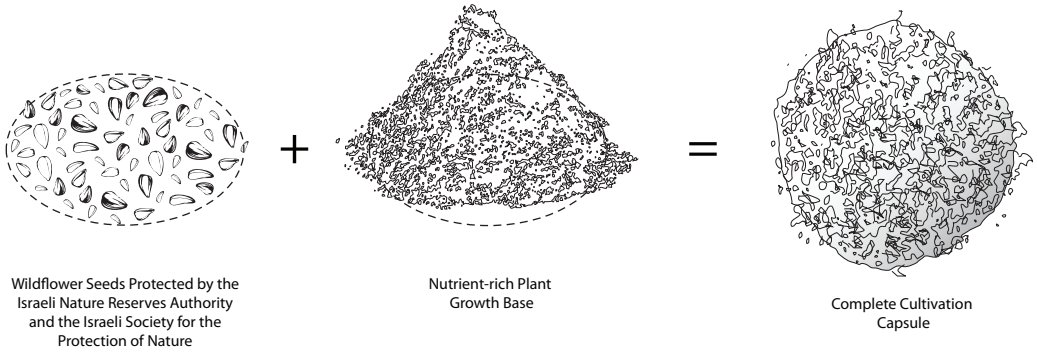
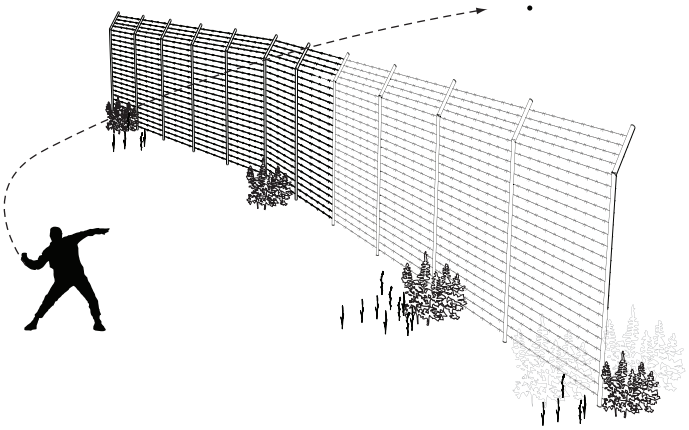
47 The concept of *Profaning,* as stated by Giorgio Agamben in "Profanations." Here I borrow its use as conceived by Alessandro Petti and 'Decolonizing Architecture' in relation to the Israeli occupation.

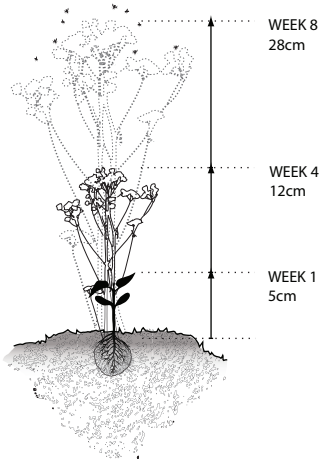
TACTICAL PROCEDURE : EXTRATERRITORIAL APPROPRIATION



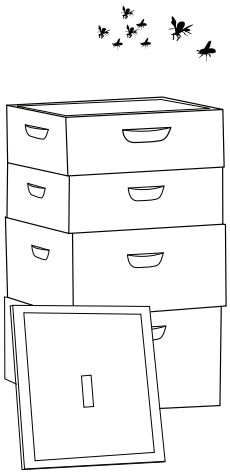
1 CREATE CULTIVATION CAPSULE



2 USE CAPSULES TO PLANT IN CLOSED AREAS



3 EXTRATERRITORIAL GROWTH



4 EXTRATERRITORIAL FEEDING

fig. 2.12 *Cultivation Capsules are used as a projectile in order to plant wildflowers being used for Apiary feeding into closed military areas.*

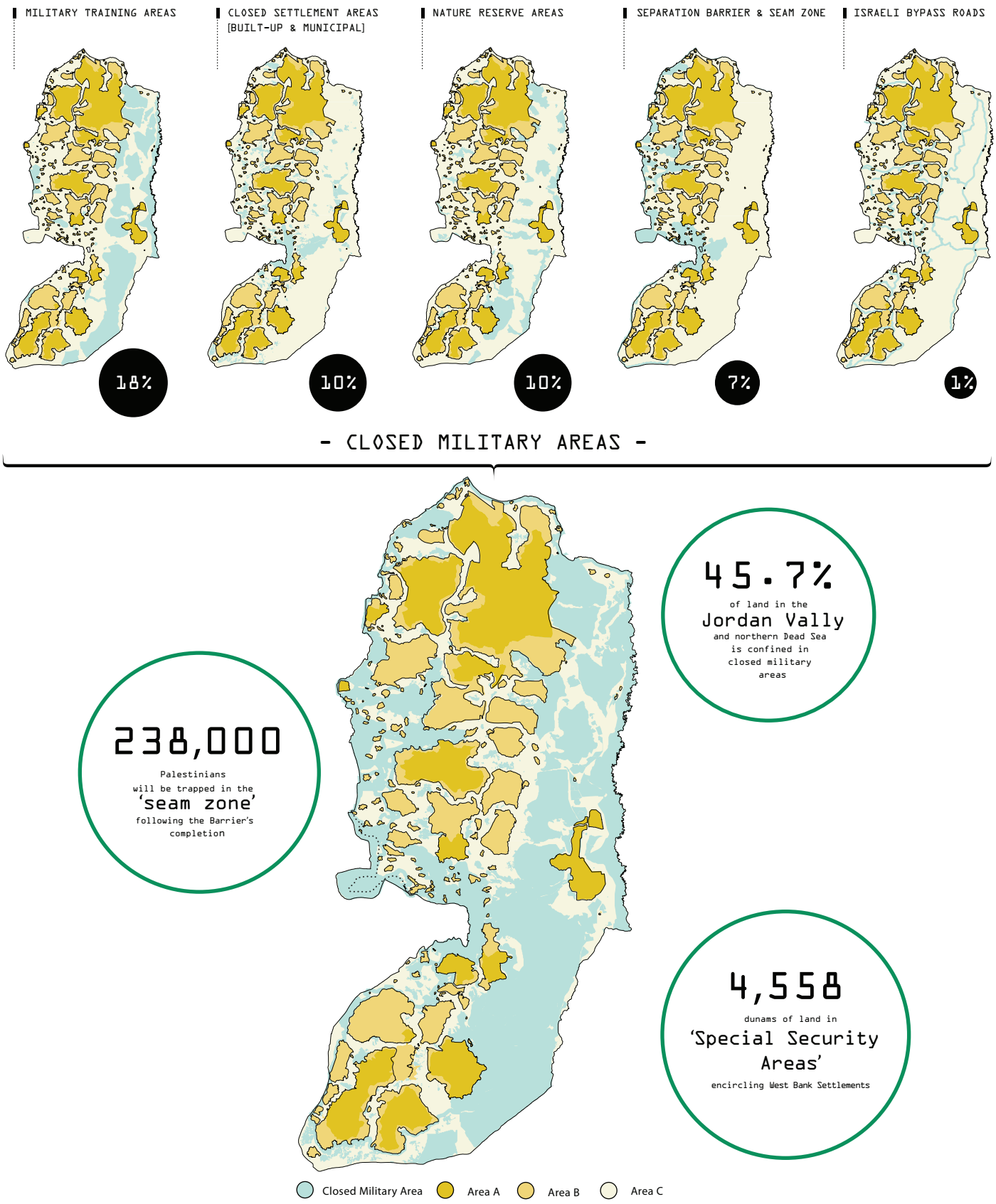


fig. 2.13 *Map of the various closed military areas in the West Bank.*

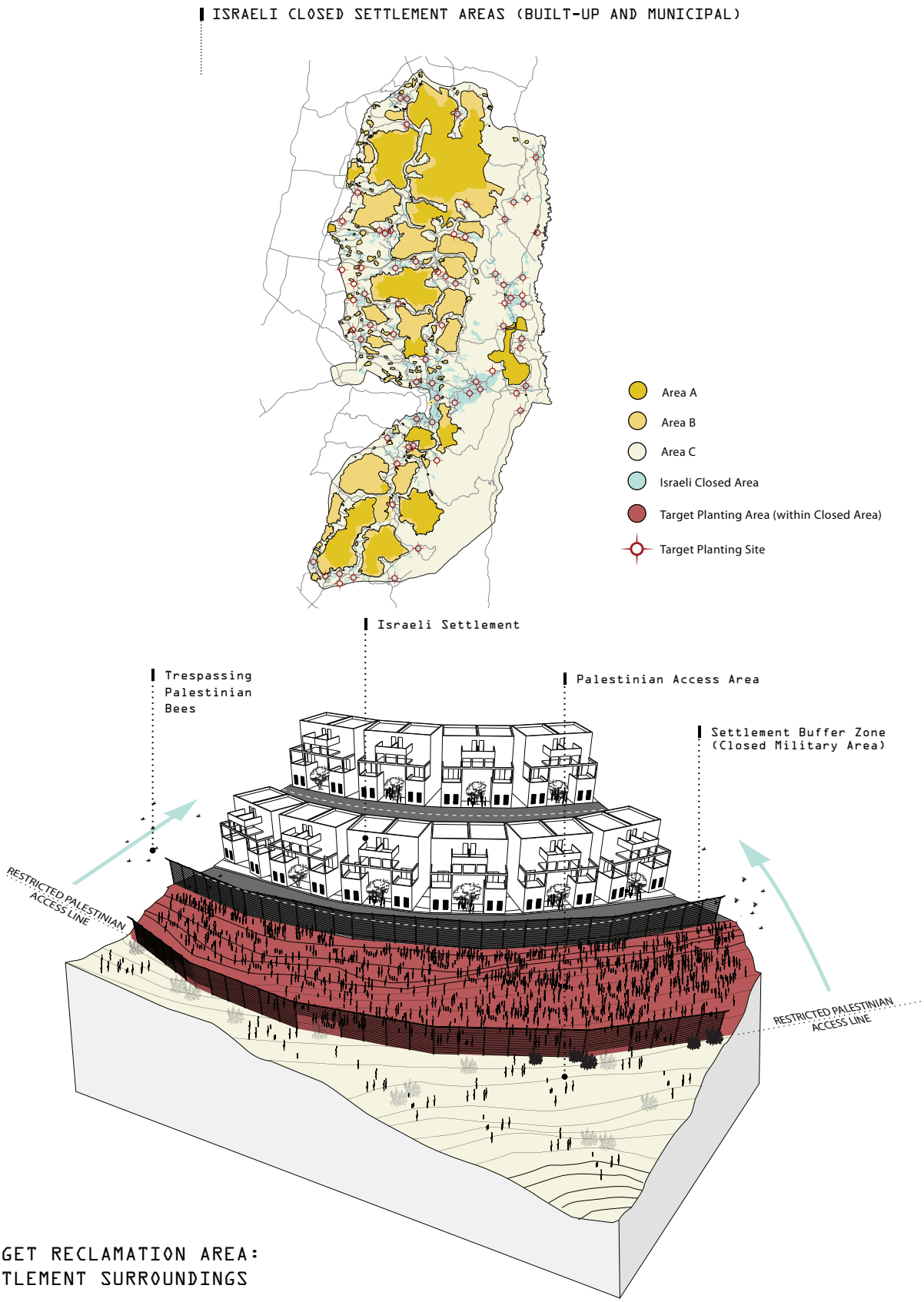


fig.2.14 *Typical Target Areas for Extraterritorial Appropriation in Closed Military Areas of the West Bank.*

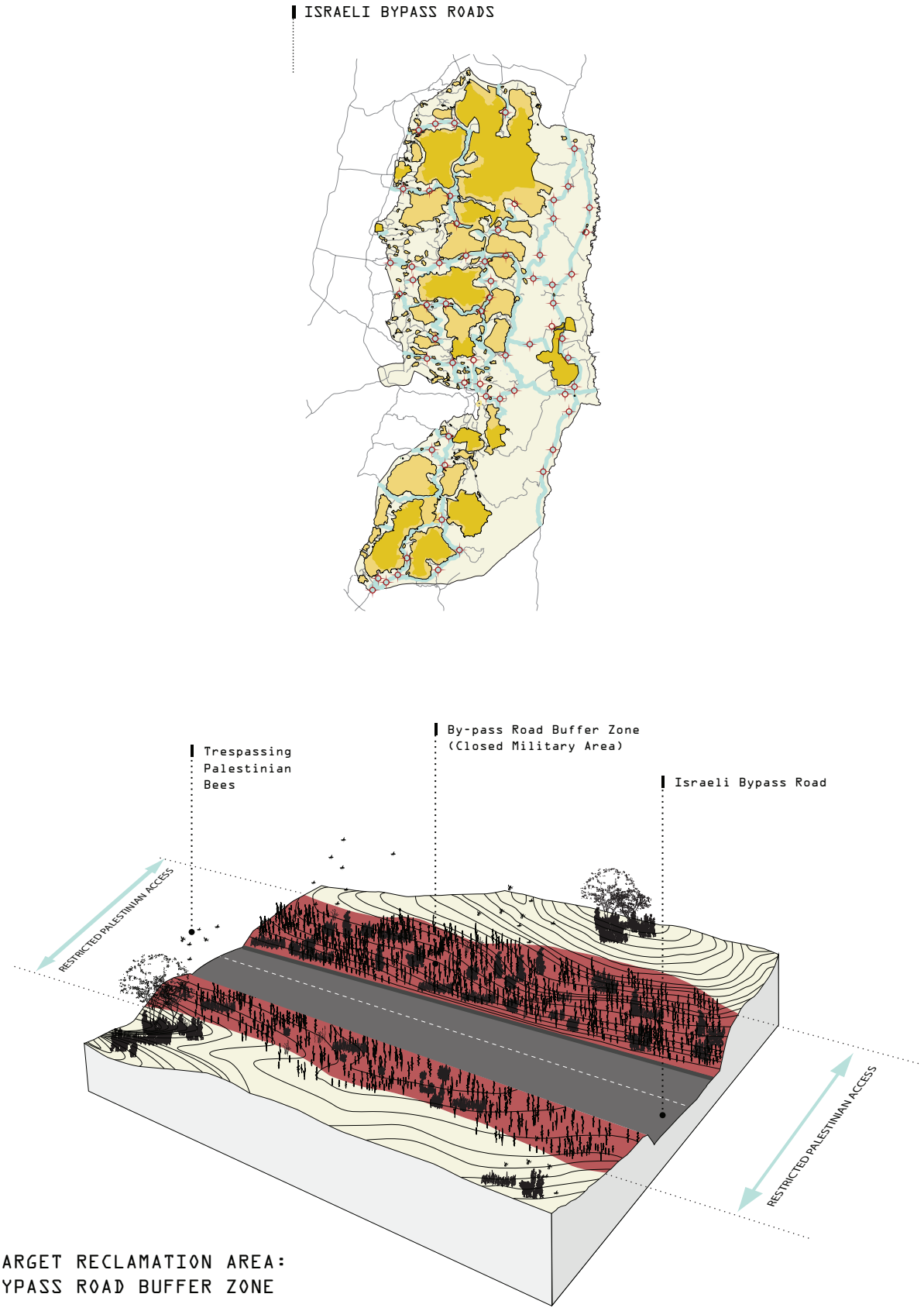


fig.2.15 *Typical Target Areas for Extraterritorial Appropriation in Closed Military Areas of the West Bank.*

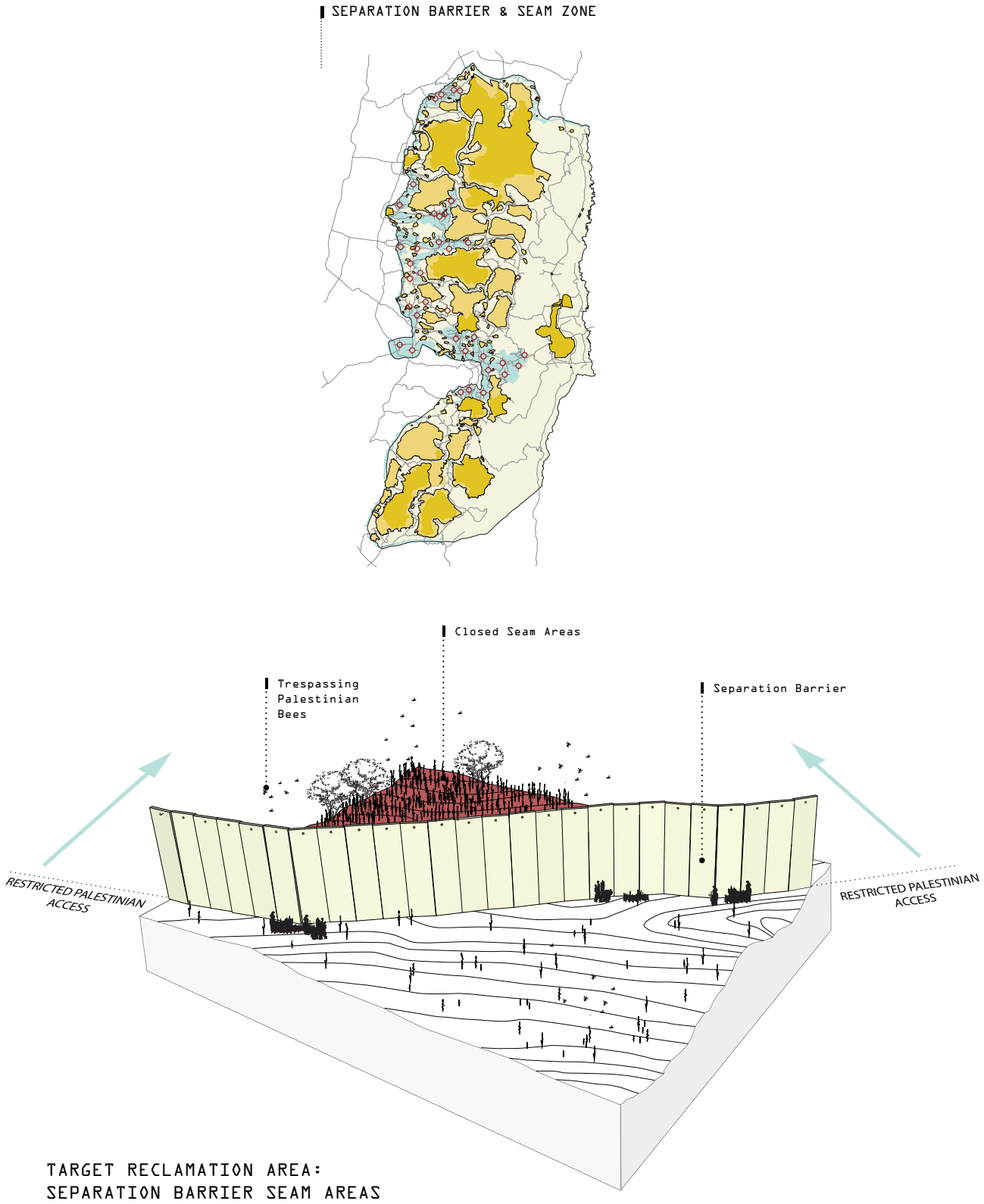
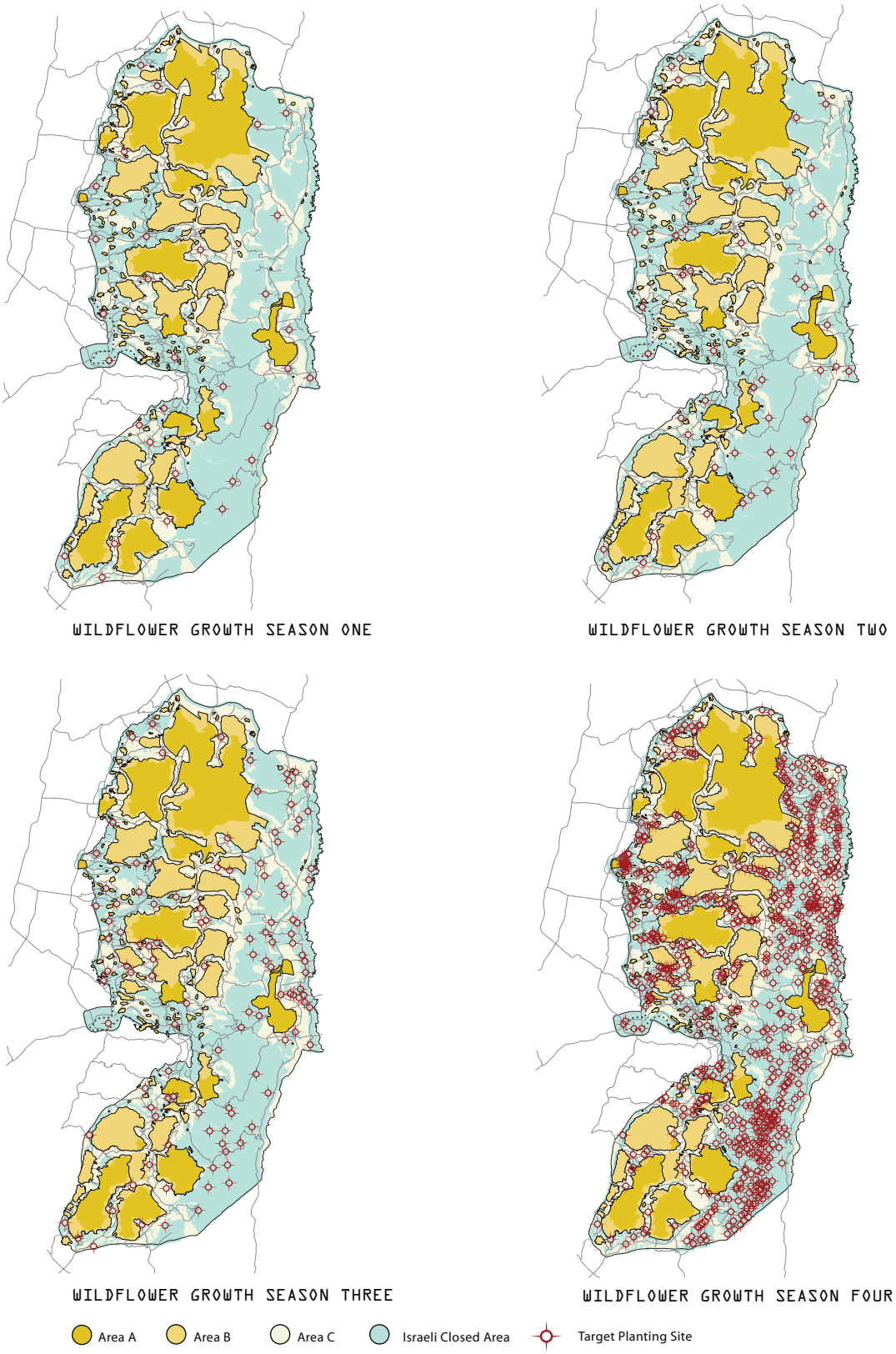
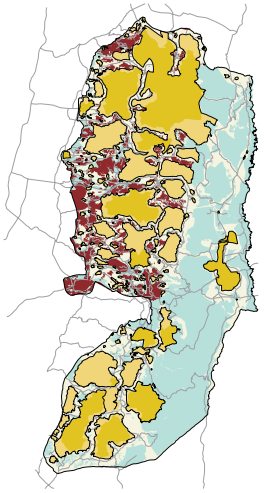


fig.2.16 *Typical Target Areas for Extraterritorial Appropriation in Closed Military Areas of the West Bank.*



^ **fig. 2.17** *Propagation of wildflower growth across the West Bank over time.*

NORTHERN MOUNTAIN REGION





Michauxia Campanuloides
April - June
Israeli Protected
Endangered



Nigella Unguicularis
May - June
Israeli Protected

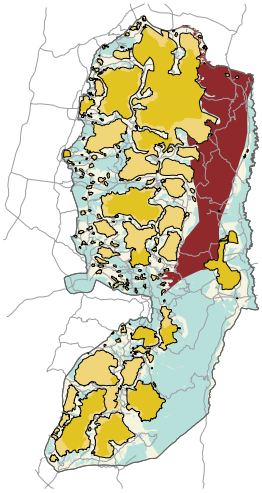


Orchis Tridentata
March - May
Israeli Protected



Ranunculus Asiaticus
February - May
Israeli Protected

DESERT REGION





Ixiolirion Tataricum
March - May
Israeli Protected



Periploca Aphylla
February - April
Israeli Protected
Endangered

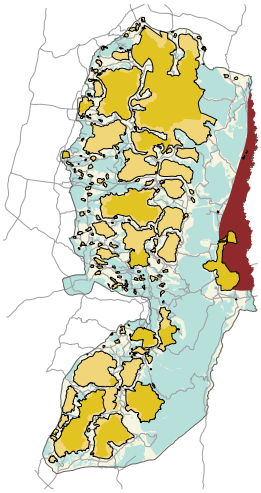


Matricaria Aurea
February - May
Israeli Protected



Anemone Coronaria
December - March
Israeli Protected

VALLEY REGION





Grewia Villosa
February - April
Israeli Protected
Endangered



Limonium Meyeri
April - August
Israeli Protected

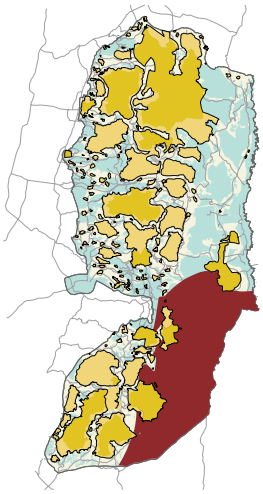


Periploca Aphylla
February - April
Israeli Protected
Endangered



Gundella Tournefortii
March - May
Israeli Protected

DESERT + DEAD SEA REGION





Colchicum Tuviae
December - February
Israeli Protected



Coridothymus Capitatus
May - October
Israeli Protected

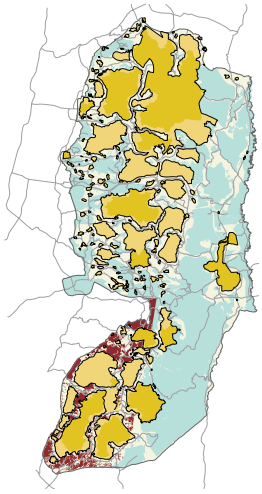


Anemone Coronaria
December - March
Israeli Protected



Ranunculus Asiaticus
February - May
Israeli Protected

SOUTHERN MOUNTAIN REGION





Helichrysum Sanguineum
April - May
Israeli Protected



Matricaria Reoutita
April - May
Israeli Protected



Nigella Unguicularis
May - June
Israeli Protected



Matricaria Aurea
February - May
Israeli Protected

Potential Area for Reclamation - by Climate Region

Israeli Closed Area

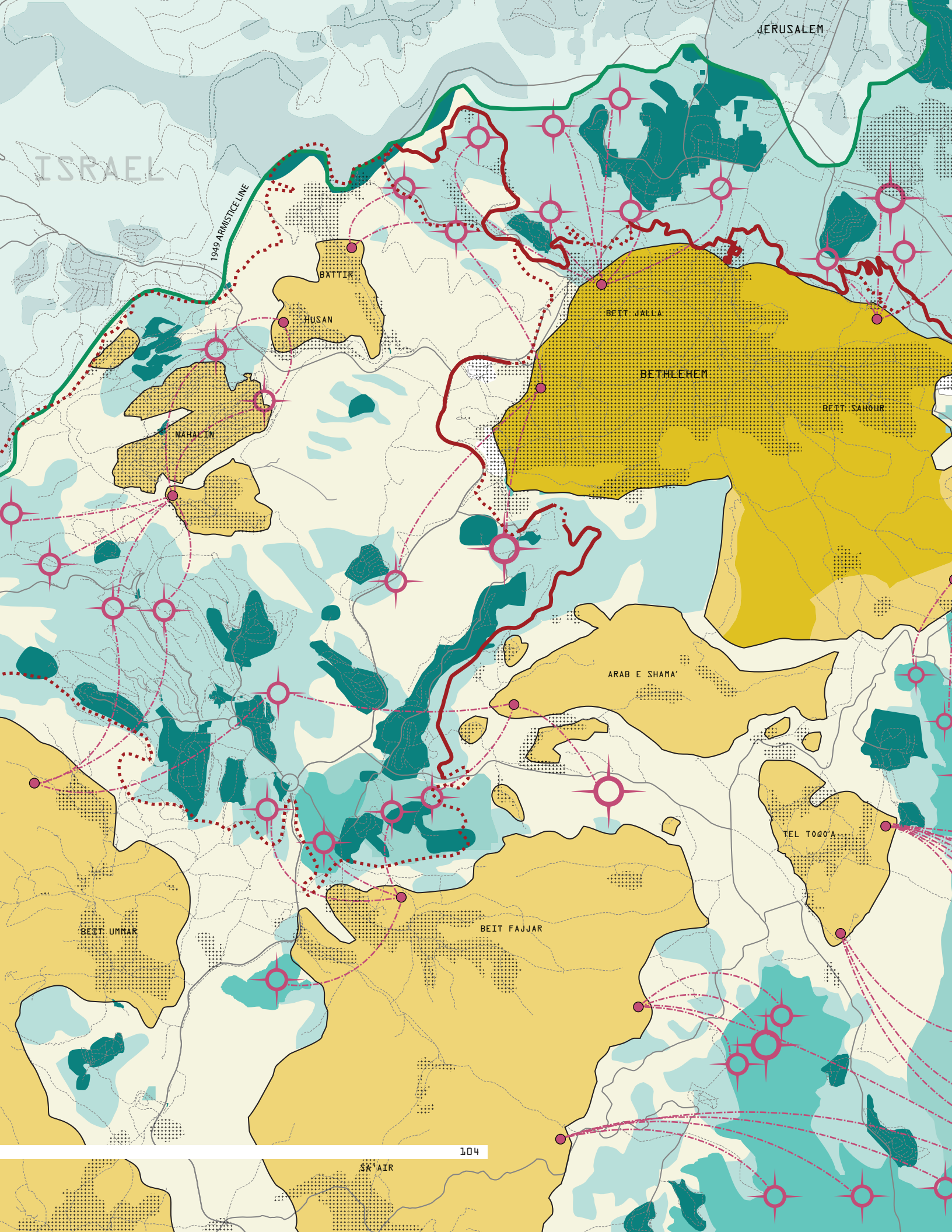
Area A

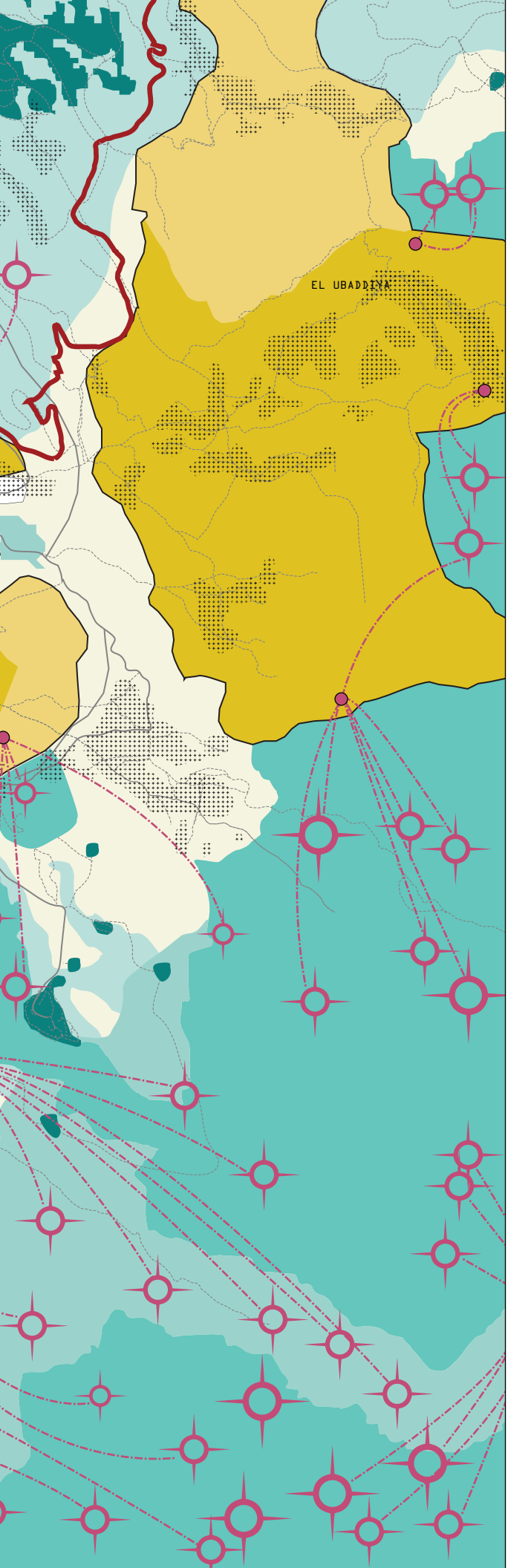
Area B

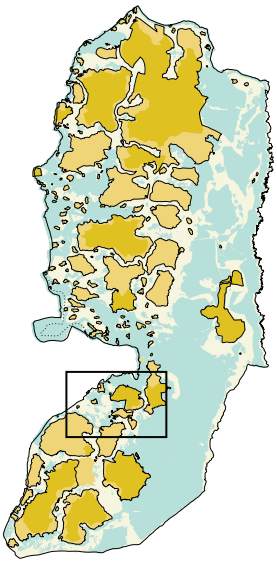
Area C

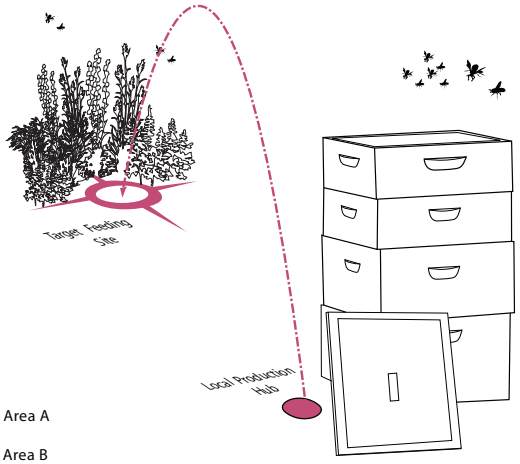
RECLAMATION BY CLIMATE REGION

fig. 2.18 *Table of the region-specific native wildflower species planned for extraterritorial reclamation across the West Bank.*


JERUSALEM
ISRAEL
1949 ARMISTICE LINE
BATTIR
HUSAN
BEIT JALLA
BETHLEHEM
BEIT SAHOUR
NAHALIN
ARAB E SHAMA'
TEL TOQO'A
BEIT UMMAR
BEIT FAJJAR
SA'AIR







Area A
Area B
Area C
Israeli Closed Area (Settlements)
Israeli Closed Area (Military)
Israeli Closed Area (Nature Reserve)
Palestinian Built-up Area
Israeli-Settlement Built-up Area
Target Planting Site
Protected Apiary Base within Palestinian Jurisdiction (Area A/B)
Honey Bee Feeding Route
Separation Barrier (Built)
Separation Barrier (Un-Built)

0 5 km

EXTRATERRITORIAL RECLAMATION IN THE BETHLEHEM REGION

< **fig. 2.19** (opposite) *Map of extraterritorial wildflower growth and apiary management in the West Bank's Bethlehem region.*

> **fig.2.20** (next) *Extraterritorial wildflower growth on bypass road 55.*


Israeli-Protected Wildflowers
(Yellow Ranunculus Asiaticus)
Israeli-Bypass Roads
(Closed Military Area)
Protected Apiary Base within
Palestinian Jurisdiction
(Area A/B)
55
קדומים
كدوميم
Qedumim
שבי שומרון
شافي شومرون
Shave Shomeron
נתניה
نتانيا
Netanya
שכם
نابلس
Nablus

Israeli Closed
Military Area



-SECTION II-

DECAYING JURISDICTIONS

The following chronicles unveil a process of proprietary decay: a transformation covertly underway in the hills and valleys of the West Bank as territory incrementally shifts from Palestinian hands into those of the Israelis. Exemplified through Israeli landfills on occupied land and acts of illegal dumping throughout the Palestinian countryside, this process is taking form in gradual and covert ways. In urban areas a similar process is underway in the West Bank's numerous contested religious sites, IDF checkpoints, and along the new frontier spaces of the Separation Barrier. All of these spaces of jurisdictional transition are at risk of having their short-term provisional statuses as Israeli-controlled Palestinian land solidified into officially sanctified full Israeli sovereign territory if their current deterioration continues. Entering the scene just prior to this final take-over, the succeeding stories discuss that which has yet to be permanently established or defined; that which exists as neither 'here' nor 'there.'

In their current state of imbalance, the described spaces are desperately juggling influences by both Israelis and Palestinians. And indeed, their provisional interim classifications under occupation frequently switch back and forth from one side to the other. As Israelis use these spaces, they temporarily impose their own jurisdictional order, placing that of the Palestinians into suspension. Ultimately, what two cannot share in space, they must divide over time. As the territorial tug-of-war between Israelis and Palestinians continues, clever players have learnt that the best way to achieve their desired end goals is to float under the radar by using the subterfuge provided by short-term incursions: through actions which occur 'temporarily'.

Just as the logic of *creeping Israeli annexation* applies itself across the landscape in a manner which gradually accumulates more and more contested real estate as a clandestine means to further establishing a Jewish presence in the West Bank, so too Israeli practices of *ephemeral erosion* operate under the insistence of temporality, while covertly gaining superiority through the sheer frequency of their multiple incursions. Facilitating this practice, the legal ambiguity inherent in international law allows an occupying force the right to *temporarily* perform acts of seizure when absolutely necessary for security needs. Procuring the vagueness of such legal semantics, Israel continues to exploit overlooked opportunities within this indeterminate period of the frozen *in-between*.

Dissecting waste disposal sites which have surfaced from the absence of mutually-agreed sovereignty, the aim of the following section is to attain a greater understanding of the hidden potentials within an environment of perpetual mutability. The *political progenies* entering into, and capitalizing on, these spaces seek to uncover the same. They strive to control the built environment in a manner which enables one ethnicity's spatial supremacy to be borne from the temporary suspension of another's. Accordingly, in contested territories, architecture becomes both the stage and the medium for jurisdictional transformations.

By operating on these sites while they are still in transition - prior to their ultimate seizure by the State of Israel- a window of opportunity exists for the Palestinians. Here they are able to challenge and redefine programmatic functionalities, and thus to sway allegiances. Whether this newly proposed 'temporary' use ultimately becomes a permanent long-term solution or itself experiences a fleeting and ephemeral existence, their ability to cumulatively decay Israel's jurisdiction in the meantime will remain the same. Challenging userships in flux, the final design tactic of this section probes at the greater question of what it means to own or control a space equally claimed by another.


סליל





(previous) fig. 3.01 *Illegal dumping onto privately-owned Palestinian land has become an improvisational and ad-hoc solution to the West Bank's collapsing infrastructural systems. Fuelled by the increasing difficulties in mobility from Israeli roadblocks, checkpoints, bypass roads, and closures, such dumping becomes emblematic of both the environmental and social degradation of the Israeli occupation. Here, waste is strewn throughout the otherwise scenic landscape of Wadi Makhrour, located in the West Bank's Bethlehem region.*

(above) fig. 3.02 *As mobility becomes more and more restricted in the West Bank, and as infrastructural systems continue to deteriorate under the prolonged conditions of military occupation, the landscape is beginning to show signs of exploitation and abuse. Wadi Makhrour (shown here) is one example of the West Bank's 189 open and uncontrolled illegal dump sites.*

"*Temporariness is now the law of the occupation… temporary encirclement and temporary closures, temporary transit permits, temporary revocation of transit permits, temporary enforcement of an elimination policy, temporary change in the open fire orders … This occupier is an unrestrained, almost boundless sovereign, because when everything is temporary almost anything, any crime, any form of violence is acceptable, because the temporariness seemingly grants it a license, the license of the state of emergency.*" [1]

– Israeli philosopher **Adi Ophir**

"*The defining feature of this illegal regime is its indeterminacy, an indeterminacy that functions to legitimize what would otherwise be clearly illegal: obfuscating the boundaries between occupation and non-occupation, between temporary and the indefinite and, indeed, between the rule and the exception.*" [2]

– Human rights lawyers **O. Ben-Naftali, A. M. Gross & K. Michaeli**

1 Adi Ophir, "A Time of Occupation" in *The Other Israel,* ed. Roane Carey and Jonathan Shainin, (New York: The New Press, 2003): 60.

2 Orna Ben-Naftali, Aeyal M.Gross and Keren Michaeli "The Illegality of the Occupation Regime: The Fabric of Law in the Occupied Palestinian Territory," in *The Power of Inclusive Exclusion*, ed. Adi Ophir et al, (New York: Zone Books, 2009):31.

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MIGRATORY WASTE

"The affair of the Kedumim garbage dump exemplifies the rot, the greed, the manipulativeness and the hypocrisy upon which Israeli control of the territories is based."[3]

– Israeli political scientist **Meron Benvenisti**

"The Kedumim dump will create an absurd situation. The West Bank is filled with illegal Palestinian garbage dumps, which constitute serious environmental hazards and jeopardize the groundwater, because the civil administration refuses to let Palestinians build modern waste disposal sites. The most modern dump being built there - the Kedumim dump - is intended only for garbage from Israel."[4]

– Israeli journalist **David Ratner**

On any given day in the West Bank, those curious to see the geopolitical transformations of the Israeli-Palestinian conflict being played out in real-time can make their way to the landfill of Kedumim. Located in the quarry of Abu Shosha in the Palestinian village of Deir Sharah near Nablus and the Israeli settlement of Kedumim, ethnic boundaries are being formulated and expanded at this site through the disposal of load after load of Israeli waste: arriving in the magnitude of 10,000 tons per month.[5] As Israeli dump trucks arrive at the landfill and leave behind their waste, they are actively contributing to a process of territorial seizure in the occupied West Bank which is incremental, creeping and cumulative in nature. Each bag of dumped waste signifies a further breach in international law through the utilization of more occupied land for purposes serving the citizens of the Israeli occupying state at the expense of this land's usage by the local indigenous Palestinian population. [6]

The incentives to the Israelis behind these practices of extraterritorial dumping are economic, social and political. Through such acts of dumping, Israel's expansionist goals have been coupled with its citizens' unquenchable desires to maintain a western lifestyle

3 Meron Benvenisti, "Stink Bomb," *Haaretz*, April 08, 2005, accessed January 12, 2012, http://www.haaretz.com/print-edition/opinion/stink-bomb-1.155416.

4 David Ratner, "Israel to dump 10,000 tons of garbage a month in the West Bank," *Haaretz*, April 04, 2005, accessed January 12, 2012, http://www.haaretz.com/print-edition/news/israel-to-dump-10-000-tons-of-garbage-a-month-in-the-west-bank-1.154993.

5 Ibid.

6 Most notably under international law: The 1907 Hague Regulations state that the property of the occupied state must not be seized or destroyed unless "imperatively demanded by the necessities of war"; Article 147 of the Fourth Geneva Convention affirms this, stating that "extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly" is to be considered a grave breach of the Convention. See *Convention (IV) relative to the Protection of Civilian Persons in Time of War*. (Geneva, 12 August, 1949): Article 147.

of consumerism. Their unwillingness to allow the abundance of such a lifestyle's wasteful by-products to be located anywhere within proximity to their places of residency has led to the exploitation of the lands under occupation. No longer limited to the hilltop residential communities of the settlements, Israeli processes of territorial overtake in the West Bank have learned how to maximize their effects by coupling political strategies with economic exploitation and profiteering. Finding refuge in unregulated industrial areas, Israeli corporations and refuse removal companies exploit not only cheap real-estate prices and labour costs, but also the lawless potentiality of carefree waste disposal.

Following the imposition of the occupation, dumping waste into the Palestinian Territories has become a highly lucrative business for Israeli companies. At the landfill of Kedumim alone the facility's operating company can make profits in the magnitude of NIS 60,000 (US$16,800) per month, compared to if the waste were to be dumped inside Israel. [7] In these new foreign dumping sites, waste exists out of sight and out of mind. While the thought of this undesirable garbage has been conveniently removed from the Israeli public's consciousness, foreign dumping practices continue to contribute to a larger process of West Bank land seizure which operates as a form of 'creeping annexation'.

The gradual seizure of Abu Shosha Quarry can be tracked through various developments at the site which have occurred over the last decade. Originally targeted in 2002 following the Israeli military operation 'Defensive Sheild' when the Palestinian Authority jurisdictional areas of Area A were 're-occupied' by the IDF, the site was then seized by the Israeli Military. Workers of the quarry were forced to evacuate and their equipment and bulldozers were confiscated under claims of an absent 'working permit.'[8]

Once vacated by Palestinians, the quarry became an informal and unauthorized dumping site for large amounts of waste coming from the nearby Israeli settlement of Kedumim and its affiliated industrial areas. Resisting the gradual appropriation of their quarry, the Palestinian owners submitted complaints to a number of governmental officials, including the Governor of Nablus, the city's mayor, and both the Israeli and Palestinian District Coordination Liason Offices (DCO).[9] The move initially proved effective, with jurisdiction being transferred back over to the Palestinians for a brief one year period.[10] However, gradually, Israeli dump trucks returned to the site, this time leaving behind their waste in the late hours of the night, so as not to be caught during the daylight.[11]

Finally, in 2008, an Israeli announcement was made regarding the official usage of the site for solid waste management. Described initially as a 'nature preserving' initiative involving only specific kinds of Israeli waste, the project gradually transformed into a full-fledged profit generating, territory seizing endeavor. As explained by Israeli reporter David Ratner in his article in the local Israeli newspaper, Haaretz:

7 David Ratner, "Israel to dump 10,000 tons of garbage a month in the West Bank," *Haaretz*, April 04, 2005 accessed January 12, 2012.
8 "Israeli Occupation Forces Transform Deir Sharah Hill to the Largest Solid Waste Dump Site." *Applied Research Institute - Jerusalem,* November 02, 2008, accessed January 12, 2012, http://www.poica.org/editor/case_studies/view.php?recordID=1734.
9 Ibid.
10 Ibid.
11 Ibid.

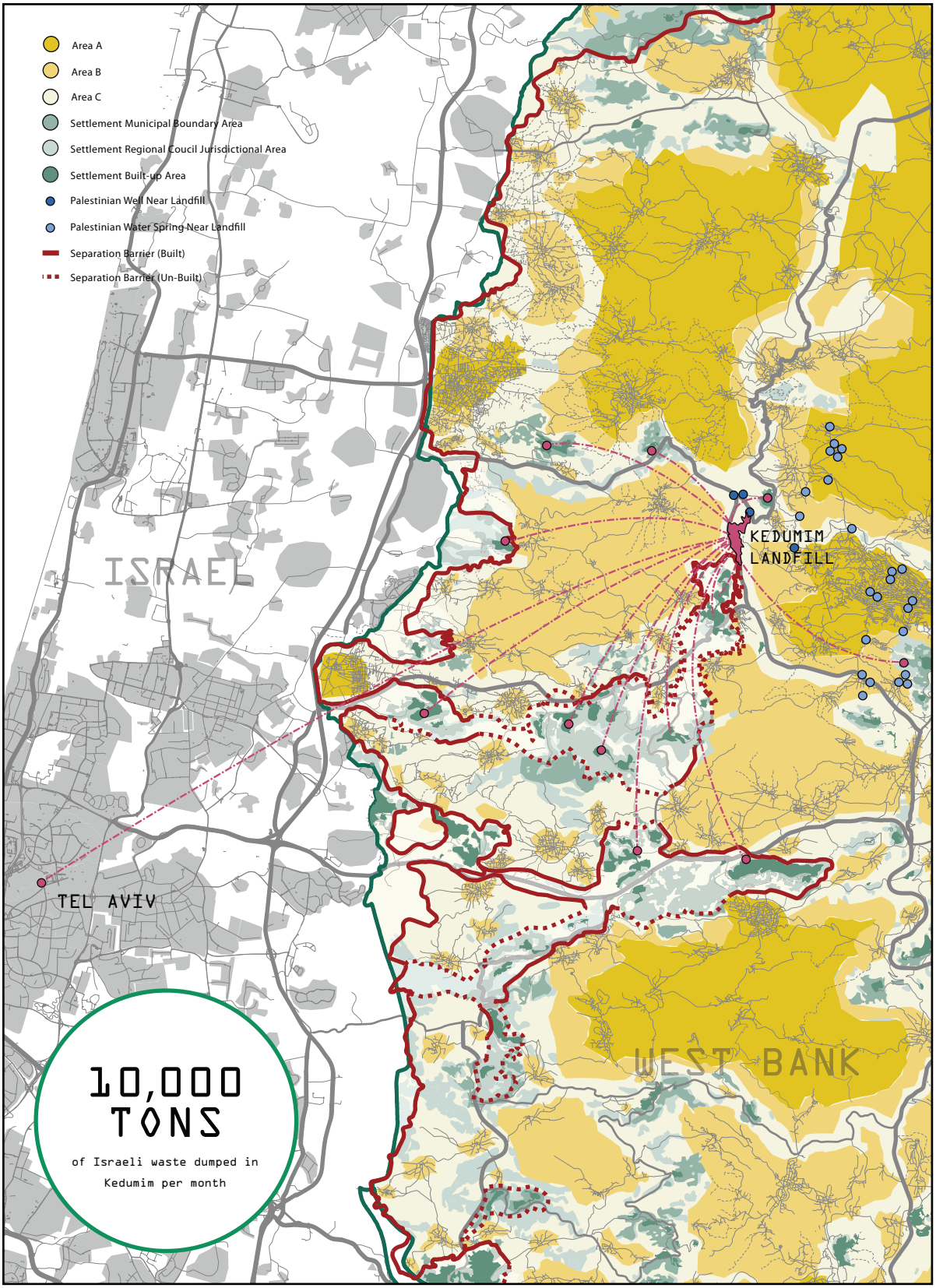


fig. 3.03 *Map of Kedumim landfill in relation to Tel Aviv and its neighbouring Israeli settlements in the West Bank*

"*The initiative started out as an idea to rehabilitate a 15-dunam plot in the quarry by filling it with building waste, junk and shredded tires. It evolved into a huge project spread over dozens of dunams for household garbage, operated as a private business and expected to yield tens of millions of shekels.*"[12]

The process of ethnic jurisdictional transformation at Kedumim landfill occurs both literally and figuratively; spoiled food, excess packaging, broken dishes, old furniture and building supplies – all once a part of Tel Aviv's physically constructed environment- have now aggregated to serve as one continuous mound of extraterritorial trash topography. At the Abu Shosha Quarry, the waste of one city is quite literally serving as the foundational establishment of another: Tel Aviv produces a part of Kedumim, Judiasing the occupied land in content, use and ultimate jurisdiction. As Israeli writer and political scientist Meron Benvenisti explains:

"*The number of Jews who live in the settlements and the expansion of their built-up area have ceased to serve as a reliable measure of the success of the annexation of territories and the thwarting of the establishment of a Palestinian state.*"[13]

Indeed, the slow appropriation of areas of the West Bank through actions of exploitation which are designed to establish territorial control incrementally have been occurring under the radar by Israelis for decades, from landfills to low-restriction industrial zones. Even the settlements themselves have utilized this concept of gradual encroachment as a means of skirting international criticism and of defending their relentless expansion under the pretences of 'natural growth.'[14] Differing from the settlements however, these other forms of territorial seizure operate through a series of sequential events which involve a brief Israeli physical presence in the area, but do not require the full-time mass transferring of an Israeli civilian population.

The greatest strength of such non-inhabitation annexation practices is their ability to exploit the West Bank's land reserves in ways which are not as flagrantly obvious as settlement building because a physical Israeli presence is not continuous. None-the-less, these sites are gradually forcing a shift in ownership towards Israel with their perpetual short-term incursions in time. Appearing less permanent on the surface, the hidden insidious nature of such seizure practices results from their unique ability to force greater geopolitical end-goals in the long run than actions occurring more instantaneously could do.

With occupied land being used in a multitude of ways by Israel in the West Bank (by Israeli citizens in settlements, Israeli vehicles on bypass roads and by Israeli waste in landfills), the Palestinian landscape is undergoing a large-scale process of slithering jurisdictional transfer. These sites of 'ephemeral erosion' across the West Bank tie into what Benvenisti has coined "*the new symbols of Zionism in the Yesha style*," which makes cynical reference to an acronym used by Israeli settlers to describe the areas of the Palestinian Territories, and

12 David Ratner, "Israel to dump 10,000 tons of garbage a month in the West Bank," *Haaretz*, April 04, 2005 accessed January 12, 2012, http://www.haaretz.com/print-edition/news/israel-to-dump-10-000-tons-of-garbage-a-month-in-the-west-bank-1.154993.

13 Meron Benvenisti, "Stink Bomb," *Haaretz*, April 08, 2005, accessed January 12, 2012.

14 See Jonathan Cook, "US might have delayed in salvaging a two-state solution," *The National*, March 3, 2009, accessed February 22, 2012, http://www.jkcook.net/Articles2/0378.htm.

which translates from Hebrew to mean 'salvation.' [15]

Outside of the mounds and stench of Kedumim's 180 dunams of waste yards, these frontier-like spaces of transitional jurisdiction can further be found elsewhere in the West Bank.[16] Jurisdictional erosion is a process which occurs in areas which are both urban and rural. In its urban sites of contestation battles over territorial rights are taking place in buildings of religious significance, such as at Joseph's tomb near Nablus[17], as well as at the IDF's unilaterally imposed checkpoint sites, which are slowing transforming into full-blown official terminals.[18]

In rural areas such processes are underway in the previously mentioned Separation Barrier 'seam zone' and in the hills and valleys of Palestinian agricultural villages which have been scattered with load after load of illegally dumped private waste. As at Kedumim, this waste compromises the land's ability to maintain its Palestinian usage, however its owner's suffer a particular direct loss due to their inability to hold on to their cultivation rights of this Miri land, a topic which as will be further elucidated in the section to follow.

On all of these affected sites, jurisdictional control between Israelis and Palestinians is constantly evolving and perpetually in flux.

• • •

15 Meron Benvenisti, "Stink Bomb," *Haaretz*, April 08, 2005, accessed January 12, 2012.
16 "Israeli Occupation Forces Transform Deir Sharah Hill to the Largest Solid Waste Dump Site." *Applied Research Institute - Jerusalem,* November 02, 2008, accessed January 12, 2012.
17 For a brief account of the ongoing Israeli settler incursions into Joseph's Tomb, see Anshel Pfeffer, "Turning Joseph into a Jewish fanatic," Haaretz, July 8, 2011, accessed July 8, 2011, http://www.haaretz.com/print-edition/news/turning-joseph-into-a-jewish-fanatic-1.372038.
18 See Helga Tawil-Souri, "Qalandia Checkpoint as Space and Nonplace." in *Space and Culture* 14(1) 4-26 (2011).

DUMPING GARBAGE, GAINING JURISDICTION

"All individuals are entitled to live in an environment adequate for their health and well-being." [19]

– United Nations General Assembly Resolution 45/94

The pastoral lands of Wadi Makhrour, a winding stretch of fertile land situated in the Palestinian village of Battir, five kilometers south of Jerusalem and six kilometers west of Bethlehem, are slowly bearing the environmental scars of the Israeli occupation. Originally serving as the bread basket of Jerusalem, the hills and valleys of this wadi have taken on a much more toxic purpose in recent years. Excess construction materials, household waste, road-side debris and increasingly the refuse of settlers from neighbouring Israeli settlements, has hap-hazardly begun piling up on privately-owned plots of agricultural land. Unable to prevent the destruction of their property, the Palestinian owners of these lands are either residing overseas or are struggling to keep up with its maintenance demands while earning a living and taking care of their families. With no policy in place to prevent such illegal dumping from occurring or to clean up the refuse which has already accumulated, unplanned and unlined dump sites are becoming a commonplace sighting in this otherwise breathtakingly scenic landscape. Worse over, the trend shows little hope of stopping. As mobility around the West Bank becomes increasingly difficult for Palestinians, more are succumbing to temptations to dump their garbage onto these local informal sites. Over time the mounds of waste are continuing to pile higher and higher. Many have already spilled out onto adjacent fertile lands, contaminating their nearby crops and polluting the village's water sources with toxic runoff.

Illegal dumping at the domestic scale in the West Bank is not a new phenomenon. Unlike the Israeli government's official decision to turn Kedumim Quarry into a landfill, rural illegal dumping in the villages of the West Bank has been the result of both gradual and one-off processes of poor local waste management. The difficulties of waste collection associated with road closures, travel permits, checkpoints, curfews, and the Separation Barrier since the beginning of the occupation are primarily what have resulted in overflowing dumpsters and numerous illegal acts of dumping occurring on privately-owned Palestinian lands- lands which could otherwise be utilized for local agricultural purposes.

19 UN General Assembly, "A/RES/45/94 68th plenary meeting," December 14, 1990, accessed March 20, 2012, http://www.un.org/documents/ga/res/45/a45r094.htm.



^ **fig. 3.04** *Frequently, the waste strewn across the West Bank's countryside is burned in order to reduce its presence. As a result, toxic gases are released into the atmosphere. Here, a pile a burnt waste lies just outside of a residency in a rural village of the West Bank.*

A 2005 ARIJ report identified that there are 189 open and uncontrolled dumping sites in existence in the West Bank.[20] During the Intifada years, the rates of illegal dumping climaxed in over 300 illegal sites.[21] Towards the end of the Intifada, as Israel eased restrictions on movement, the acts of dumping had finally resided, yet to-date these contaminated sites still plague the West Bank's landscape with their unrelenting presence and perpetual expansion. In their unmaintained condition, the original areas of illegally dumped waste continue to serve as magnets for further illegal refuse: their wrappers, bags and cans being joined shortly thereafter by whole loads of trash intentionally brought to the site for the purposes of illicit disposal.

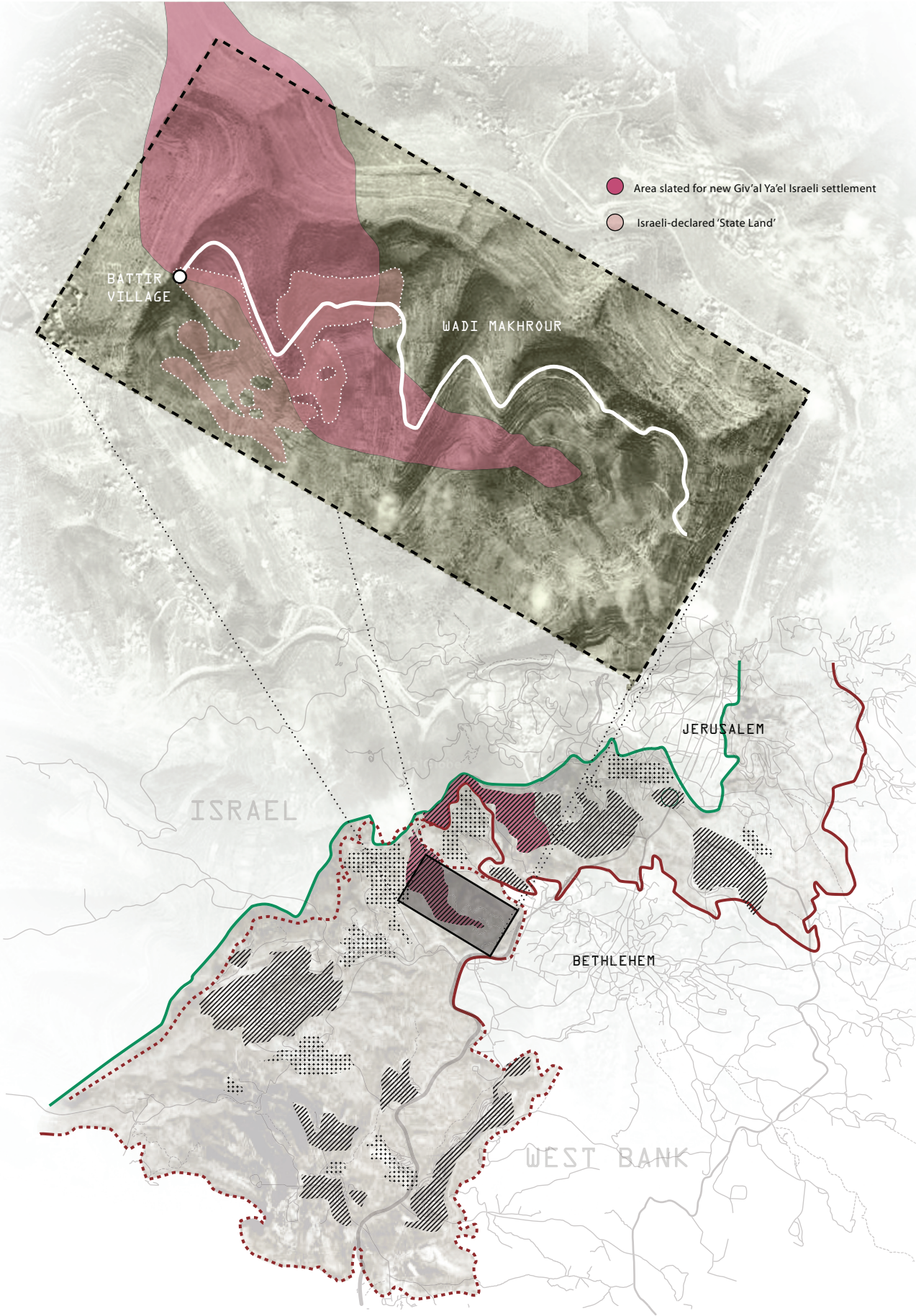
With greater issues at hand in the lives of the Palestinians under occupation than the pristine maintenance of their countryside, it is understandable – perhaps even logical – that waste dumping would occur at the local level in villages and towns across the West Bank. It is important to recognize that in many ways these practices, although environmentally detrimental, have preserved the domestic sphere at times when all other social and economic spheres were collapsing. More than simple carelessness, acts of illegal dumping are integrally tied to the greater political problems of the occupation and, as such, cannot be deduced solely to complaints of aesthetics or reckless environmental degradation. Nor can they simply be solved through awareness campaigns which advise Palestinians not to partake in informal dumping.

Beyond being symptomatic of a number of the political forces at play in the occupation, the proliferation of unauthorized small-scale dump sites in the West Bank – whether containing waste from Palestinians or from their neighbouring Israeli settlers – is now providing the government of Israel with an active platform for territorial seizure. Such seizure is made possible due to the complex legal systems regulating Miri land use and cultivation in the West Bank, which have been explained in Section I of this thesis. Illegally dumped waste directly impacts Palestinian claims to title by interfering with the land's effective cultivation. As a result, alongside the physical decay of the Palestinian rural landscape through garbage is the greater erosion of Palestinian territorial usage rights on their agricultural land. The Ottoman Land Law has ensured that usage rights - not monetary purchase or title transfer - are the sole proprietary determinants of Miri land possession for Palestinians. More than may first appear, the impact of such a policy has been geopolitically profound. The law's emphasis on cultivation means that land possession in Area C involves not only access to the land, but, as previously explained, is further contingent upon that land's useage – a variable which normally would have no correlation to property rights in the 21st Century (and indeed, are the workings of a land law from 1858). Accordingly, the deterioration of Wadi Makhrour is integrally tied to the greater geopolitical fate of the western Bethlehem Governorate and to what is referred to as the Israeli Gush Etzion bloc of settlements within this same region.

Figure 3.05 shows the current geopolitical status of this contested area. Figure 3.06 highlights the areas of future growth which are equally sought after by both Israelis and Palestinians.

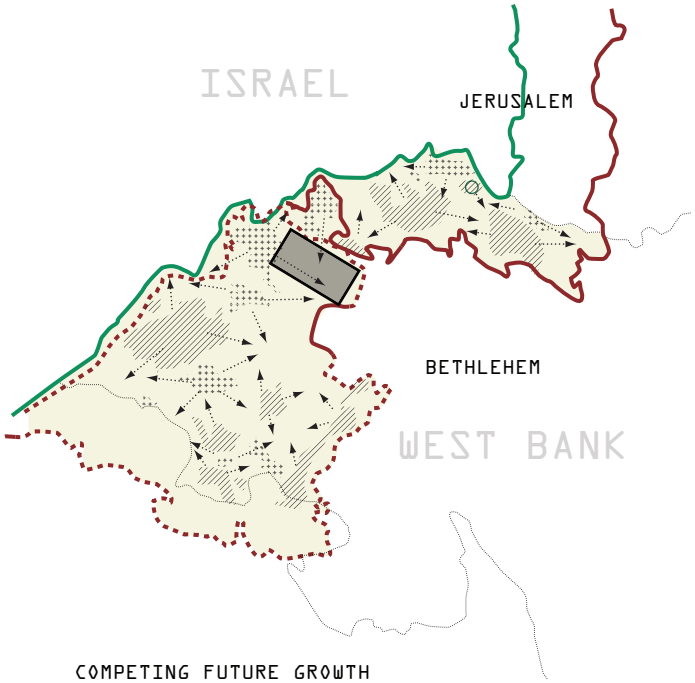
20 Applied Research Institute Jerusalem. "Analysis of Waste Management Policies in Palestine: Domestic Solid Waste and Wastewater." (2005), accessed March 10, 2012, http://www.arij.org/publications/2005/2005-2%20Analysis%20of%20Waste%20Management%20Policies%20in%20Palestine.pdf.

21 Weizman, *Hollow Land: Israel's architecture of occupation*, 20.



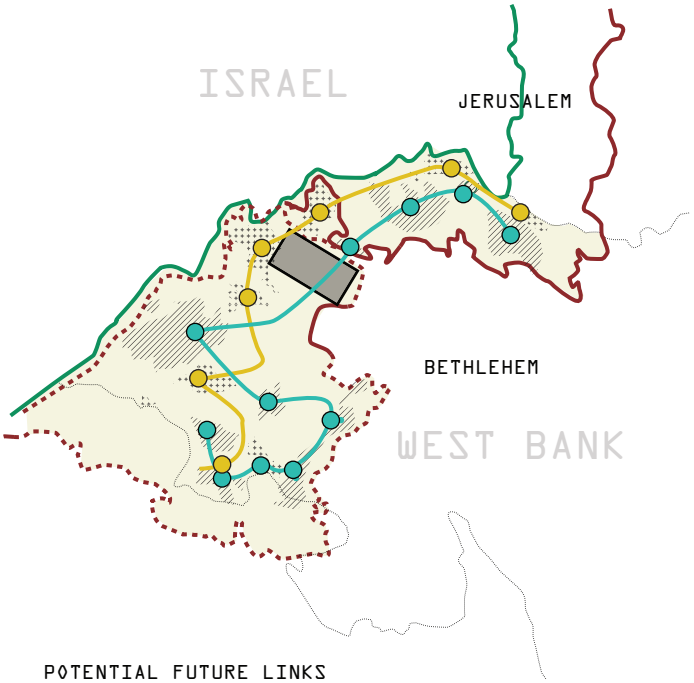
THREAT OF SETTLEMENT EXPANSION IN WADI MAKHROUR

fig. 3.05 *Geopolitical shifts relative to Wadi Makhrour in the West Bank village of Battir, near Bethlehem.*



COMPETING FUTURE GROWTH

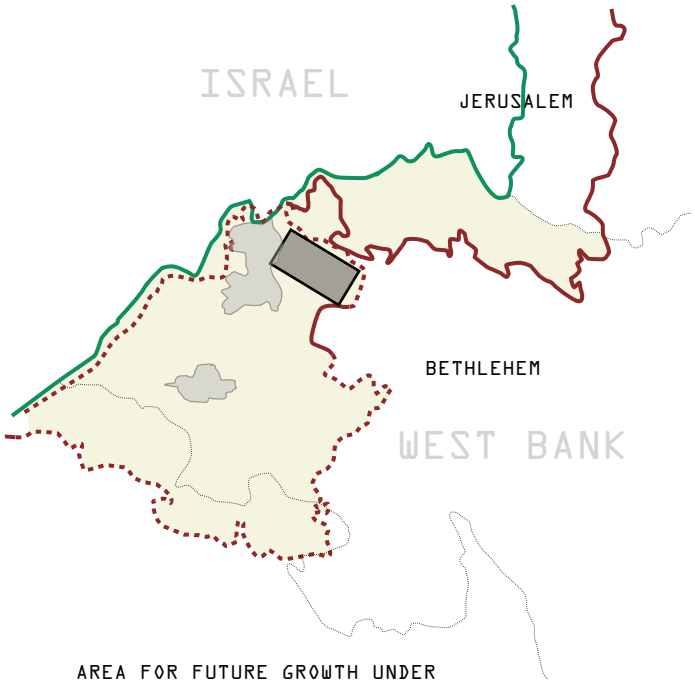
As the Israeli settlements and Palestinian villages expand with future growth, competition for the surrounding unpopulated lands will occur. Those who are able to occupy their adjacent lands first will be able to link their communities and will do so at the expense of that of their rivals



POTENTIAL FUTURE LINKS

The path for a future link of Jewish Settlements would result in the Palestinian villages becoming surrounded by Israel to the west and Jewish settlements to the east. Accordingly, these areas would be severed from the rest of Bethlehem, forcing some to move elsewhere

^ **fig. 3.06** *Greater geopolitical battles for territorial control in the eastern Bethlehem Governorate, including Wadi Makhrour.*



AREA FOR FUTURE GROWTH UNDER PA CONTROL (AREA B)

Much of the area slated for future growth within Area B exists in areas which are already built-up

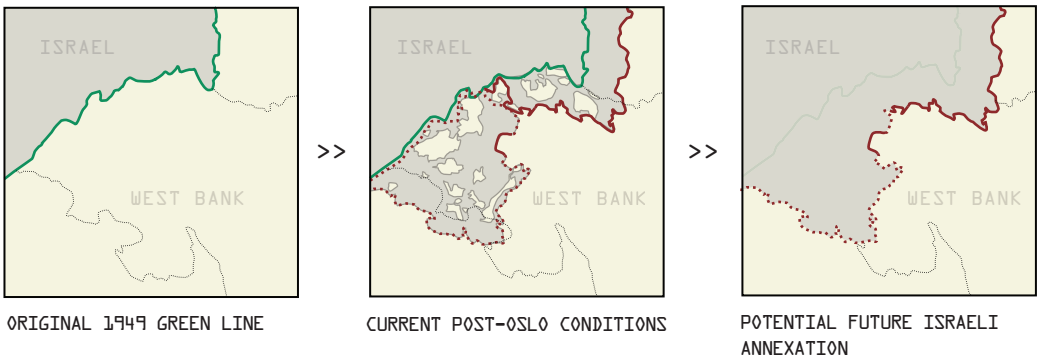


AREA FOR FUTURE GROWTH UNDER ISRAELI CONTROL (AREA C)

The majority of available land between the Green Line and the Separation Barrier lies within Israeli-controlled Area C

Wadi Makhrour Area
Area C
Palestinian Built-up Area
Israeli-Settler Built-up Area
Future Growth Area
Separation Barrier (Built)
Separation Barrier (Un-Built)
1949 Armistice Green Line
Israeli Settler Connection
Palestinian Connection

^ **fig. 3.07** *Greater geopolitical battles for territorial control in the eastern Bethlehem Governorate, including Wadi Makhrour.*



^ **fig. 3.08** *The shifting geopolitical status of the Bethlehem region and it potential future Israeli annexation.*

Wadi Makhrour is a central component of these vacant desirable lands. Figure 3.07 shows how the spaces available for this competing future growth are biased towards Israel (despite being Palestinian lands). Figure 3.08 finally shows the creeping annexation of these areas to Israel and the utilization of the Separation Barrier to reinforce Israel's seizure efforts.

Alongside all of the detriments that such use-based restrictions on Miri land imply, it is because of the weight placed on land use that a traditional appraisal of the geopolitical divisions between Israelis and Palestinians in the rural communities of Area C is not easily decipherable. The realities of how space in the West Bank is divided cannot be properly comprehended if conceived of solely in terms of quantitative sums of territory belonging to the Palestinian or Israeli sides. Considering their more important qualitative use properties, therefore, further enters into the ownership debate a crucial time factor. Towards such ends, the work of Israeli philosopher Ariel Handel helps to provide an understanding of the complexities of jurisdictional division in the West Bank.

In describing the relevance of a property's usage to the shifting, indeterminate spatial characteristics of the West Bank, Handel cogently explains how the assignment of space is not a zero-sum product, but rather that the land's classification as Israeli or Palestinian is contingent upon what he has termed their 'use values'.[22] He identifies two main limitations governing models of spatial use: "*the organization of physical space and the regulations that govern its use.*"[23] By drawing such distinctions between a land's 'absolute value' (*is it Israeli or Palestinian?*) and its 'use value' (*Who can use it? In what ways? For what duration?*) Handel has opened the door for a further investigation into the complexities of spatial jurisdiction existent under the lawless conditions of the 'temporary' military occupation. For example, if a Palestinian worker must travel through numerous checkpoints, unduly wait at an agricultural gate in order to cultivate their land, or spend multiple hours trucking water to their fields, these time constraints are not only factors impacting the quality of their lives by keeping them incredibly overwhelmed and busy, they have the greater effect of predicating and prescribing which areas Palestinians can own and cultivate, impacting their social and economic spheres and ultimately re-engineering Palestinian society as a whole

22 Ariel Handel, "Where, Where to, and When in the Occupied Territories: An Introduction to Geography of Disaster," in The Power of Inclusive Exclusion, ed. Adi Ophir et al, (New York: Zone Books, 2009): 179-222.
23 Handel, "Where, Where to, and When in the Occupied Territories: An Introduction to Geography of Disaster,"181.

through the complex workings of manipulated laws and bio-power. Accordingly, hindrances on time become a key inhibitor to a land owner's claims to their property. The more the lifestyles of the Palestinians are controlled to keep them under-developed and over-worked, the busier they remain and, ultimately, the less likely they are to be able to hold fast to their claims of Miri land ownership. Accordingly, the process of gradual jurisdictional erosion on Palestinian West Bank land by Israel occurs most obviously through individual incursive events, but is also endemic to the greater legal structuring of occupation as a whole.

In an environment confined to a state of exception, use values elucidate the uneven power relationships in place between Israelis and Palestinians. When viewed within such a framework, the practice of illegal dumping takes on a much greater magnitude. When waste is dumped on agricultural land in Area C, both Palestinian and Israeli settler populations initially benefit from the ease of waste disposal. However, the resulting long term impact is not equal for Israelis and Palestinians. The current unequal land-use policies have meant that once these deteriorated lands have been left uncultivated for three consecutive years, they cease to operate as Miri land under Palestinian control and are returned to the State of Israel as State Land. Since State Land is almost unanimously slated for Israeli settlement expansion, such acts of dumping ultimately come at the direct cost of the territorial contiguity of a future Palestinian state, while serving a direct benefit to the Israeli settlers through the provision of greater areas for their settlement expansion. These inequalities, in effect, grant the individual settler the ability to become a direct *political progeny*, coercing and accelerating shifts in territorial control though individualistic acts of targeted illicit waste disposal. Consequently, settler waste becomes just as effective of a weapon for colonization as any other – particularly effective due to its capacity to operate tacitly, exploiting the inequalities intrinsic to a unilaterally imposed legal-bureaucratic system and therefore obfuscating the true intentions of such actions.

[SEE POLITICAL PROGENY]

Because of this increasing threat of territorial seizure from illegal waste being disposed on private land, there is an urgent need for Palestinians living in the West Bank's rural communities to establish new local means of waste management which can avoid the further deterioration of their agricultural lands due to illegal dumping. In many ways, effectively moving forward under occupation will require local Palestinian communities to become ever-more self-sufficient and less dependent upon Israel, and even their own traditional urban cores, for their sustenance. Perseverance will mean the ability to forge new insular modes of subsistence that operate primarily on a local level, while regionally plugging into a greater geopolitical Palestinian strategy. The following tactic attempts to parse the beginnings of such a strategy.

<<

12-30 Plants Grown per Bag

25L of Palestinian Household
Organic Waste Composted per Bag



15 KG of Nutrient-Rich Topsoil
Generated Per Bag



-DESIGN TACTIC II-

FROM REFUSE TO RESOURCE |

DECAYING JURISDICTIONS

The following design investigation develops a tactical approach for Palestinians to seize the 'temporary', as it has been afforded by the stasis in the peace process and in the ongoing Israeli occupation. Such is accomplished through persistent incursions onto Israeli State Land, incrementally reclaiming the use of these areas to serve the collective needs of the Palestinian public through the use of refuse as a resource.

<

fig. 3.09 *Organic waste sacks 'dumped' onto Israeli State Land are tended by local Palestinians.*

>>

To the unassuming observer, the rot, seepage, decay and stench of the waste of the West Bank's almost 200 illegal dumping sites[24] is diametrically opposed to the blooming, fertile, green landscape on which it has been imposed. While the destruction of both the environment and private property by this waste does indeed pose a form of ecological threat, such appraisals presume a static condition of good/bad, advantageous/detrimental with regards to the use of rural fertile land for waste management. In doing so, this sort of rationale tends to focus solely on preventative or defense strategies designed to fight against such symptoms of environmental degradation under occupation, rather than recognizing the dumping's root complexities and harnessing unique opportunities for subversion afforded within them.

Perhaps the most significant challenge to preventing the damage of private property from acts of illegal dumping while maintaining the benefits of a local waste management system is the current shortage of vacant communal land provided for Palestinian use in the West Bank. With Israel's seizure and re-classification of all absentee and Jordanian-owned land as 'State Land' following the occupation, only private Palestinian property remains available for the development of projects serving collective Palestinian interests. As a result, while Israel is assigning the use of its thousands of dunams of unilaterally-declared State Land to Jewish settlements, Palestinians are left to deal with the dysfunctionality of their waste management systems on private land in disparate, disorganized and ad-hoc ways. Sadly, such improvisational measures frequently deteriorate the situation further by causing greater environmental contamination. Additionally, the disposal of solid waste onto private land serves to further reinforce Israel's land seizure practices by signaling an acceptance of the current unfair ethnic divisions of state property on the behalf of the Palestinians.

The following design tactic, therefore, attempts to mitigate the damage being done to privately-owned Palestinian land through illegal dumping by proposing an alternate trajectory for the State Land areas of the West Bank: one in which the Palestinian population also benefits from its collective use in ways which afford economic, social, and environmental gains. The proposed design uses the village of Battir and its adjoining threatened Wadi Makhrour as a case study to develop a new method of local Palestinian waste management.

While it should be noted that some fortuity from the existing illegal dump sites across the West Bank has been found by the Palestinians who painstakingly pick through the refuse and remove from it all items of value, particularly scrap metal, the following tactic aims to explore what potential rests for acts of illegal dumping to be beneficial in a more direct

24 Applied Research Institute Jerusalem. "Analysis of Waste Management Policies in Palestine: Domestic Solid Waste and Wastewater." (2005).

way. As such, the proposed design harnesses the power of the existing flawed systems of waste management and then amplifies their subverted potential by transforming disparate processes into one main choreographed initiative impregnated with a dual political purpose. Vegetable peels, apple cores, egg shells and coffee grinds – the quintessential components of organic waste – once biodegraded, are returned to nature, yet done so through a design process which shapes and moulds their physical manifestations, ultimately enabling them to become a part of the natural aesthetic of the Palestinian landscape. (*See fig. 3.15 at the end of this section*) Accordingly, the tactic's design is further facilitated by nature's seemingly innocuous character, which allows it to operate covertly.

Along such lines, the fact that this new landform is organic and growing allows it to adapt and transform itself in response to the fluctuations of the occupation in ways which the conventional static built environment cannot. Enlisting the tools of landscape and architectural design, such acts of dumping can be better harnessed for use towards political, social and economic change. In their augmented configurations, the proposed tactical processes build upon existing local practices, yet re-choreograph their procedures along a new, more interconnected trajectory.

Due to the restricted nature of State Land, the following design must entertain subterfuge and camouflage to avoid scrutiny by settlers and the Israeli Military. By emulating acts of illegal dumping, the proposed tactic appears unplanned, un-coordinated and devoid of greater political intention. Yet, the underlying attributes of resistance gradually rise to the surface, finally appearing as the Palestinian presence on State Land is once again established.

This tactic is designed to operate incrementally through three progressive phases, with each phase working to not only advance the life cycle of organic waste decomposition but also to increasingly erode the sense of Israeli jurisdictional control on West Bank areas of State Land through additional programmatic uses for these sites.

PHASE ONE | Phase One begins by identifying the enormous amount of untapped potential currently residing in the Palestinian management of organic waste matter. According to a 2010 report by ARIJ, approximately 59% of the waste currently leaving Battir households is organic.[25] (*see figure 3.05*) If such waste could alternately be separated and managed locally, then more space would be made available for non-organic waste in the village's storage dumpsters and collection trucks, ultimately preventing overflow and even reducing the number of visits each garbage truck would have to make to the dump in Yatta. (*See fig. 3.04 for the current waste disposal route*) The ripple effects of such organic waste separation span further, impacting everything from savings in village council dollars to a reduction in the amount of waste-related traffic congesting roads and checkpoints for other travelers. A locally managed system for waste also possesses the strength to operate independently from Israeli closures, offering consistently reliable waste service and thus obviating much of the need for illegal dumping, caused when local dumpsters overflow.

25 Jad Isacc et al, "The environmental impacts assessment of the Israeli segregation plan on Battir village," (Applied Research Institute Jerusalem (ARIJ), 2005), accessed February 5, 2012, http://www.arij.org/publications(4)/Papers/2005/2005%20the%20environmental%20impacts%20assessment%20of%20the%20israeli%20segregation%20plan%20on%20battir%20village.pdf.

Once the separated household organic waste is collected in Phase One, it is then placed into biodegradable jute sacks alongside a mix of native plant seeds and fertile soil. (*See fig. 3.03 for a breakdown of the tactical procedure*) The combined ingredients serve to create a 'growing sack' which furthermore acts as a plant-based organic construction block. The filled jute sacks are then covertly transported for disposal onto local areas of State Land under the pretense of illegal dumping. Once dumped, the sacks undergo a dormant phase, sitting derelict and neglected on the land until their seeds begin to grow. The commencement of growth signals the beginning of Phase Two.

PHASE TWO | Discarded in a seemingly hap-hazard manner, the placement of the organic waste sacks in actuality follows a choreographed layout and, as the piles increase, their overarching landscaping design begins to take form. The sacks' configuration is predicated by both specific site conditions and by the desired programmatic use of these areas throughout the project's life-cycle. In steep, rocky areas which are at risk of erosion, the bags are retained tight to the surface, allowing a new vegetated form to take root. In areas intended for grazing, the bags are laid flat allowing for the maximum feeding area. Accordingly, during this second phase, previous distinctions between the sacks of waste and the land on which they were dumped begin to blur. The sack morphs into an integral part of the landscape, melding with its surrounding environment while generating a new, productive and inhabitable landform. With the growth of these sacks, dichotomies between nature and construction, waste and resource, built and un-built, become increasingly indecipherable. The re-integration of these patches of State Land with their surrounding Palestinian agricultural lands can be seen as a process of geographical 'stitching' where the jurisdictional exceptionality of State Land is once again reintegrated into, and blurred with, the agricultural fabric of its Palestinian surroundings. As such, this process of reintegration between State Land and its adjoining fields goes beyond physical assimilation to make a further political statement of resistance against State Land being prevented from Palestinian communal use.

While the organic waste inside the sacks undergoes biodegradation, Phase Two's potential moves beyond that of local waste management to the further assistance of local animal husbandry initiatives. As the bags grow, their crops provide a much-needed food source for locally grazed livestock. The benefits of such support are numerous. Currently, huge economic potentialities reside in the Palestinian market for a new surge of animal rearing practices. The following would work towards meeting local deficits in meat production which could further provide many rural families with employment opportunities in the animal husbandry sector, while providing their families with a secured food source. The unpredictability of food transport and the requirement for meat products to travel far distances in order to reach villages such as Battir makes the initiative all the more prescient (*See fig. 3.08*).

An August 2011 Palestinian Authority report found that the most lucrative economic potentials for animal husbandry lay in increasing the production of Sheep, Lamb and Goat's meat at the local Palestinian village level.[26] As fig. 3.09 outlines, to date, the majority of such

26 Palestinian National Authority, "Study of Economic Opportunities in Bethlehem Governorate," August 2011, accessed September 12, 2011, http://www.tvet-pal.org/sites/default/files/Bethlehem_eco_study_Eng.final%20report.pdf.

red meat is produced in the governorates of Hebron and Jenin, situated at opposite polar ends of the West Bank. Areas in the central West Bank region therefore must have whatever meat they cannot produce locally trucked in from these locations. The Bethlehem region is currently facing a deficit of 63% in its local production of meat products and therefore relies heavily upon imports from these two governorates to supplement its own local production.[27]

Maintaining such a dependency dangerously leaves smaller villages susceptible to security closures which can delay deliveries and in some instances, if closures are substantial, the products may not reach their destinations at all. Prolonged travel times also encompass a variety of hidden, softer cost ramifications such as higher fuel consumption and greater vehicle wear and tear. Those villages not producing their own meat remain at the mercy of the changing patterns of the occupation to allow deliveries to occur smoothly, and therefore for access to their sources of nourishment. In times of increased Israeli security restriction (such as those which occurred during the Intifadas), the threat of food scarcities means that areas lacking their own local food supplies will always be secondary to receive their required food allotments from outside sources in other regions, placing their inhabitants at risk of hunger and malnutrition.

Despite the long list of reasons in favor of amplifying local animal husbandry practices, in many areas of the West Bank, such initiatives have yet to gain momentum due to the diminishing amount of accessible lands for grazing in the West Bank and the high cost of feed farmers put forth to care for their livestock. Fig. 3.08 shows the areas proposed for animal grazing reclamation in the West Bank. These include the areas of State Land which do not overlap with the West Bank's various closed areas (see fig. 2.13). According to the same Palestinian Authority report, even though 2.02 million acres of land in the West Bank are suitable for grazing, only 621,000 acres (31%) are actually available for Palestinian grazing use.[28] As a result, those areas which are usable are becoming overgrazed and are at risk of desertification and erosion during the rainy season. Both of these risk factors have to potential to be eliminated when the practices of animal husbandry are coupled with the proposed tactic's new initiatives of State Land reclamation vis-à-vis the growth of a productive organic waste landscape. By introducing additional grazing areas on this State Land, the pressures on existing fields and pastures will further be alleviated.

It is important to note that to date areas of State Land have not typically been used for animal grazing since State Land is characteristically the rockiest and least vegetated land in the West Bank. Under the original Ottoman Land law, areas incapable of producing substantial yields due to their rocky, barren or exposed nature were avoided by farmers who did not wish to pay taxes on land which would not serve them with a profitable purpose.[29] These unwanted areas remained under the control of the state and were thus never transferred into the hands of private owners, ultimately therefore comprising a large amount of the State Land which fell under Israeli-control after its seizure from the Jordanian government in 1967. In this sense, regardless of geopolitical incentives, the restoration of rocky areas of

27 Palestinian National Authority, "Study of Economic Opportunities in Bethlehem Governorate," August 2011, accessed September 12, 2011, http://www.tvet-pal.org/sites/default/files/Bethlehem_eco_study_Eng.final%20report.pdf.
28 Ibid.
29 A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C*, 29.

State Land is beneficial to the environment of the West Bank.

PHASE 3 | Phase three expands the functionality of this new productive 'waste' landscape by overlaying the site with an adaptable infrastructural grid of hooks, anchors and plug holes which can be tapped into by the site's users in a number of various configurations. This infrastructural system – comprised of two parts: a network of simple connection points embedded into the growing sacks and a portable canopy system - is not only adaptable to its users through numerous configurations, but it also mitigates the risk of Israeli demolition resulting from construction in Area C by making the key components of the system's enclosure compact and transportable (*See fig. 3.12*). As such, the design is capable of engaging with the shifting landscape through the provision of a user-adaptable base grid of shelter infrastructure onto which multiple ephemeral spatial enclosure systems can be configured. When they are finished using the site, these users transport their enclosure systems away with them again, leaving nothing but the organic matter and a few small anchors to face the threat of Israeli demolition. With nothing left to destroy but composting waste, a paradox is generated where any act by the IDF towards the destruction of this organic waste landform will only further eradicate the already precarious binary divide between what is new and what is old by making the two organic materials not only visually indistinguishable, but physically inseparable as well. The resulting demolition 'devastation' will simply become composted soil.

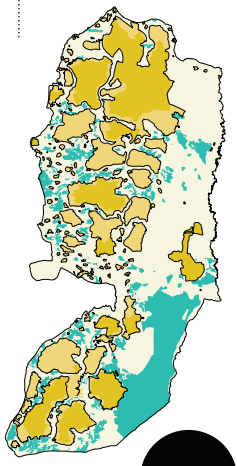
Operating within a worst-case scenario, the tactic maintains its ability to provide a sense of improvement to the Palestinians and to the environmental conditions of State Land through the effective processing of the village's organic waste, irrespective of Israeli demolition. Destruction of the biodegradable sacks at any point along the process does not prevent the waste management initiatives from occurring since such is possible both within and outside of the jute sack containers. Demolition is therefore not perceived as a threat but ironically serves more as a catalyst to the biodegradation process, tilling the land and aerating the composting material as it converts into fertile soil. The threat of IDF demolition is thus rendered irrelevant to the design's overall success and ceases to act as a deterrent. In the case of Israeli destruction, the previously unusable State Land continues to serve a Palestinian purpose by providing a storage ground for the newly forming topsoil, which can then be used on neighboring agricultural plots or sold to local farmers for use elsewhere.

Set in an environment teeming with jurisdictional transitions, this tactic aims to activate new ephemeral relations between Palestinians and the areas of restricted Israeli-seized State Land in the West Bank. The design furthermore seeks to establish new ways of anticipating and mitigating the projected impacts of Israeli land seizure and settlement construction at a larger regional scale through the use of short-term Palestinian incursions into at-risk areas. Here, the concept of 'ephemeral erosion' is used to reduce the possibility of State Land being permanently seized. In such an endeavor the 'temporary' becomes a catalyst through which to establish new jurisdictional realities and to reach previously unattainable degrees of territorial reclamation for the Palestinians. Accordingly, the decay of organic waste on State Land becomes analogous to the decay of Israeli jurisdiction in these areas: its shift from refuse to resource signifying the shift from Israeli to Palestinian control as the usefulness of State Land for collective Palestinian purposes increases.

The creation of the proposed productive landscape would ultimately enable Palestinians to better survive in an environment of increasing physical isolation by re-enforcing a concept of shared Palestinian infrastructures: one which utilizes a region-wide reserve of State Land, so that practices in Jenin can propagate with those in Battir and elsewhere, while still allowing for the creative ingenuity which comes from regional adaptation. Finally, subversion of the West Bank's land use inequalities comes when clear distinctions between the dichotomies of abandoned and cultivated, waste and resource, natural and synthetic, and built and un-built are no longer ascertainable: when nature and waste are conflated with one another; the processes of land use and land abandonment inextricably operating in tandem. When distinctions between cultivation and illegal dumping are no longer decipherable because it is unclear if the land's use is for the purpose of one or the other, because, ultimately, yet paradoxically, it is for both.

<<

DECLARED STATE LAND

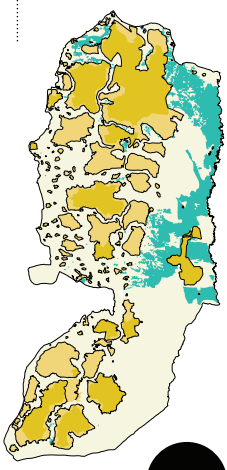


90,800 Hectares
[908,000 Dunams]
45% of State Land
16.1% of West Bank

Private land declared as State Land by the Israeli government after 1979 for military purposes or for lack of cultivation for three consecutive years

16%

REGISTERED STATE LAND

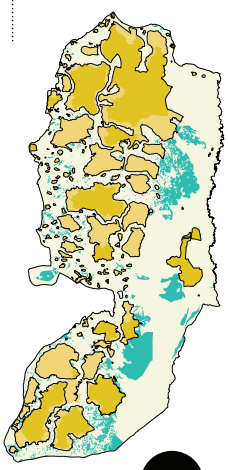


70,000 Hectares
[700,000 Dunams]
34% of State Land
12.4% of West Bank

Land which on June 1967 belonged to Jordan or was registered in its name, as defined by Israeli Military Order 59

12%

SURVEY LAND

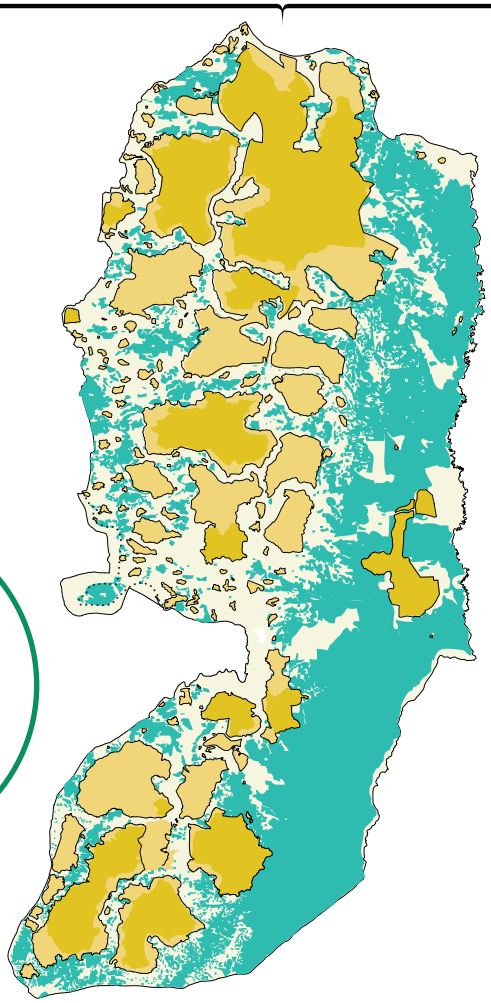


43,000 Hectares
[430,000 Dunams]
21% of State Land
7.6% of West Bank

Private property whose owner left the West Bank before, during or after the 1967 war. This land is defined as *'abandoned property.'*

8%

- ISRAELI SEIZED WEST BANK LAND -



203,800
HECTARES
[2,038,000 DUNAMS]
Total Israeli Seized Land

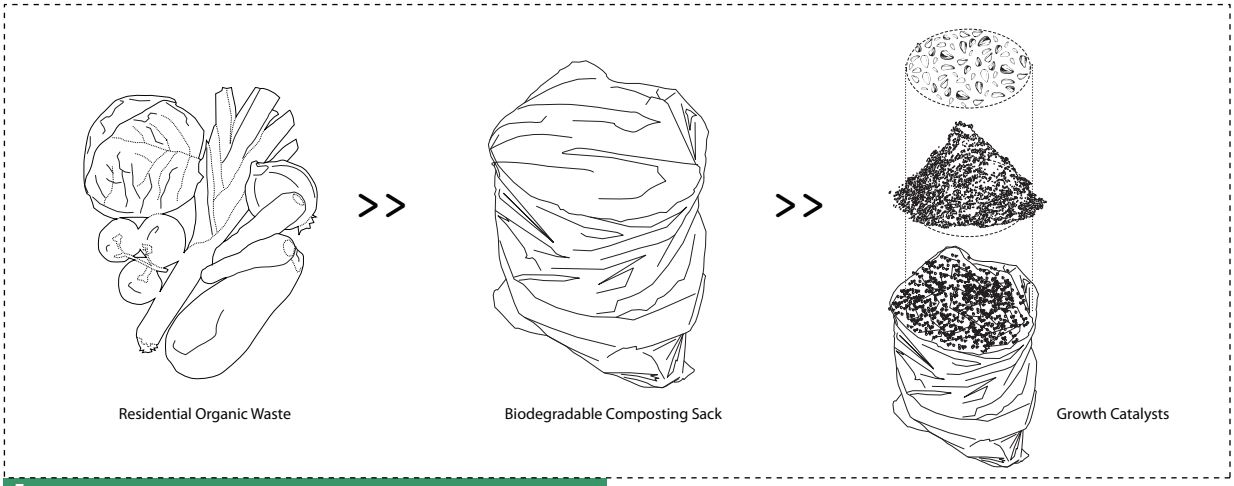
36%
of the West Bank is Israeli-seized land

Israeli seized land
Area A
Area B
Area C

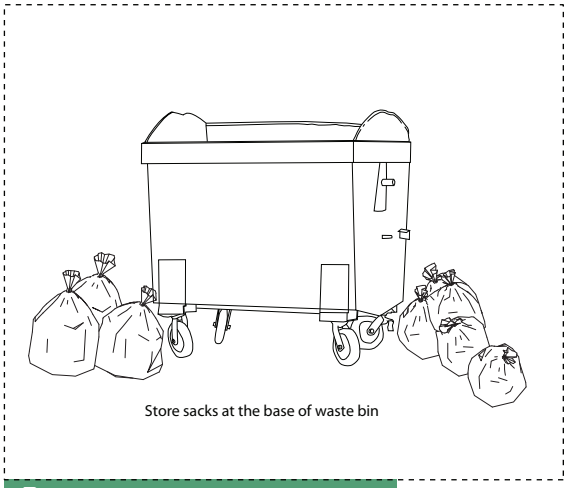
fig.3.10 *Breakdown of the various categorizations of Israeli-seized land in the West Bank; the target areas for reclamation.*

-PHASE ONE-
WASTE MANAGEMENT

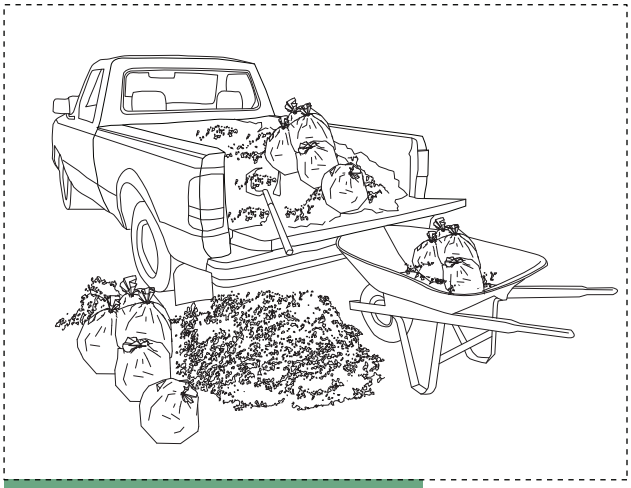
PHASE ONE TACTICAL PROCEDURE



1 CREATE ORGANIC WASTE GROWTH SACK



2 LOCAL WASTE STORAGE



3 LOCAL WASTE COLLECTION



4 DEPOSIT SACKS ONTO STATE LAND



5 DUMPED SACKS BEGIN GROWTH CYCLE

fig.3.11 Step-by-step approach to the first phase of State Land reclamation via local organic waste management.



Battir Village Solid Waste Management
[Battir Village, Bethlehem Governate, West Bank]

Population : 3,967 (2007)
Waste per Person per day : 0.7 kg
Total Village Solid Waste per Week : 2,776.9 kg
Waste Collection Trips : 2x weekly
Distance to Yatta : 30.75 km
Duration of trip : 56 minutes
Checkpoints Crossed : 4+ depending on route
Disposal Cost to Village : 3500NIS/month



Yatta Landfill
[Yatta City, Hebron Governate, West Bank]

Created : 1994
Size : 14.2 hectares
Collection Area : Bethlehem & Hebrom Governates
Serving Population: >700,000
% of Waste from Households: 45-50%

fig.3.12 *Map of the current waste management network of the southern West Bank with particular emphasis placed on the waste management of the village of Battir.*

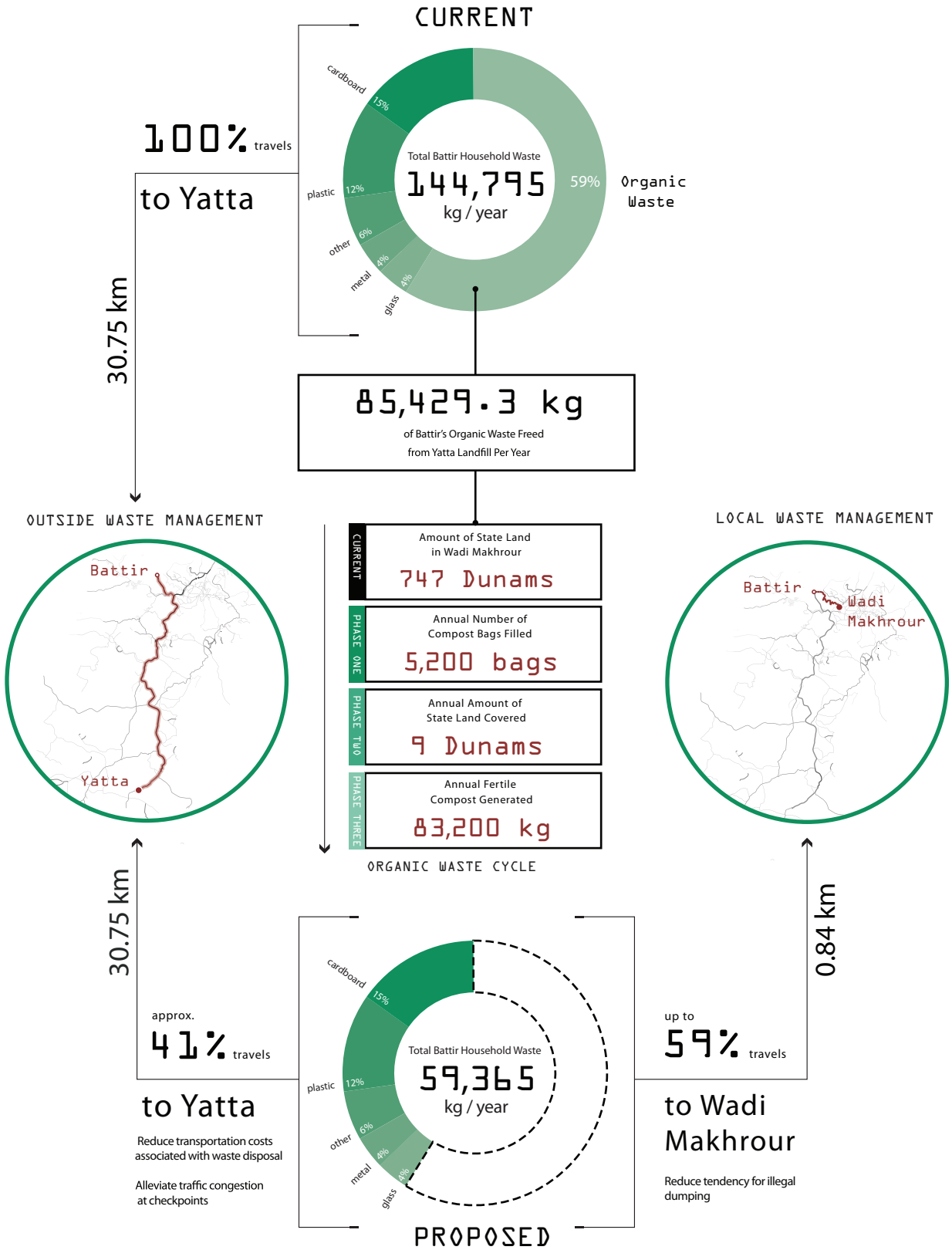
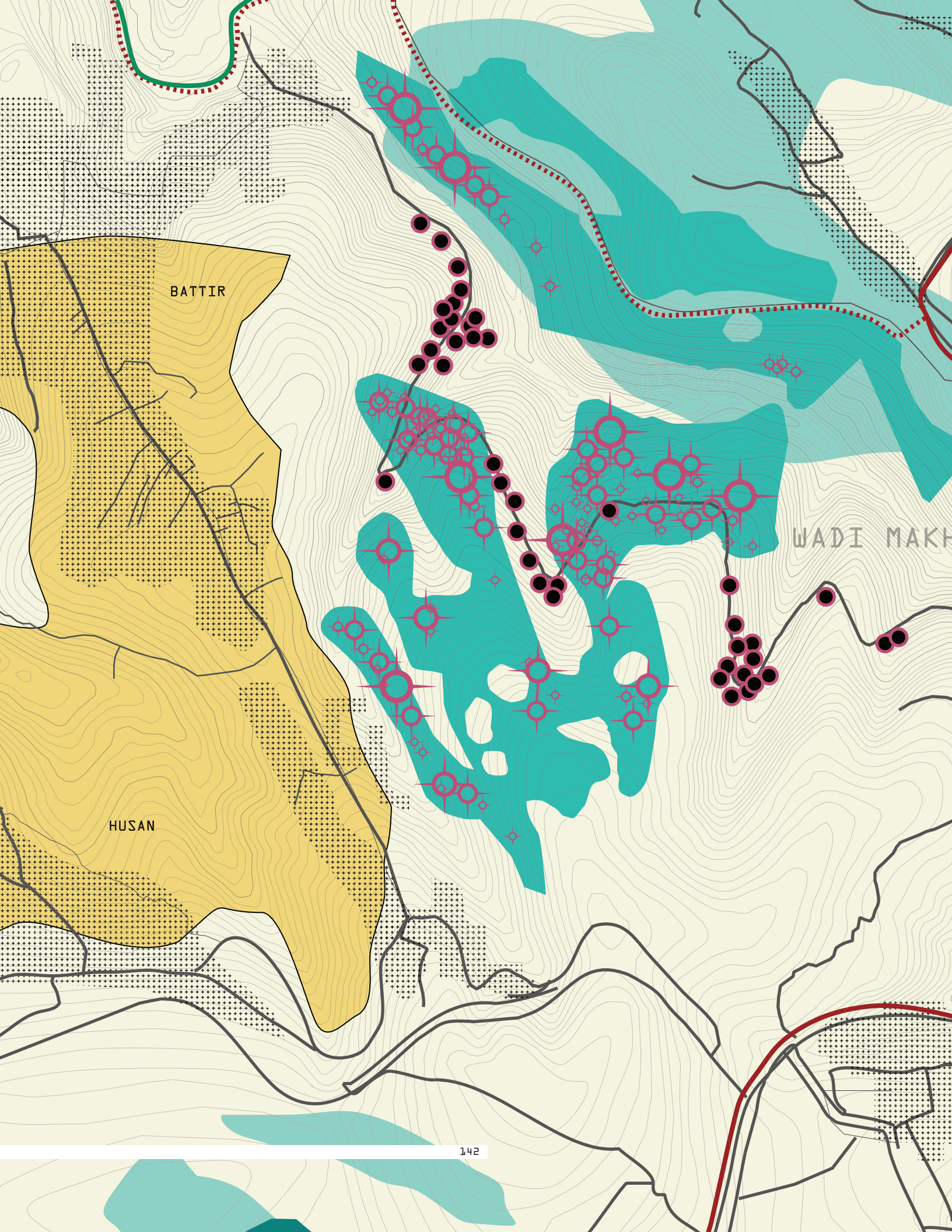
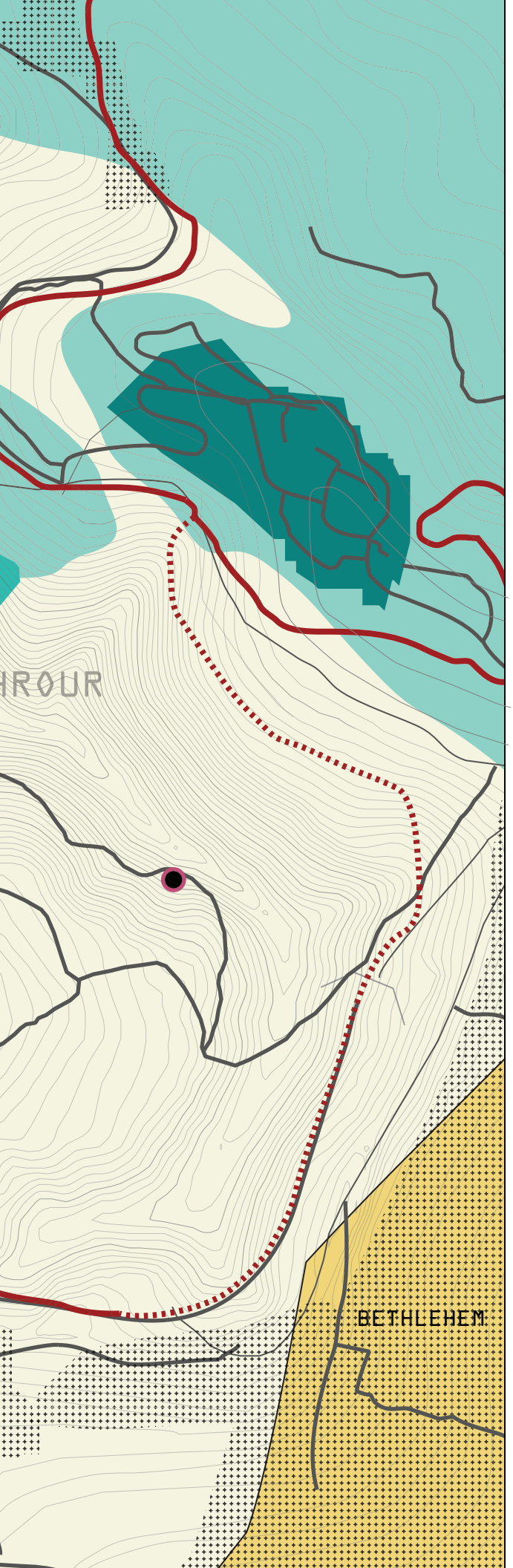
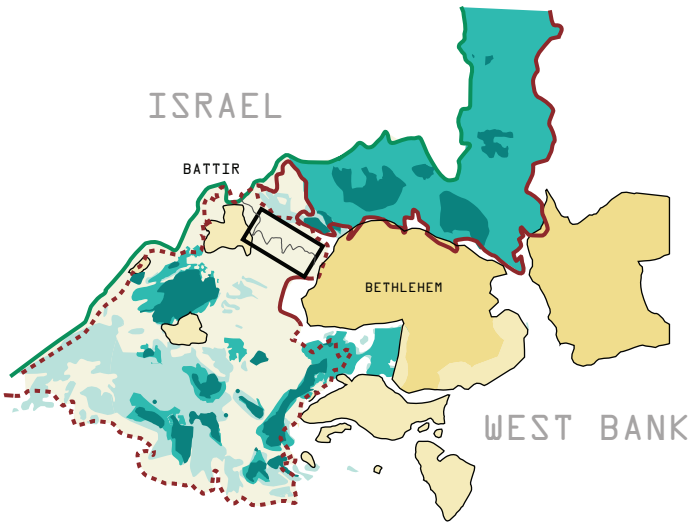
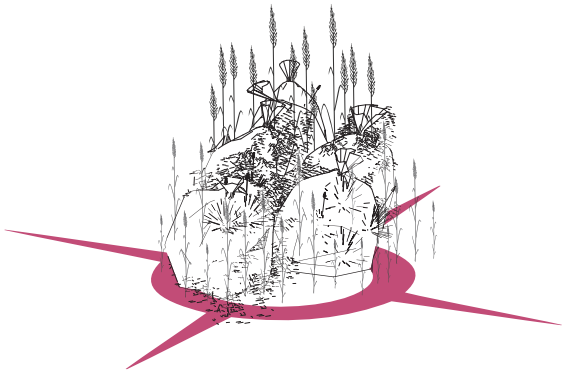


fig.3.13 *Diagram comparing the current and proposed waste management systems of the Palestinian village of Battir.*


BATTIR
HUSAN
WADI MAKH







Area A
Area B
Area C
Israeli Seized State Land
Israeli Settlement Municipal Area
Israeli-Settlement Built-up Area
Palestinian Built-up Area
Existing Dumping Site
Target Dumping Site
Local Road Network
Separation Barrier (Built)
Separation Barrier (Un-Built)

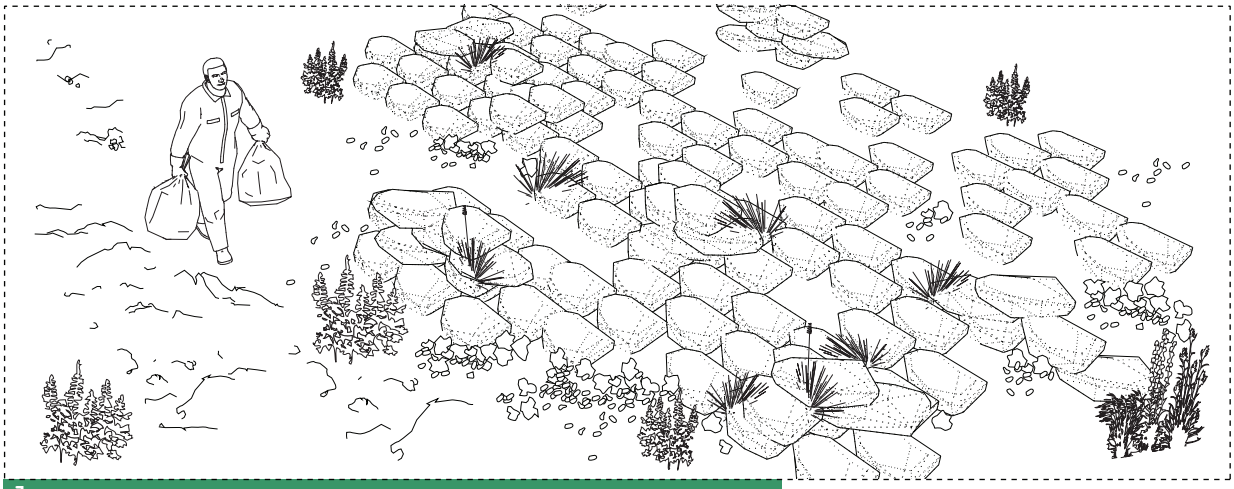
0 500 m

CURRENT VS. PROPOSED ILLEGAL DUMPING IN WADI MAKHROUR

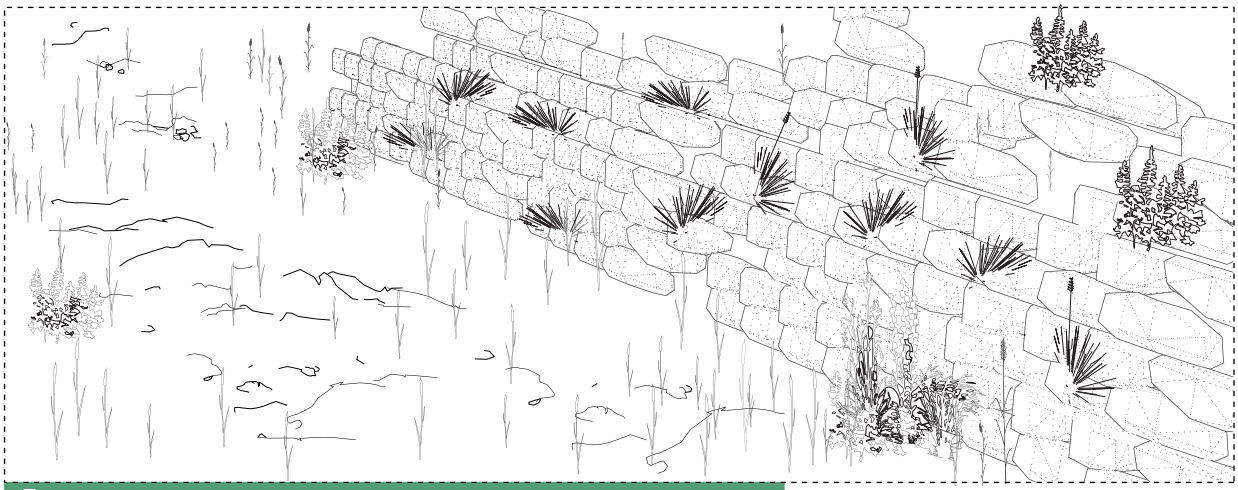
< **fig. 3.14** (opposite) *Re-choreographing dumping in Wadi Makhrour to reclaim the use of Israeli-seized State Land and to avoid dumping on private property.*

-PHASE TWO-
LANDSCAPE REMEDIATION
AND
ANIMAL HUSBANDRY

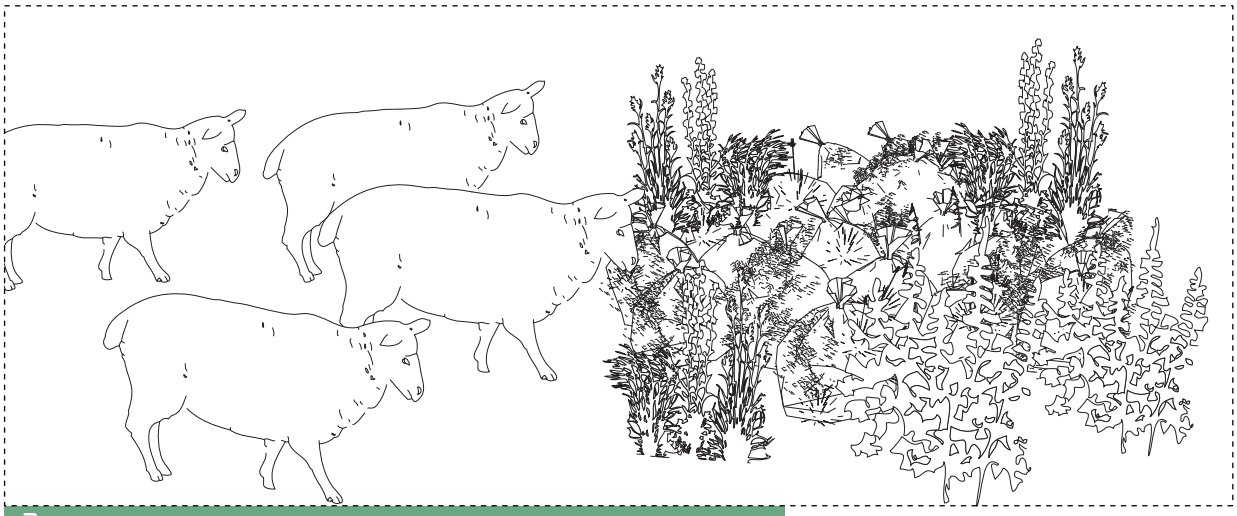
PHASE TWO TACTICAL PROCEDURE



1 SPREAD BAGS IN ROWS AND PEAKS FOR GRAZING FEED GROWTH



2 TIER BAGS IN ROCKY AREAS AT RISK OF EROSION



3 AMPLIFIED LOCAL ANIMAL HUSBANDRY PRACTICES

fig.3.15 *Step-by-step approach to landscape remediation and grazing feed production using condition-specific bag placements.*



Battir Village Animal Husbandry
[Battir Village, Bethlehem Governate, West Bank]

Cattle	0 heads (0%)
Goats	500 heads (10.5%)
Sheep	242 heads (5%)
Donkeys	14 heads (0.3%)
Bee Hives	800 hives (5.9%)
Poultry	3,200 birds (67%)

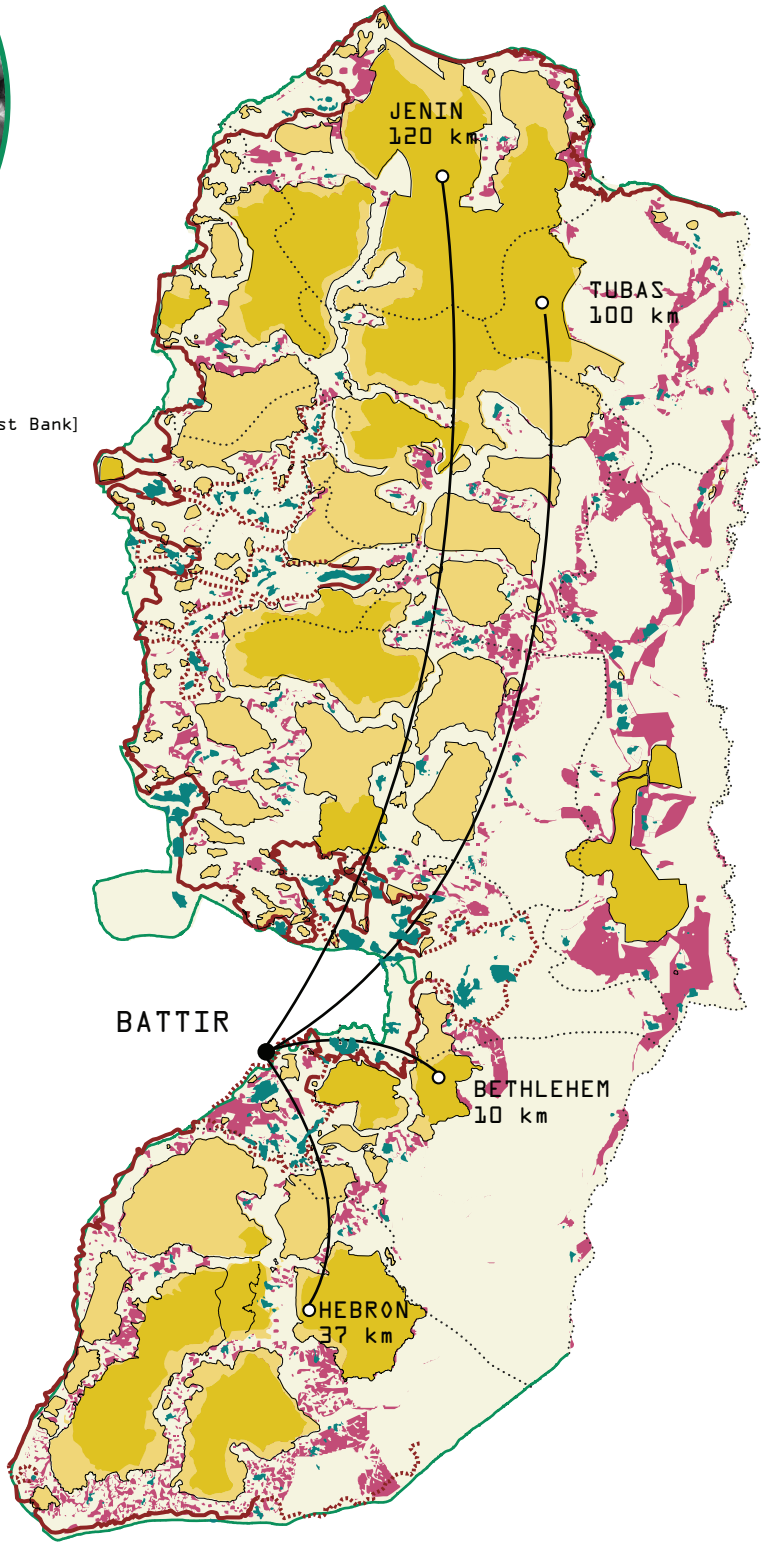
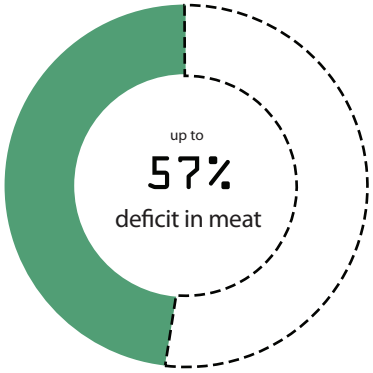


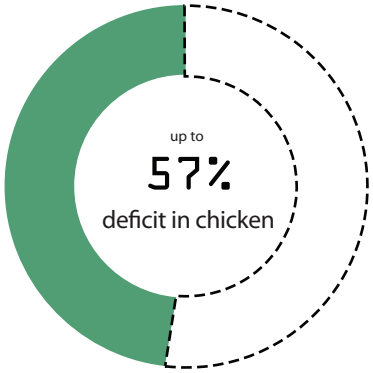
fig.3.16 *Impact of agricultural production for livestock feed on animal husbandry practices in Battir, showing areas of State Land not situated within closed military areas, therefore making them potential targets for tactical reclamation.*





SHEEP & GOAT MEAT

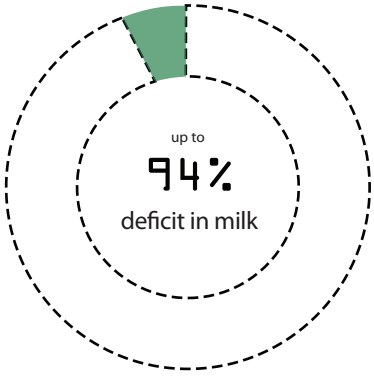
Consumption (Bethlehem Governate)	177,000 heads/year
Production (Bethlehem Governate)	77,000 heads/year (43%)
Deficit Met by Jenin & Tubas	100,000 heads (57%)





CHICKEN

Consumption (Bethlehem Governate)	3,500,000 birds/year
Production (Bethlehem Governate)	1,500,000 birds/year (43%)
Deficit Met by Hebron	2,000,000(57%)





MILK

Consumption (Bethlehem Governate)	70,494,000 L/year
Production (Bethlehem Governate)	4,405,875 L/year (6%)
Deficit Met by Hebron	66,088,125(94%)

$$

PROFITABLE SURPLUS

PROPOSED LOCAL ANIMAL HUSBANDRY AMPLIFICATION:

CURRENT

Cattle	0 heads
Goats	500 heads
Sheep	242 heads

742 Heads

FEED GROWTH

Annual Amount of Feed Grown in Bags

6,400 kg

ANIMAL GROWTH

Cattle	5 heads
Goats	700 heads
Sheep	450 heads

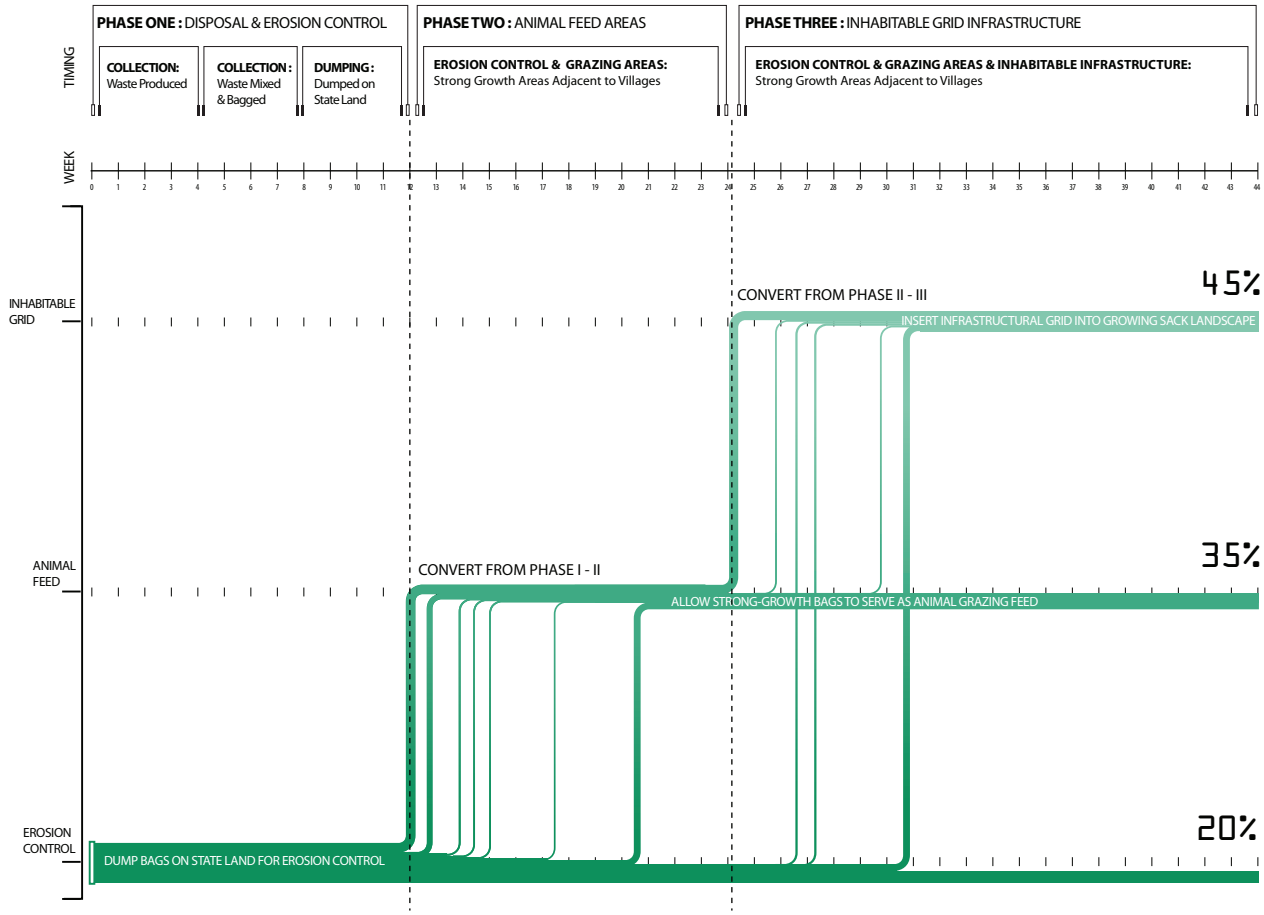
1,155 Heads

Annual Meat for Sales

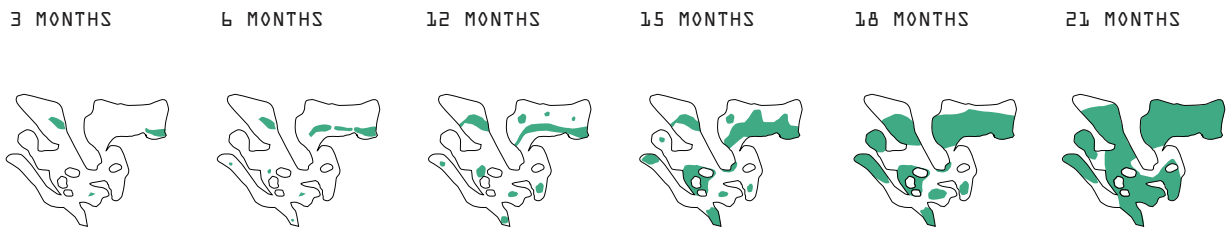
26,195 kg

fig.3.17 *Current deficits in the local levels of meat and dairy production in Battir and the proposed local animal husbandry amplification.*

PHASE TWO: TIMELINE OF TACTICAL CONVERSION INTO PHASES TWO AND THREE



CUMULATIVE RE-APPROPRIATION OF LAND UNILATERALLY SEIZED BY THE STATE OF ISRAEL



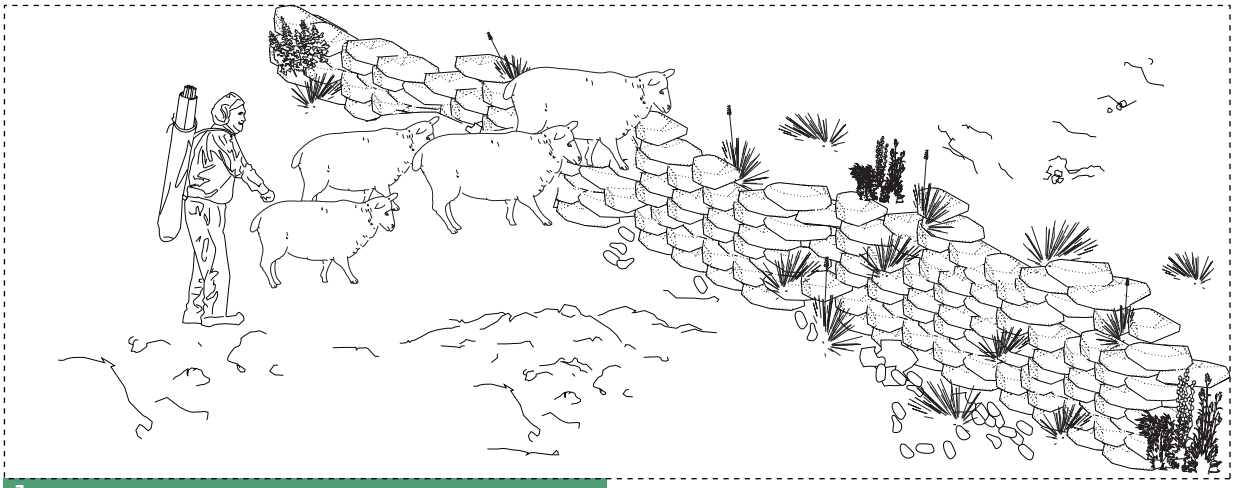
^ **fig. 3.18** (above) *The gradual transformation of the landscape of reclaimed State Land over time.*

> **fig. 3.19** (opposite) *Livestock graze amongst the growing landscape of reclaimed State Land.*

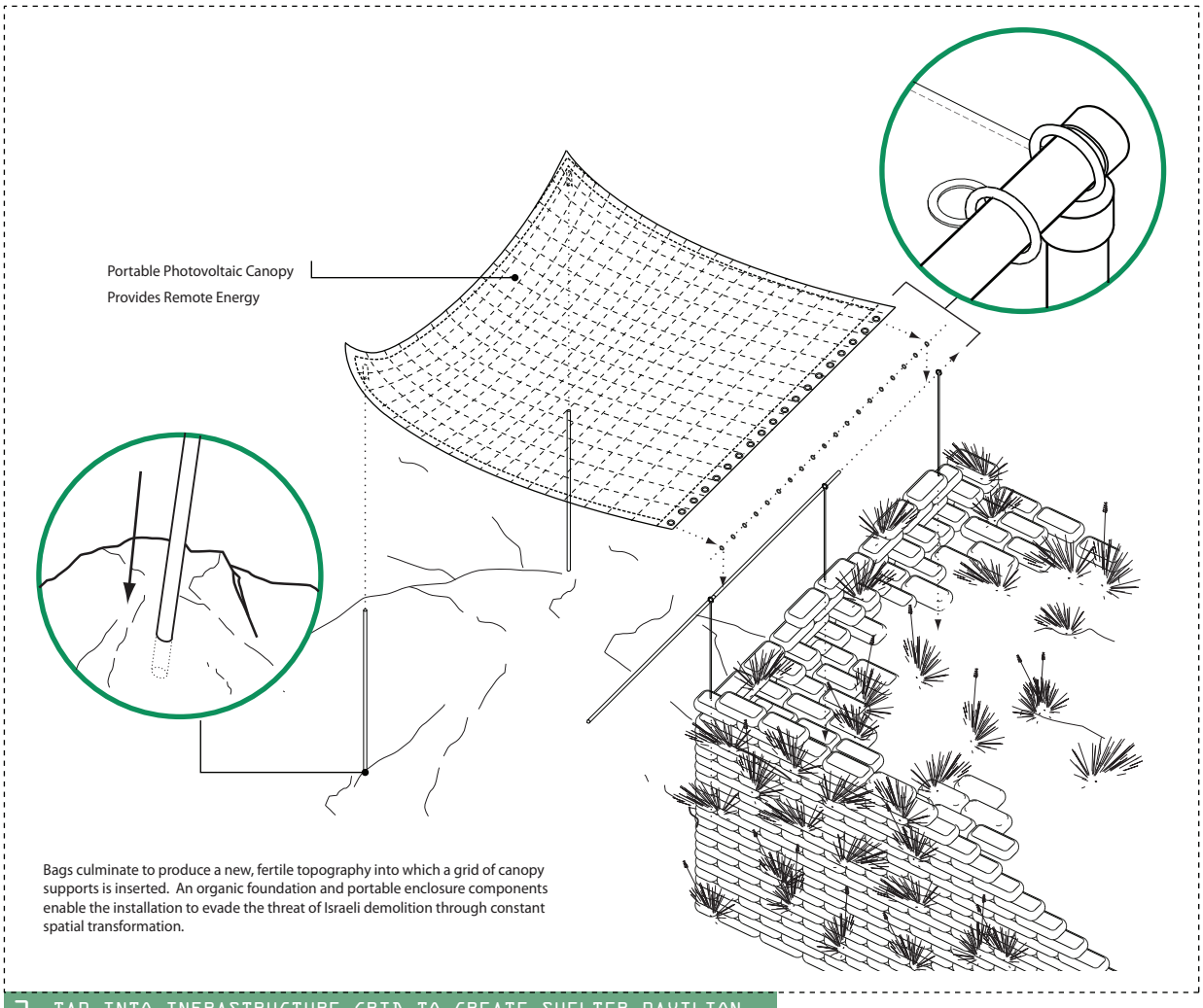

Bags Cultivating Crops
for Grazing Food
Erosion Control Bags
Placed on Steep Faces
Sheep Grazing on New
Productive Landscape

-PHASE THREE-
INHABITABLE LANDSCAPE

PHASE THREE TACTICAL PROCEDURE



1 TRANSPORT PORTABLE ENCLOSURE TO SITE



2 TAP INTO INFRASTRUCTURE GRID TO CREATE SHELTER PAVILION

fig.3.20 *Transformation of the landscape into shelter pavilions via portable tent enclosures and a network of local points of connection infrastructure.*

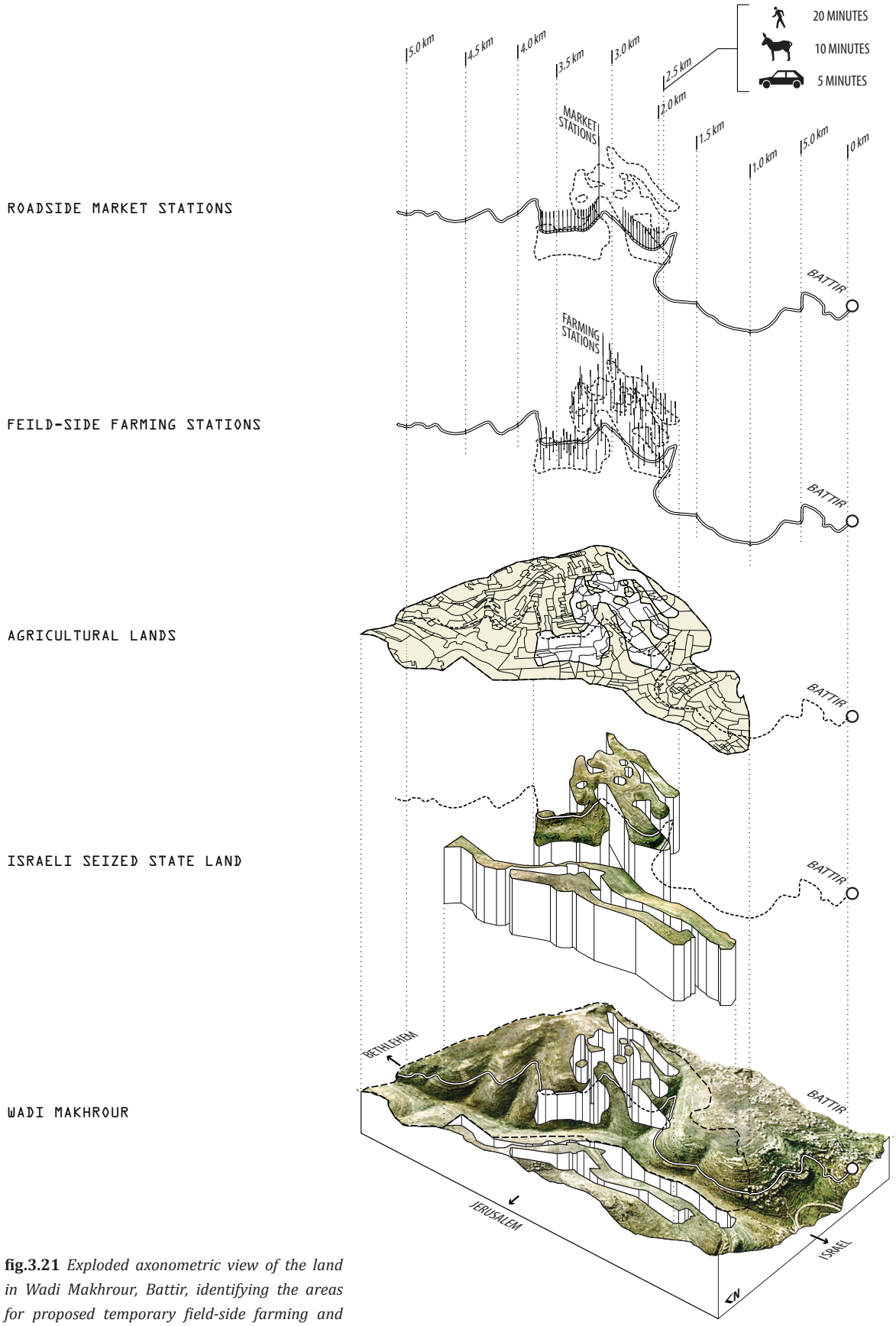
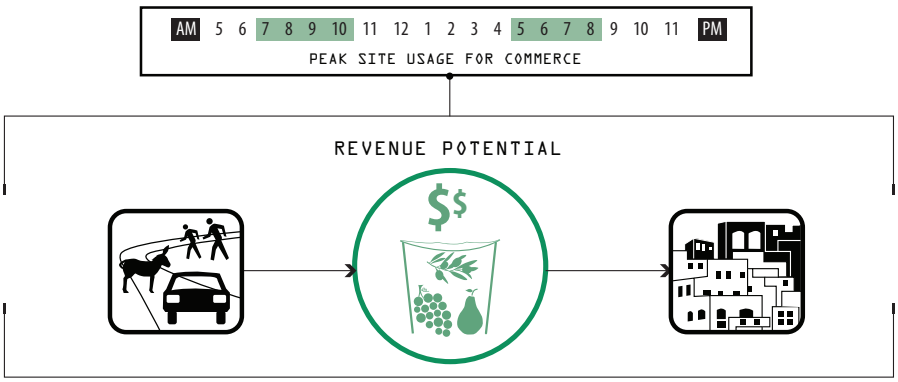


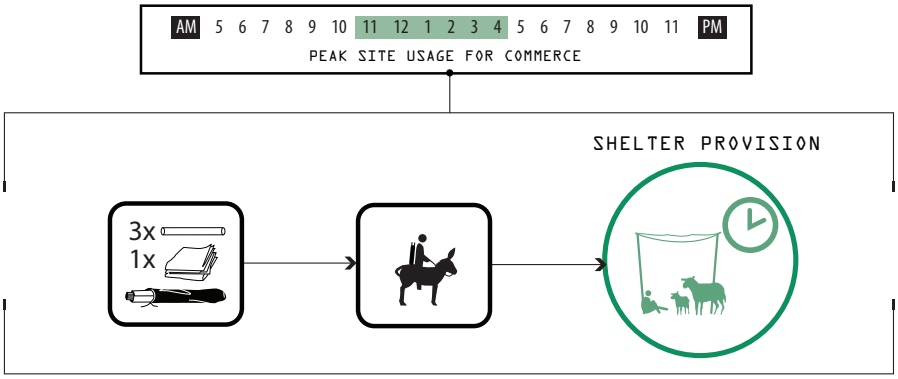
fig.3.21 *Exploded axonometric view of the land in Wadi Makhrour, Battir, identifying the areas for proposed temporary field-side farming and roadside market stations to be established.*

COMMERCE CORRIDOR OF ROADSIDE MARKET STATIONS



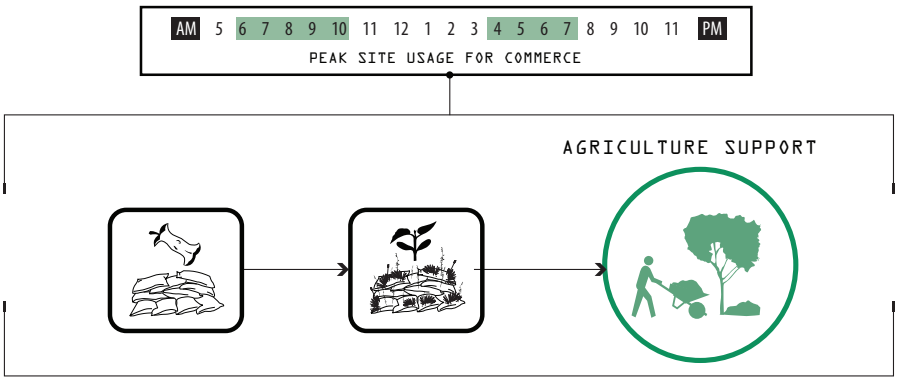
Maximize agricultural revenue potentials by capitalizing on through-site traffic. Farmers avoid checkpoints, reduce transport expenses and minimize food losses.

CULTIVATION CORRIDOR OF FIELD-SIDE FARMER STATIONS



Prevent the need for multiple commutes to agricultural fields by providing a shaded mid-day resting area for farmers and their livestock.

NUTRIENT-RICH SOIL PRODUCTION FOR AGRICULTURAL LANDS OUT OF ORGANIC WASTE



Re-inforce the growth capacity of the existing agricultural lands by providing an ongoing supply of new, nutrient-rich soil to farmers. Land that is continuously cultivated is less at risk of being seized by the Israeli military.

^ **fig. 3.22** (above) *Various uses and benefits to the creation of the inhabitable landscape on State Land.*

> **fig. 3.23** (next) *Various organic waste bag typologies placed across the patches of State Land culminate to produce a new productive Palestinian landscape.*


Erosion control bags
placed on rocky faces
Area with fieldside farming
pavilion infrastructure


Area with roadside pavilion infrastructure
Bags cultivating crops for grazing feed

-SECTION III-

SEEPING BOUNDARIES

The following stories portray a paradoxical environment of productive destruction: of newly constructed buildings purposefully destroyed for nationalistic advancement, of areas ridden with demolition debris becoming lucrative real estate sites for infrastructure, and of sewage streams intentionally being poured onto crop fields in order to ensure agricultural prosperity. Along their course, these stories reveal the dangerous and unlawful ongoing process of ethnically excusive Israeli development on occupied land: one which is hinged upon the deterioration of the Palestinian built environment of the same area.

Standing as a primary adversary to Israel's practices of territorial expansion in the West Bank is the newly constructed individual Palestinian home. Upon realizing the effectiveness of their own unilateral actions of de-facto settlement growth on the ground, the Israelis are now working fervently to destroy any signs of 'territorial creep' which may be underway on the Palestinian side. As a result, 'unauthorized' Palestinian houses built on privately-owned Palestinian land in Area C are being systematically targeted and bulldozed while in their adjacency large-scale residential complexes continue to be rapidly expanded in order to meet the housing needs of a growing influx of Jewish - Israelis.

As a cycle of construction and destruction is created along the threshold spaces of Areas A/B and C, the boundary lines demarcating these divisions are themselves undergoing a geopolitical process of push and pull. Further facilitated by the Oslo negotiation map's cartographic ambiguity, in strange and unpredictable ways, these boundary rings are bisecting Palestinian villages, properties and even houses. In the absence of a final sovereign border, their positions remain open to negotiation. Granting agency to the Palestinians, the sites of contestation surrounding these boundaries therefore remain spatially and politically mutable: expanding and contracting as the Palestinian concrete trucks drive away and the Israeli bulldozers pull up.

When combined with non-existent wastewater management systems and Israel's refusal to support such Palestinian infrastructure, a unique and paradoxical opportunity emerges for on the ground intervention. Breaking this relentless build/destroy cycle, the concluding design tactic of this section, therefore, challenges the diametric opposition of conditions of 'construction' and 'demolition' in Area C by re-conceiving of a usage for such sites which simultaneously engages the existence of both.







< **(previous) fig. 4.01** *Israel's policy of house demolition targets 'unauthorized' Palestinian construction in Area C as a political means of restricting the demographic spread into unpopulated areas of the West Bank. Here, activists with Israeli Coalition Against House Demolitions (ICHAD) work to rebuild a Palestinian family's home in Anata, amidst the rubble of the family's previously demolished house.*

^ **(above) fig. 4.02** *A demolished building in the West Bank sits with its rubble spilled out everwhere.*

"*This on the ground, this what we're always saying, this is where the true test is. I don't care about negotiations, I don't care about declarations, I don't care about [President] Bush getting in front of the cameras and saying whatever he says. This is the test. If the entire world cannot stop a bulldozer demolishing a house, then what's the international community? What's human rights? What's international law?*" [1]

– Political Activist, and Co-founder of the Israeli Committee Against House Demolitions (ICAHD), **Jeff Halper**

"The Palestinians are on the verge of strangulation as their land reserves dwindle and building permits are denied." [2]

- Israeli Political Geographer **Elisha Efrat**

1 "ICAHD USA: House Demolition in Jerusalem," October 8, 2008, @ 1:53 seconds, accessed March 5, 2012, http://www.youtube.com/watch?v=fA8VtbsHtDA.
2 Elisha Efrat, The West Bank and Gaza Strip: a geography of occupation and disengagement, (New York: Routledge, 2006):3.

"This was our strategy: not to bang our heads against the wall, but rather the opposite, to drag out the action so that in the end it would be accepted when the moment was propitious. We always knew how to use the time factor in the democratic game. Timing is always important to us, because the amplitude of time worked to our benefit. They simply got used to the facts on the ground." [3]

- Israeli Jewish settler and settlement organizer for Hebron and Gush Etzion, **Moshe Levinger**

"Only he who is not convinced of the justness of his way, his genuine connection to the land, the degree to which his hold on the land is legal, his own integrity, only he has the need to build in such a provocative, forceful manner, placing his house on the top of the hill and relying on so much force in order to stay there. Behind the barbed-wire fence, behind roadblocks manned by armed soldiers and security officers, behind the floodlights and iron gates, behind sandbags and concrete blocks, in vehicles armored against stones - and lately against gunfire - driven by civilians who are almost always armed, and in busses escorted by jeeps and troops of soldiers, the settlers go about their business in a land that is not their own, filled with people who don't want them there." [4]

- Israeli Journalist **Gideon Levy**

•••

In September 1967, only three months after the fighting of the Six-Day War had subsided, Israeli settlers began establishing outposts in the West Bank. The optimism following the success of the war sparked a surge of Israeli settlement building, with Kefar Ezyon, Argaman and three other settlements well under construction by the late 1960's.[5] Originally starting as military outposts, these developments quickly expanded to their adjacent lands and transformed into areas for residential dwelling. With the support of the Israeli government and military, one by one the hilltops of the West Bank became converted into new highly-secured Jewish-only residential enclaves. By 1972, sixteen settlements had already been established on occupied Palestinian lands, as far north as 'Ein al-Beida and as far south as Hebron.[6] Some were located along the edges of the Armistice Green Line with Israel, but most, such as Ma'ale Efraim, were located in the Jordan Valley, deep into the newly Occupied Palestinian Territories.

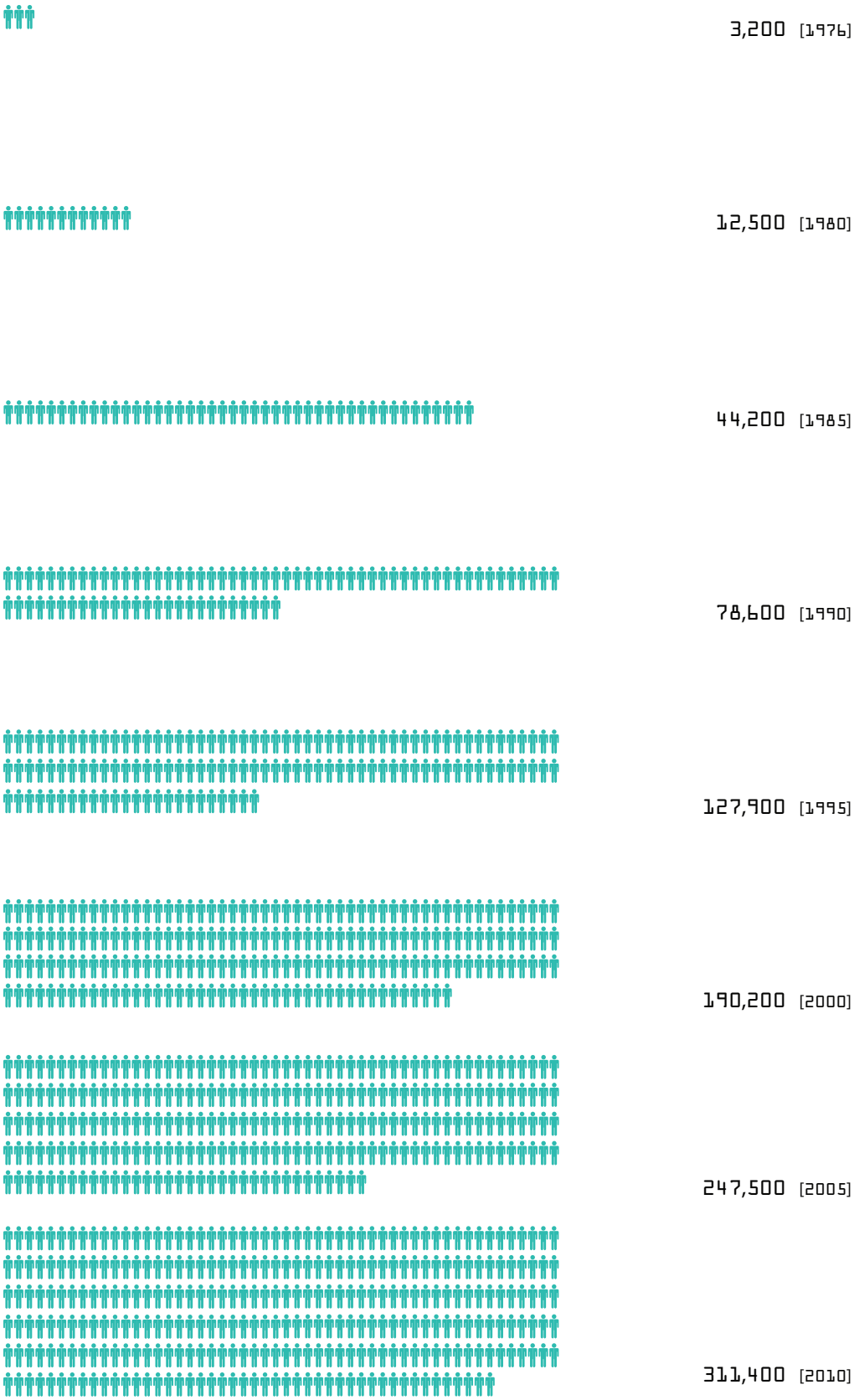
Tall, ominous multi-storey structures, these uniformly planned fortified enclaves stood in stark contrast to the predominantly rural houses of the Palestinian villages in their adjacency. Completely sealed from their surroundings, yet structured to panoptically gaze out over them; the early settlements forecasted the spatial implications of an expanding ethnically homogenous Jewish state.

As construction thrived throughout the 60's and 70's, contradictions became evident between claims by Israel to the international community regarding withdrawal in exchange for peace and the permanence of the newly established 'facts on the ground'. Comprising involvement from government officials, the military, Israeli corporations and the citizenry, settler expansion into the West Bank has proven that more than being a time of chaos, the state of exception afforded by the occupation has served as a time of great Israeli fortuity. Since its enactment, 124 recognized settlement enclaves, housing some 311,400 Jewish Israelis, have been erected in the West Bank without the approval of the international community or of any Palestinian Body.[7]

3 Tamar Meroz, "The Establishment of Kiryat Arba, No-Man's-Land," *Haaretz,* April 4, 1988.
4 Weizman, *Hollow Land: Israel's architecture of occupation*, 81.
5 Gordon, *Israel's Occupation, 229.*
6 Ibid.
7 "Settlements & Land: Land Expropriation and Statistics", *B'Tselem*, accessed November 10, 2011, http://www.btselem.org/settlements/statistics



^ **fig.4.03** *The Israeli settlement enterprise in the West Bank has involved numerous large-scale construction projects - all necessitating an architect for completion. The decision of an architect to work on projects located on occupied land, or even in 'disputed territories' underscores their role as an active agent in the geopolitical arena. Here, in July of 2011, construction continues in the settlement of Har Homa adjacent to the Palestinian city of Beit Sahour, near Bethlehem.*



^ **fig. 4.04** *Population of Israeli settlers in the West Bank since the commencement of the occupation in 1967.*

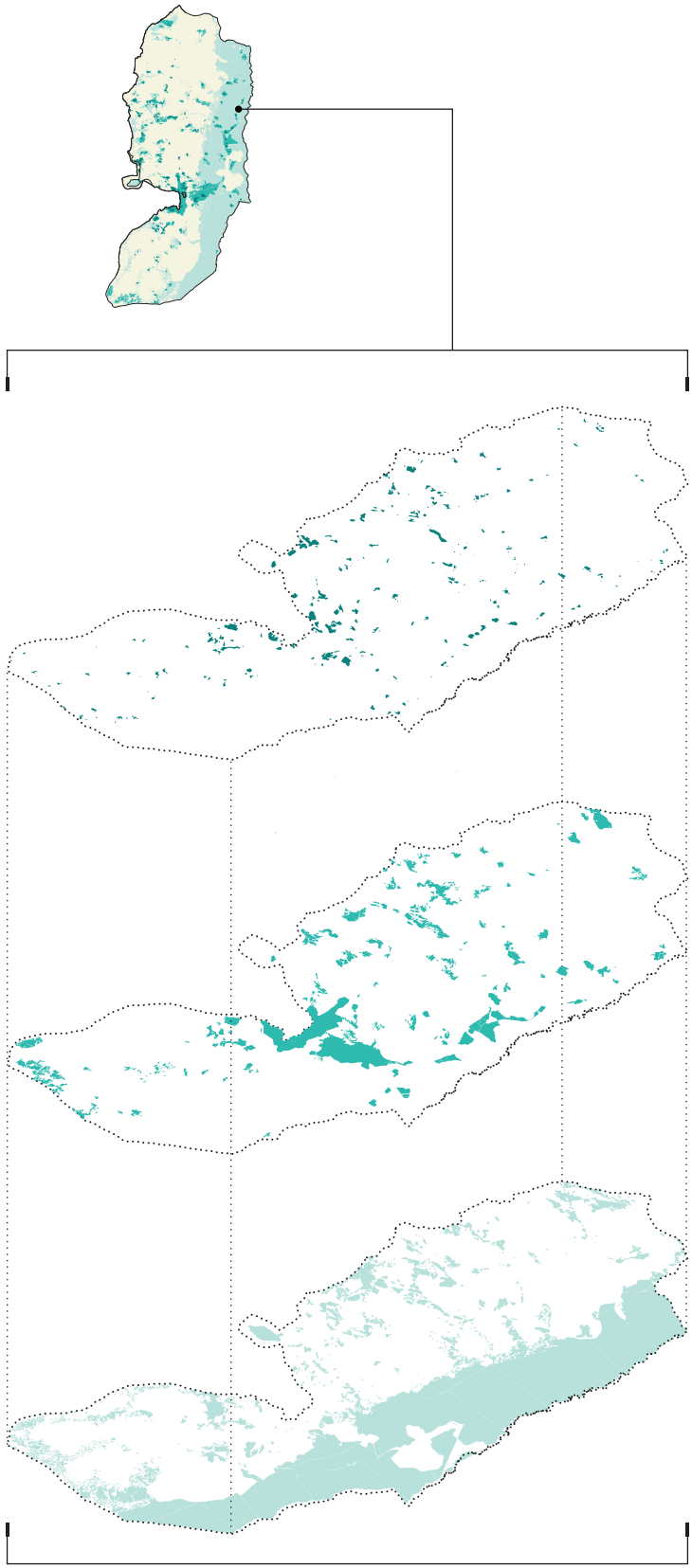


fig. 4.05 *Breakdown of the various areas under the jurisdictional control of the Israeli settlements in the West Bank.*

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STREAMS OF SEWAGE

"A total breakdown of sewage systems has occurred throughout. The few existing treatment projects are overflowing, and unpiped sewage runs over-ground in most valleys… The sewage runs from the hills to the valleys, simply following the force of gravity and topography, through and across any of the boundaries that may be put in front of it."[8]

– Eyal Weizman

The decaying jurisdictions of the West Bank's illegal dump sites have been accompanied by another form of waste-induced territorial seizure. Sewage, in its intrinsically slippery and fluid nature, is wreaking geopolitical havoc on the landscape of the West Bank. Dumped into streets, irrigation tunnels, storm sewers, valleys and landfills, its unruly and diverging streams travel both above-ground and subterraneously, slinking their way into almost every inch of contested space, damaging the local population's health, killing agricultural crops, and causing a storm of political fury.

Sewage mismanagement in the Occupied Territories has by now become endemic. Its mass production and improper disposal occurs both in Israeli settlements and Palestinian communities alike, although the negative impacts of such practices are not distributed evenly between both communities.

The overall quantities of such liquid waste are staggering. When considered collectively, Israeli and Palestinian sources in the West Bank and Jerusalem generate some 91 million cubic meters (mcm) of wastewater every year.[9] On the Palestinian side, 90-95% of this sewage will not be treated at all.[10] The mismanagement of waste in Israeli settlements, however, is no less redeeming. Although lesser in population, the Israeli settlers produce an average daily per capita amount of wastewater more than twice that generated by Palestinians, only a portion of which receives treatment.[11] Despite the equally condemnable disposal practices of both sides, the risks to Israeli settlers from improperly managed sewage disposal are not the same as those to Palestinians. Since the settlements are connected

8 Weizman, *Hollow Land: Israel's architecture of occupation*, 20.
9 Eyal Hareuveni, "Foul Play: Neglect of Wastewater Treatment in the West Bank," 7 (B'Tselem, June 2009): 7, accessed July 15, 2011, http://www.btselem.org/sites/default/files2/200906_foul_play_eng.pdf.
10 Ariel Cohen, Yuval Sever, Avi Tzipori, and Dina Fiman, *West Bank Streams Monitoring – Stream Pollution Evaluation Based on Sampling during the Year 2007* (Environmental Unit, Israel Nature and Parks Authority, August 2008): 12 (in Hebrew); from Hareuveni, "Foul Play: Neglect of Wastewater Treatment in the West Bank."
11 12 mcm from the settlements is treated, 5.5mcm is left untreated. See Cohen et al, *West Bank Streams Monitoring – Stream Pollution Evaluation Based on Sampling during the Year 2007*, 52-53.



^ **fig. 4.06** *Wastewater treatment in the West Bank is almost non-existent, with proposed infrastructure projects put on hold until they receive Israeli approval. In the meantime, most waste is improperly disposed of in irrigation channels and valleys. Here, an open stream of sewage flows in the West Bank.*

to Israel's mainland fresh water supply system, which has strict controls and regulations against a variety of levels of contamination, settlers rarely, if ever, have difficulties due to potable water contamination.

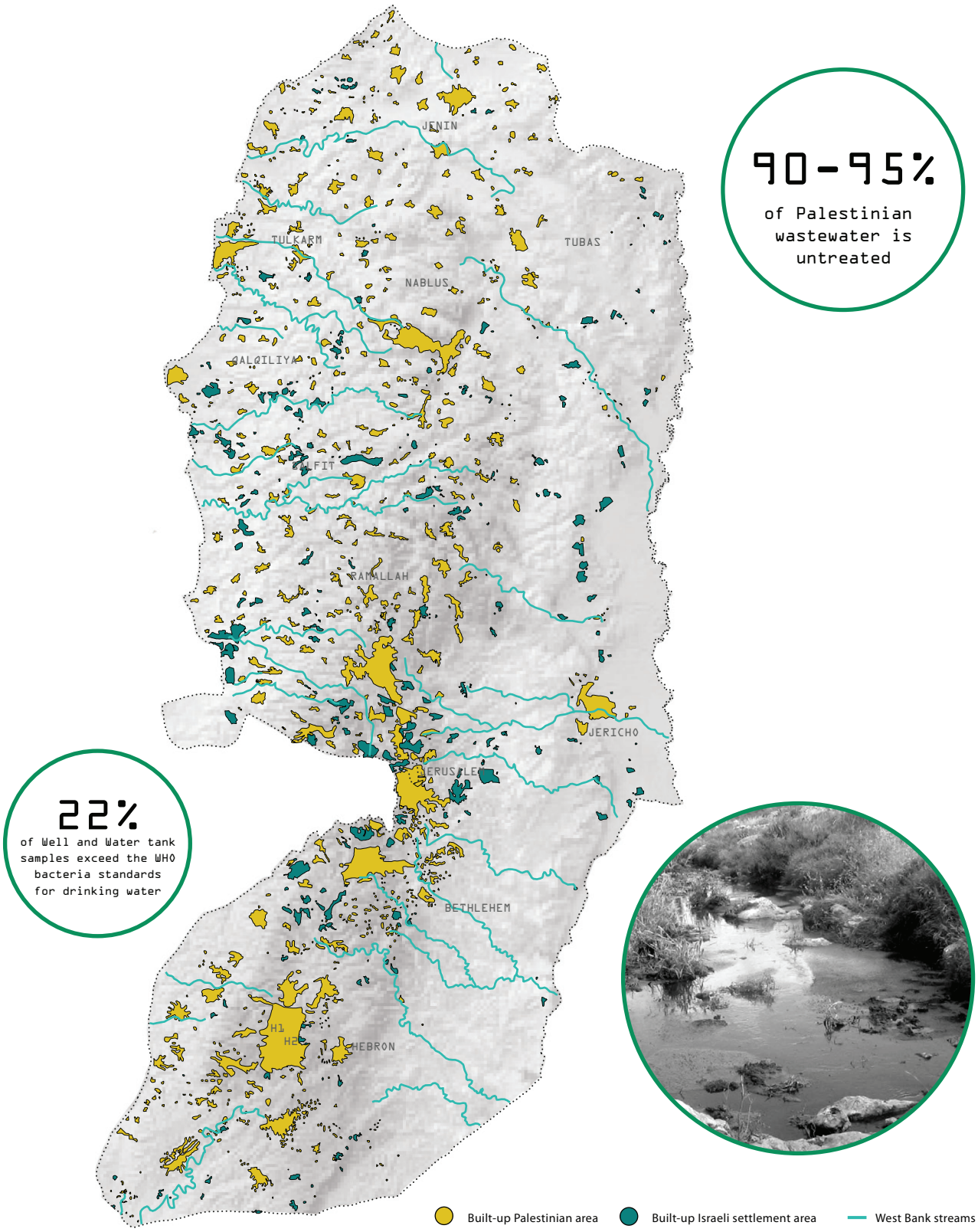
The damaging impacts of improperly managed sewage then, are felt greatest by rural Palestinian communities who primarily rely upon natural springs and shallow wells as their main sources of freshwater security. [12] It is these most exposed water sources which typically are the first to suffer from wastewater contamination due to groundwater seepage and surface exposure. Accordingly, many Palestinians living in the West Bank's rural areas have suffered from wastewater-related health problems. Multiple studies on the issue of improper sewage treatment in the Occupied Territories have drawn correlations between Palestinian water sources and their wastewater contamination. In one such study in 2001, of 2,721 samples from wells and water tanks analyzed by the Palestinian Ministry of Health, 22% were found to have bacterial readings in excess of the WHO standards for drinking water.[13]

Beyond a health concern, given the shifting and infiltrating nature of sewage in the West Bank, this toxic material has also become a political tool open for exploitation in the conflict. From its Israeli use as a weapon to flood-out Palestinian Bedouin communities situated near the Israeli settlement of Ma'ale Adumim[14] to its ability to be used to qualify the Israeli construction of large-scale, unilaterally built wastewater treatment facilities using the levied tax dollars of the Palestinian Authority,[15] Israel has turned the adverse effects of sewage into a lucrative component in its greater geopolitical initiatives. In the Occupied Territories, waste is co-opted to play a proxy role in ephemeral territorial seizure, preventing Palestinian growth through the protraction of poor living standards under the occupation and by greatly inhibiting the number of areas in the West Bank where nomadic Bedouin communities can settle. On the Palestinian side, sewage has also become political. The presence of exposed sewage in refugee camps has frequently been left a problem, so-as to not compromise the temporary nature of such camps or the Palestinian claim to a right of return by providing permanent forms of refugee camp infrastructure.[16]

Beyond their political manipulations, on a more fundamental level, the pools, puddles and streams of the West Bank's wastewater signal a greater infrastructural failing as a result of almost half a century of ongoing military occupation. According to a 2009 report by the Israeli NGO B'Tselem, only 20% of Palestinians are connected to some form of wastewater infrastructure.[17] The remaining 80% of Palestinians instead utilize cesspits, which are frequently of poor construction or have deteriorated from age.[18]

Because of this, the intended mitigation to environmental damage through the use of such

12 Zecharya Tagar, Tamar Keinan, and Gidon Bromberg, *A Seeping Time Bomb: Pollution of the Mountain Aquifer by Sewage*, (January 2004); Itay Fischhendler, "The Politics of Unilateral Environmentalism: Wastewater Treatment along the Israeli-Palestinian Border," paper given to a seminar at the School of International Affairs and Public Policy, Columbia University, New York, 11 September 2007.
13 UNEP, *Desk Study on the Environment in the Occupied PalestinianTerritories,* (July 2002), 52.
14 Gideon Levy, "The sewage of Ma'ale Edummim," *Haaretz,* February 22, 1998.
15 Ministry of National Infrastructures press release, 10 November 2008.
16 Weizman, *Hollow Land: Israel's architecture of occupation*, 21.
17 Hareuveni, "Foul Play: Neglect of Wastewater Treatment in the West Bank," 9.
18 Ibid.



SEWAGE PRODUCING POPULATIONS RELATIVE TO WEST BANK STREAMS

fig. 4.07 *Comparison of the sewage-producing built-up Palestinian and Israeli settlement areas of the West Bank to local streams.*

cesspits is ultimately rendered ineffectual. Cracks in the cesspits' structures frequently lead to groundwater contamination, and most dangerously, when finally emptied, their wastewater content is not disposed of properly, but is simply dumped en masse into the neighbouring exposed valleys and waterways.[19]

The ability to remedy these infrastructural deficiencies rests solely with Israel. As the occupying force, Israel is entitled by law to maintain the health of its occupied population, including the provision of required infrastructural systems.[20] Aside from this, it directly has the capacity to approve numerous pending infrastructural projects which are ready for construction, but are being held off while awaiting Israeli Civil Administration approval.

Beyond Israel's obligations as occupier, it is helpful to describe the water sharing agreements which have been established between the two sides via negotiations. Following the *1995 Oslo Accords*, a Joint Water Committee (JWC) comprised of both Israeli and Palestinian representatives was created to help tackle the Territories' water issues. The JWC was designed to be equitably comprised of Israeli and Palestinian representatives and all decisions would require a unanimous consensus. [21] However, because all projects were required to be approved by the JWC unanimously and since there is no procedure in place for resolving disputes between the two sides, all proposals rejected by Israel are therefore not able to be carried out further.

[SEE OSLO ACCORDS]

Keeping in mind that the JWC addresses only those water infrastructures within the Occupied Territories and that Israel still holds 100% control over its own water infrastructures, including many of those of the West Bank's settlements, it is predominantly the Palestinians who suffer the ramifications of an unapproved JWC proposal. The challenges of seeking JWC approval have been exacerbated even further by Israel's insistence on a 'linkage policy,' wherein all newly created Palestinian wastewater facilities funded by the PA and international donors, are demanded to additionally serve the needs of their neighbouring Israeli settlements in order to receive Israel's sanctioning.[22] Perceiving such an agreement as tantamount to signifying the Palestinian Authority's tacit acceptance of the illegal Israeli settlements themselves and further authenticating their presence on occupied land, few such projects have actually surpassed the final stages of approval.[23] As a result, the West Bank's wastewater services remain stuck in a standstill.

For those projects still attempting to be constructed, the drawn-out bureaucratic process of infrastructural approval continues to move at an incredibly slow pace. In some instances it

19 Water, Sanitation and Hygiene Monitoring Program, *Water for Life – The Dilemma of Development under Occupation: The Obstacles of Achieving the Millennium Development Goals and Water Rights in the Occupied Palestinian Territory,* (2006), 33.

20 Article 56 of the Fourth Geneva Convention imposes on the occupying state the duty of "*ensuring and maintaining, with the cooperation of national and local authorities... public health and hygiene in the occupied territory*." See Jean S. Pictet (ed.), Commentary on the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War (International Committee of the Red Cross, Geneva, 1958), 313-314.

21 Further reading, see B'Tselem, *Thirsty for a Solution: The Water Shortage in the Occupied Territories and its Solution in the Final Status Agreement* (July 2000): 52.

22 Hareuveni, "Foul Play: Neglect of Wastewater Treatment in the West Bank," 26.

23 A rare instance is the treatment plant of al-Birah; Hareuveni, "Foul Play: Neglect of Wastewater Treatment in the West Bank," 25.



^ **fig. 4.08** *Improperly managed sewage is infiltrating all areas of the West Bank, causing health concerns and damaging drinking water supplies and food crops. Here, sewage flows from the Israeli settlement of Elon Moreh onto the lands of the neighbouring Palestinian area of ʿAzmut.*

can take years, even decades.[24]

To exemplify the frustratingly lengthy nature of this process, it is useful to parse all that is involved in the multiple steps of water infrastructure approval. First, creating a wastewater facility in the West Bank requires approval from the JWC, as mentioned above. The committee will review the proposed facility's choice of site and method of treatment. Furthermore, due to the large scale of such projects and their industrial nature, they almost always must be located on land within Israeli-controlled Area C, away from built-up and residential areas (typically Areas A/B). This requires the further approval of the entire plan by the Israeli Civil Administration. As B'Tselem further explains;

"Given the need to locate suitable land for these relatively large facilities, to negotiate its purchase if it is privately owned, and to obtain Israel's consent to its location, rejection of a proposed site by the Civil Administration causes years of delay, since new plans have to be submitted both to the JWC and the Civil Administration for approval."[25]

The lack of agreement between the JWC and the Civil Administration has resulted in a mad jurisdictional dance where approval and rejection forms are in a constant back and forth flow from one side to the other, almost more than the wastewater itself.

Ultimately, Israel's inability to push forward any form of development in the infrastructural standing of the West Bank's wastewater systems signals their underlying aim of keeping the Palestinian population subservient and less prepared to establish the infrastructure of their own future independent state. The further damage being done to the Palestinian agricultural sector as a result of the toxic sewage runoff indicates just one of the less direct impacts such poor systems of water infrastructure are having on the lives of the Palestinians. Undeniably, the establishment of strong, well-functioning infrastructural systems is crucial to the performance of a state. It is for this reason that Israel's hindrances on Palestinian sanitation and attacks on their 'unauthorized' infrastructure can be described as akin to strategic war-like tactics.

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24 A Tulkarm plant submitted in 1996 to the JWC did not reach a memorandum of understanding until 2006 and its construction is still pending. E-mail of 14 August 2008 to B'Tselem from Michael Talhami, of TOKTEN (Transfer of Knowledge Through Expatriate Nationals), an advisor to the Palestinian Water Authority; interviews with engineer Rafiq Hamad, head of the Water Department in the Tulkarm Municipality, 8 February 2009 and 2 March 2009.

25 Hareuveni, "Foul Play: Neglect of Wastewater Treatment in the West Bank," 24.

HOUSE DEMOLITION

"In most of the violent events that involve destruction – of space, houses, roads, wells... that destruction has been the outcome of a planned policy which is meant to damage or annihilate the material environment without touching human bodies directly." [26]

- Ariella Azoulay and **Adi Ophir**

By the time Israeli bulldozers arrived in the South Hebron Hills village of Saadet Tha'lah on 15th February, 2012,[27] their practices of targeted Palestinian demolition in the area were becoming somewhat of a tradition. Marking the ninth demolition visit to the area in the first month and a half of 2012 alone,[28] the attacks on five buildings in the village were in many ways routine ones. Entering Saadet Tha'lah around 12:00 am, two Israeli bulldozers, escorted by Israeli Civil Administration personnel and four IDF military jeeps, took to destroying the unauthorized Palestinian structures piece by piece, crushing their walls and collapsing their roof structures. Under the falling debris, five of the owner's lambs, who were unable to be rescued, ultimately ended up being crushed by the rubble.[29]

Seeking to optimize the efficiency of their nighttime destruction, once the demolitions in Saadet Tha'lah were finished, the convoy of jeeps and bulldozers headed over to the neighboring Palestinian village of Ar Rakeez, where they took to destroying a local piece of water infrastructure and uprooting some fifty newly planted olive and almond trees.[30] When the demolition was complete, the former occupants had been left homeless: their previous dwellings deduced to an abandoned pile of waste and rubble.

Three weeks earlier a similar event had occurred. On 25th January, 2012, the same convoy of bulldozers, Israeli CA personnel, and IDF military jeeps entered the South Hebron Hills

26 Ariella Azoulay and Adi Ophir, "The Monster's Tail," in Against the Wall, ed. Michael Sorkin. (New York: The New Press, 2005): 8.
27 "South Hebron Hills: IDF demolition in Saadet Tha'lah and Ar Rakeez," *International Solidarity Movement*, February 16, 2012, accessed February 16, 2012, http://palsolidarity.org/2012/02/south-hebron-hills-idf-demolition-in-saadet-thalah-and-ar-rakeez/.
28 8 had occurred in the village of Rabud; Rosamond Robertson, "Witness to the occupation of the South Hebron Hills," *Mondoweiss*, January 29, 2012, accessed January 29, 2012, http://mondoweiss.net/2012/01/witness-to-the-occupation-in-the-south-hebron-hills.html.
29 "South Hebron Hills: IDF demolition in Saadet Tha'lah and Ar Rakeez," *International Solidarity Movement*, February 16, 2012.
30 Ibid.



fig. 4.09 *The Palestinian residents of the South Hebron Hills, living within Israeli-controlled Area C, are frequent targets for Israeli demolition. Their makeshift tents and houses are perpetually rebuilt as these communities attempt to keep on maintaining their lives in areas of Israeli restriction.*

village of Um Al Kheer.[31] As the forces took to destroying a local villager's residence, nearby bulldozers were operating on yet another of the neighbouring sites in the area.[32] Drudging away determinedly at the Israeli settlement of Karmel, a mere kilometer northwest from Um Al Kheer, the bulldozers and other construction equipment at this site, however, had been called to work for a much different purpose. Clearing land at the southern perimeter of the settlement, these bulldozers were in the process of preparing the ground for a new round of Israeli settlement expansion.[33] In a 360 degree performance of brute Israeli supremacy, bulldozers were simultaneously tearing down Palestinian houses in one area while building up new Israeli ones in another. Given the incredibly close proximity of the two sites, one might wonder why the Israelis had not coordinated the efforts any further. To really maximize on efficiency, the construction companies working at Karmel could have considered re-integrating the demolition waste of Um Al Kheer into the new settlement structures as a local source of 'recycled' aggregate, thus at least giving the illegal project an added marketing edge of being environmentally 'green.'

The problems of Palestinian construction without a permit, and the subsequent Israeli demolition of such structures, can be traced back to a general shift in Israeli policy that had begun during the 1980's.[34] Prior to the establishment of Israeli West Bank settlements in the late 1970's, Palestinian construction in rural areas was not perceived as a threat to Israel.[35] Accordingly, during the first twenty years of the occupation, Israel's approach to issuing Palestinians permits for construction was radically different.[36] Applications for construction were frequently approved and thousands of building permits were issued to Palestinians residing in the rural villages of the West Bank.[37] For example, in 1972 the approval rate for building permits was 97%.[38] In contrast, 2005 saw an approval rate of only 6.9%, a number which was even lower five years earlier at 2.7% in 2000.[39] The resulting trend in dramatically lower approval rates has, in corollary, led many Palestinians to avoid the permit application process altogether. With expensive fees, the requirement for strict forms of proven ownership, and exhaustive bureaucratic delays, many viewed building permits as biasedly pre-determined and therefore decided to avoid attaining them.[40]

The shift away from Israel's more benevolent approach to permit approval during the early years of the occupation occurred when Israeli settlement expansion began to increase and enter into those areas in and around the central mountain region of the West Bank, which

31 "2012-01-25 New Demolitions in the Bedouin village of Umm Al Kheer." *Youtube*, accessed January 29, 2012, http://www.youtube.com/watch?v=xTY_wYlzxdQ.
32 Ibid.
33 Ibid.
34 A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C*, 11.
35 Ibid.
36 Ibid.
37 Ibid.
38 Unit for Coordination of Operations in the Territories, Ministry of Defense, The Administered Territories 1972/1973: Statistics on Civilian Activities in Judea and Samaria, the Gaza Strip, and Northern Sinai, p. 217. The number of applications for building permits and of approved permits in 1972 was particularly high since the planning committees within the Israeli military administration were only established in 1971, enabling the granting of permits.
39 A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C*, 12.
40 For an exhaustive breakdown of the restritions of the building permit regime and its manipulated legal structure see Bumkom, prohiitted zone



fig. 4.10 *Israeli demolitions for 'unauthorized' construction in Area C frequently target water infrastructure projects constructed by the Palestinians. Here, the Israeli Civil Administration, accompanied by IDF jeeps, bulldozes a water reservior and water infrastructure in the area of Al Baqa'a, in the north of Hebron.*

already contained a considerable Palestinian population. Realizing the scarcity of land resources in this area, concern that the sprawl of Palestinians would ultimately become a geographical impediment to Israel's own settlement expansion led to a far more stringent Israeli approach towards the building permit approval process.[41] With the signing of the *Oslo Interim Agreements* in 1995, the restrictions on Palestinian construction were solidified even further.[42]

[SEE OSLO ACCORDS]

By re-designating the various areas of jurisdictional control in the West Bank, the Oslo Accords had in turn enabled a process of geographic realignment along ethnic lines to take form. Through Oslo's imposition the authority of the *Green Line* as a point of division between Israelis and Palestinians became compromised, and instead, overshadowed by the perimeters of the newly demarcated boundaries of Areas A, B and C. Since all of the large Palestinian built up areas fell into Areas A/B, leaving predominantly only vacant rural lands in Area C, and since Israel was able to maintain full control over Area C, including the land of the settlements and bypass roads, Area C logically became the new battleground on which Israel focused its policies of territorial expansion and creeping annexation. Consequently, Israel developed a tacit position wherein all Palestinian expansion was expected to take place within the fabric of the tight urban areas of A/ B. In order to enforce its prevention policies against Palestinian demographic creep into Area C, Israel took to rigorously imposing its tight building regulations through practices of house demolition on those properties which had not obtained an Israeli permit.[43]

[SEE GREEN LINE]

From 2000- 2011, there was a total of 1,856 demolitions for lack of a permit.[44] There still remains over 3,000 demolitions pending across the West Bank.[45] These unresolved cases involve people who are currently residing in their homes, but could be evicted and have their houses demolished at any moment, with no notice period. Until these houses undergo the final processes of demolition, they have been left inside a legalistic state of limbo.

When these unresolved cases are paired with Bimkom's finding that 69% of Area C's population, some 103,000 Palestinians, live in areas which are adjoined to land in Areas A/B, the statistics surrounding house demolition rates represent a greater geopolitical phenomenon.[46] In aggregate, these 'trans-border' properties are beginning to push the line of demarcation for Area C outward 'elastically.'

The concept of an 'elastic geography' was first introduced with regards to Israel-Palestine by

41 A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C*, 11.

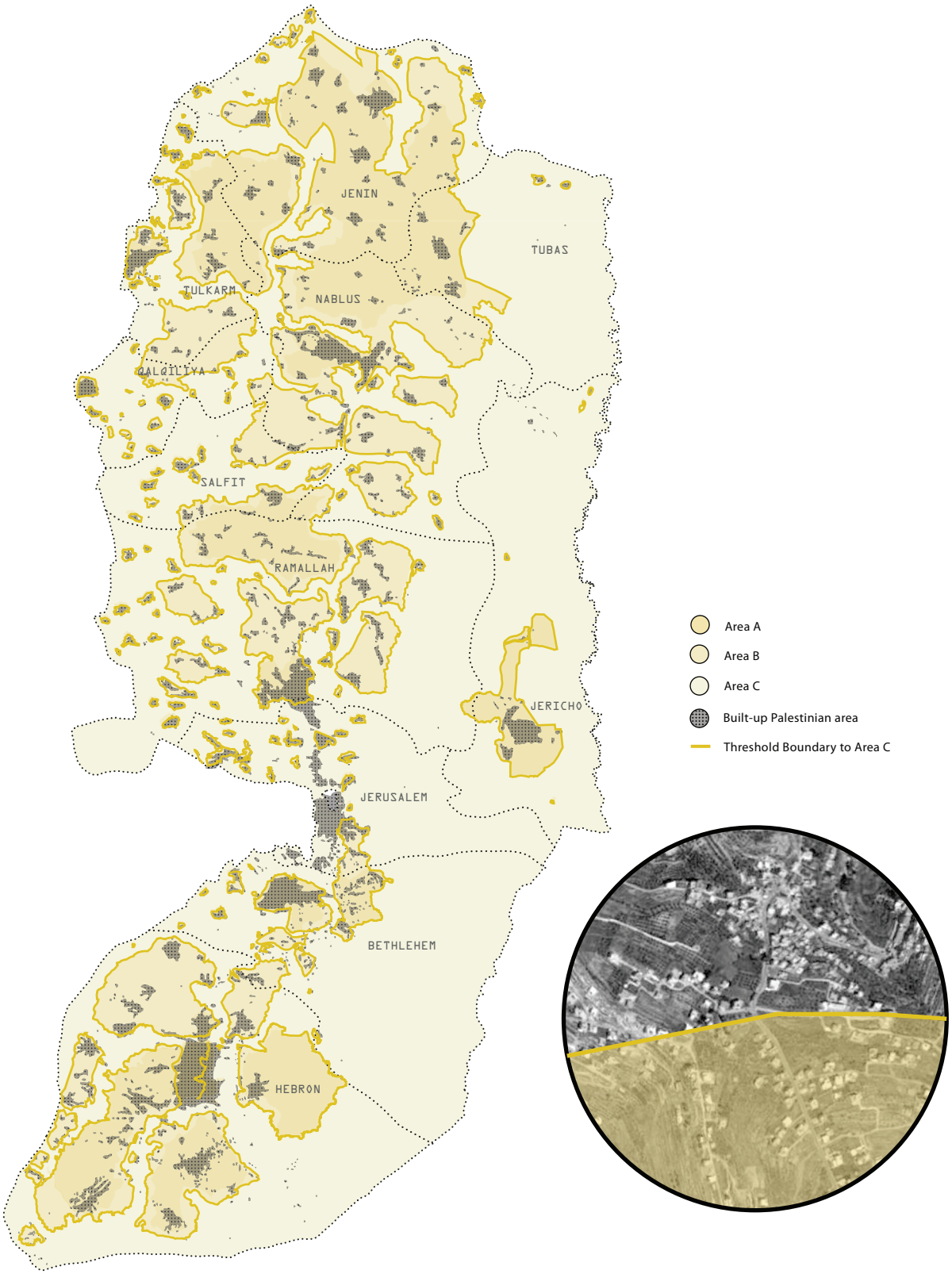
42 A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C*, 16.

43 For an exhaustive overview of Israel's manipulation of the planning system in Area C, including the transferring of power away from the local village councils in these areas over to the hands of the Israeli higher planning council through the imposition of Military Order 418, refer to A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C*.

44 Not including East Jerusalem. Statistics for 2000-2007; A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C*, 8; Statistics for 2008-2011; B'Tselem, "planning & building," accessed on February 4, 2012, http://www.btselem.org/planning_and_building/statistics.

45 OCHA (United Nations Office for the Coordination of Human Affairs), "Special Focus: "Lack of Permit" Demolitions and Resultant Displacement in Area C." May 2008, accessed November 15, 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/AA88760D49D5709485257456005F0D4E-Full_Report.pdf

46 A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C*, 8.



^ THRESHOLD TO AREA C BISECTING PALESTINIAN BUILT-UP AREAS

fig.4.11 *Diagram showing the misalignment between the confining thresholds of areas A/B and C and the actual built-up Palestinian fabric.*

Eyal Wiezman in his 2007 novel Hollow Land. Describing the concept, he states;

"The linear border, a cartographic imaginary inherited from the military and political spatiality of the nation state has splintered into a multitude of temporary, transportable, deployable and removable border-synonyms – 'separation walls', 'barriers', 'blockades', 'closures', 'road blocks', 'checkpoints', 'sterile areas', 'special security zones', 'closed military areas', and 'killing zones', - that shrink and expand the territory at will. These borders are dynamic, constantly shifting, ebbing and flowing; they creep along, stealthily surrounding Palestinian villages and roads."[47]

In this sense, when considering its location outside of the confines of Area A or B, the Palestinian house built in Area C itself becomes a boundary-manipulating agent. Mapping the real-time manipulation of the boundary line between Areas A/B and C then would reveal a hazy and distended zone of variable 'elasticity', where if the property's demolition is approved, the line contracts back inward, but if it remains un-demolished, the boundary will have been stretched outward, further into Area C (*See pg. 183, figure 4.12*).

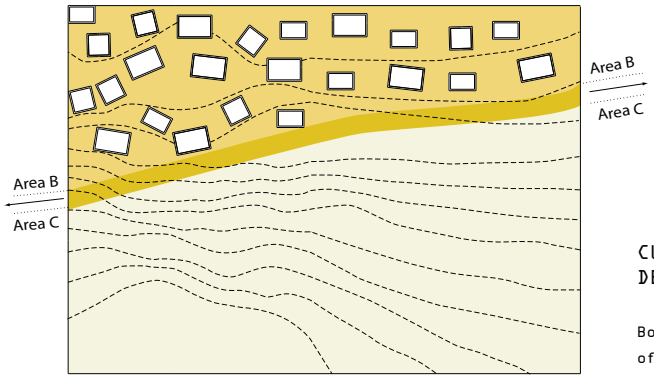
It is important to note that this political boundary malleability comes through not only via opportunities within the opacity of the legal structure of the occupation, but is also afforded by the cartographic ambiguities inherent to the image resolution of the Oslo negotiation map, which exists at a scale of 1:20,000.[48] In such a scenario, even the tool of demarcation itself (pen, pencil, printed map etc.) becomes an agent of geopolitical manipulation – having substantial ramifications based on whether its pen tip is 1mm or 2mm, whether its ink bleeds or stays firmly in position, whether the map is 1:100,000 or 1:1,000.

With a line thickness of 5.5m once enlarged to its actual 1:1 scale on the landscape, the vagueness of the Oslo boundary rings produced this exact type of local area confusion. In one notable case documented and analyzed by 'Decolonizing Architecture' (DA/AR) in 2010, the Oslo line of division between Areas B and C completely bisected an under construction Palestinian residence, leaving the front portion of the house within PA jurisdiction (Area B) and the back portion under threat of Israeli demolition (in Area C). The resulting battle for legal clarity involved the input of a multitude of actors, including local Palestinian officials, the Israeli Civil Administration, the Israeli settler organization Regavim, and the client's own lawyers and architects, among others.[49]

With the various actors being unable to unanimously agree upon the boundary's actual location, their back-and-forth bartering ultimately became its own microcosm of Israeli-Palestinian political negotiation. The ambiguity inherent to the negotiation map therefore raises great questions about the inaccuracy of their on the ground locations and shows how the abstract workings of cartography can impose huge hardships on the human rights of Palestinians. The end of the negotiations is never actually the true end of negotiations; the process invariably is deflected back onto the ground for resolution.

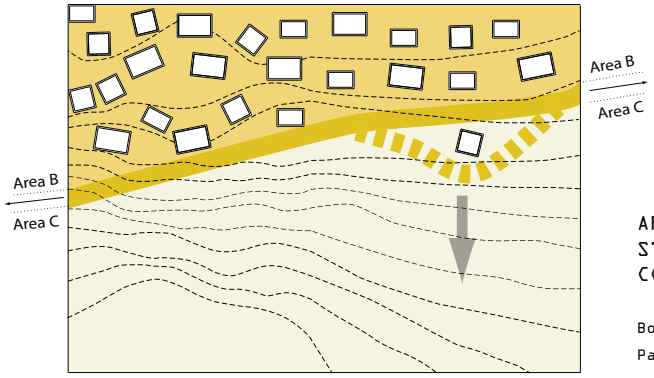
Here, the *architect* is crucial as political progeny. His or her design work ultimately signifies

47 Weizman, *Hollow Land: Israel's architecture of occupation*, 7.
48 Decolonizing Architecture (DA/AR), accessed 10 April 2012, http://www.decolonizing.ps/site/battir-3/.
49 Decolonizing Architecture (DA/AR), "The lawless line: Characters," accessed 10 April 2012, http://www.decolonizing.ps/site/battir-2/.



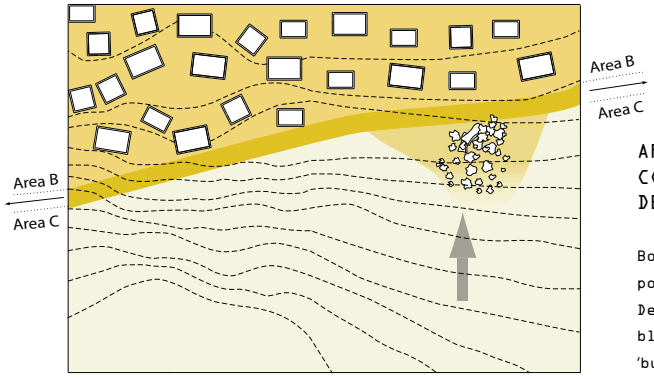
CURRENT AREA C THRESHOLD DEMARCATION

Boundary as represented on the Oslo maps of negotiation



AREA C THRESHOLD DEMARCATION STRETCHED DUE TO UNAUTHORIZED CONSTRUCTION

Boundary Stretched into Area C by Palestinian Construction



AREA C THRESHOLD DEMARCATION CONTRACTS DUE TO ISRAELI DEMOLITION

Boundary Contracts to its original position as a result of Israeli Demolition. However, the remaining debris blurs the point of deliniation between the 'built' and natural environment

ELASTIC MANIPULATION OF THE THRESHOLD BOUNDARY OF AREA C THROUGH PALESTINIAN CONSTRUCTION AND ISRAELI DEMOLITION

^ **fig.4.12** *Diagrams showing the stress placed on the Area C boundary as a result of Palestinian construction and its subsequent contraction following Israeli demolition. Given the 5.5m thickness of the Oslo boundary line every inch of its space has become contested. Building within and beyond this line therefore stretches its location outwards elastically, resulting in an incremental territorial gain for the Palestinians. Cumulatively, these encroachments have the ability to result in a greater territorial reclamation.*

a direct territorial connection between what was decided upon at the negotiations and what is ultimately resolved at the village and individual plot level. The architect is therefore responsible for attesting to or refuting the claimed allegiance between the plot of land in question and its building's owner, the moral questions of which place upon him or her great responsibility - beyond those of the obligations to society for sound construction. In such a scenario of lawlessness and conflict, the architect's ethical considerations are felt most palpably.

[SEE ARCHITECT]

Because of the capacity of construction to dictate the movement of these lines, some Palestinians, through the enlistment of their architects, have attempted to cleverly outwit the system by proposing conditions of built legal ambiguity: the above balconies cantilever into Area C but the house remains in Area B, or the house remains in Area B, but the animal pens are constructed in Area C. In other areas, such encroachments have occurred entirely by accident, the owners only discovering that part of their land is in Area C when they receive notice of their construction's impending demolition. In such scenarios, sincere Palestinian attempts to gain legal clarity have been incredibly difficult. Regardless of the claims to legitimacy, the inconsistent and ever-changing rules of the occupation have ensured that there is always some form of legal grounding to be enlisted by the Israelis to justify their brute acts of demolition.

Overwhelmingly, it is not *what* is being built in Area C which is of primary Israeli concern, but *where* it is being done so. In less relevant cul-de-sacs of Area C, larger Palestinian properties can survive construction without immediate IDF intervention. While in other areas of high Israeli interest - whether for settlement expansion or other future forms of seizure - even the most menial types of construction, such as a Red Cross tent sheltering an elderly couple in the Jordan Valley,[50] can become immediate targets for IDF destruction.

In their determined attempts to improve their standard of living and accommodate the growth of their communities through the utilization of their own land reserves in Area C, Palestinians have reverted to trying almost everything available to them. From full-blown multi-story concrete construction buildings to make-shift zinc-paneled walls and tented roof structures, perhaps the only thing left untried has been an embrace of the process of demolition itself. Contrary to admitting defeat and resignation, such an embrace paradoxically reveals a great degree of unexploited potentiality. Intrinsic to these sites of abandoned destruction lies the workings of Palestinian subversive agency...

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50 A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C*, 8.


Sewage Filtering Plants
Palestinian Village Sewage Stream
'Area C' House Demolition

Sewage-Filtering
Demolition Debris



-DESIGN TACTIC III-

WASTE REHABILITATES WASTE |

SEEPING BOUNDARIES

The following design tactic challenges the restriction on land use in the West Bank's Area C by stressing the ambiguity in the differences between an environment which is built and un-built, and between land which is being utilitzed and abandoned. Re-choreographing the contents of a house demolition, the design constructs a wastewater management site which, if built using conventional means, would be victim to infinite processes of restrictive Israeli bureaucracy. Seizing the temporary period of land abandonment following demolition, this tactic's design exploits its environmental conditions by using waste to remediate waste.

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fig. 4.13 *New ecologies emerge around the site of a house demolition being used for sewage dumping. Plants and debris serve as remediating agents, filtering the wastewater and turning it into a source for agricultural irrigation.*

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The sites of Israeli demolition in the West Bank are in many ways eerily similar. Heaps and piles of concrete rubble in chunks both big and small lye amidst the less ruined pieces of debris, which sit collapsed upon the rooms they once enclosed, with their larger slab members jutting out at angles of disorganization. Tangled in knots throughout this concrete mess are the rods of steel reinforcing bar. Covering the surface of the wreck, they string together a chain of blocks broken from their foundation. Interspersed throughout the site of waste are the last vestiges of Palestinian inhabitation: the objects which could not, or were not, salvaged by the family when they were forced to flee from their home.

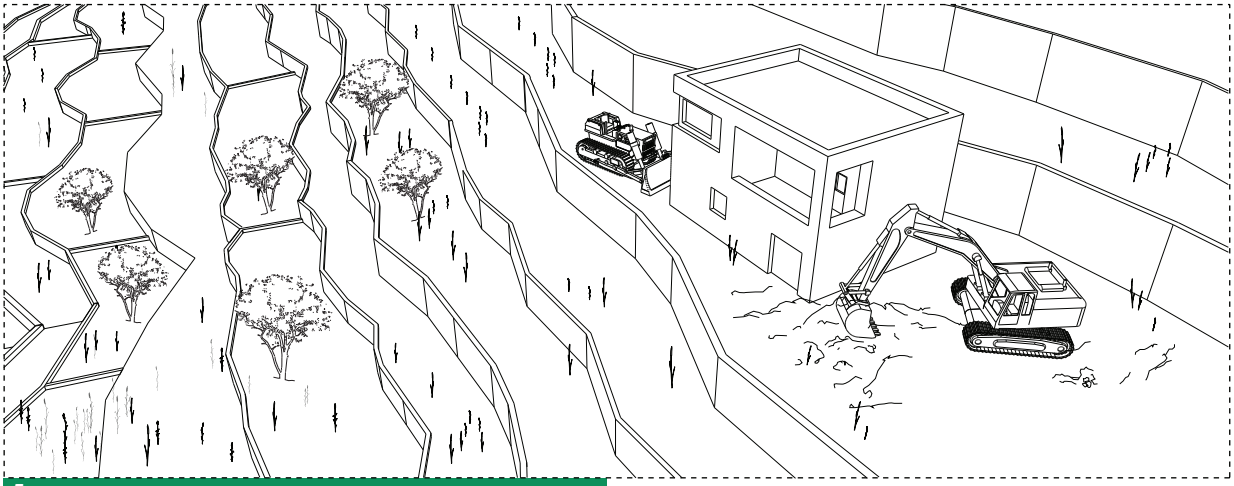
Despite its surgical Israeli planning, the demolition process is by no means a tidy one. The destroyed pieces of building rarely stay within their original footprint. As a result, the final area of which they confine to disuse through the spreading of their debris is always greater than that of the original building's footprint. The process of Israeli territorial reclamation by bulldozer is one which works directly in line with the topography: the steeper the site of demolition, the further the spread of refuse occurs, impacting not only the building's foundation and slabs, but also the various tiers of agricultural terraces situated below as well.

As briefly described prior, through the act of demolition on a single building, a greater jurisdictional manipulation can be observed. As visualized by figure 4.16, page 193;

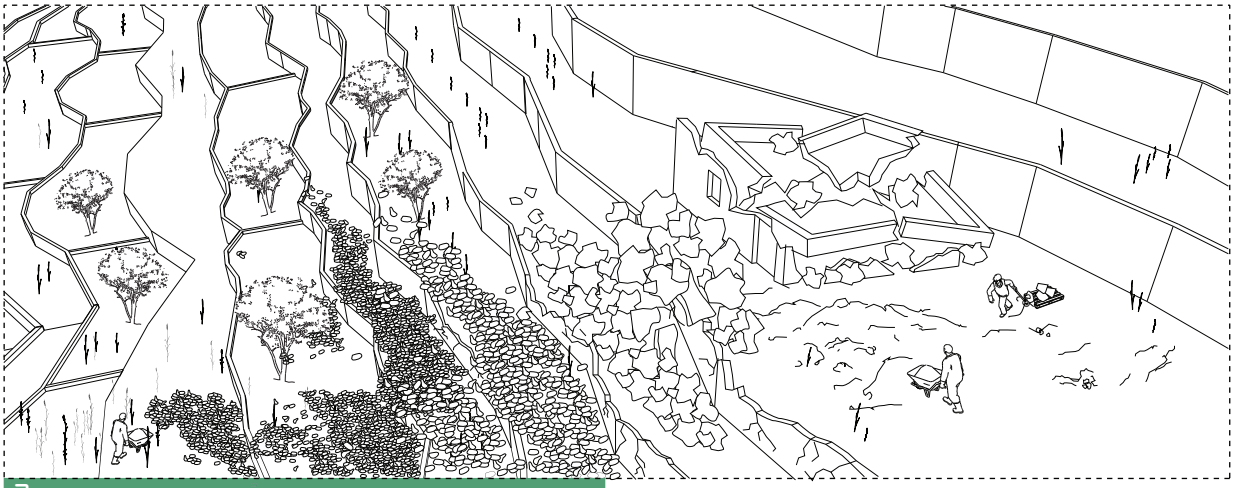
First, the initial unauthorized Palestinian construction in Area C stretches the 'elasticity' of the Area A or B boundary by creating just outside of its current confines a site where Israeli bureaucracy has been ignored and Palestinian (domestic) authority instated. Although not fully assimilated to Area A, these unauthorized properties do perform a type of reverse 'creeping annexation' on behalf of the Palestinians since they will invariably connect into the neighbouring Area A/B services and amenities; their children may go to their schools, their electricity and water will come from the village's networks, they will use the local waste collection services and public transportation systems, and they may even pay fees to the local village council.

Once this property undergoes demolition by the IDF, the boundary line contracts – not only re-tracing its path of expansion in reverse, and therefore returning the site to its pre-construction status, but itself making an improved incremental territorial gain. By damaging the Miri land in adjacency to the site of demolition through the spread of the debris, the IDF is rendering these extra areas more prone to a lack of cultivation and thus Israeli appropriation.

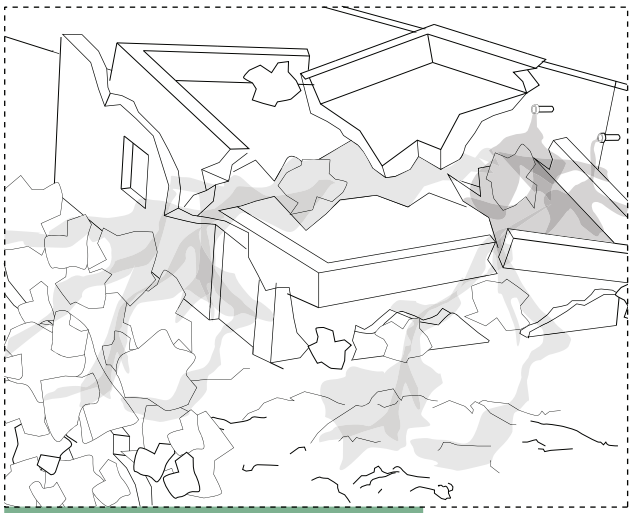
TACTICAL PROCEDURE : SEEPING BOUNDARIES



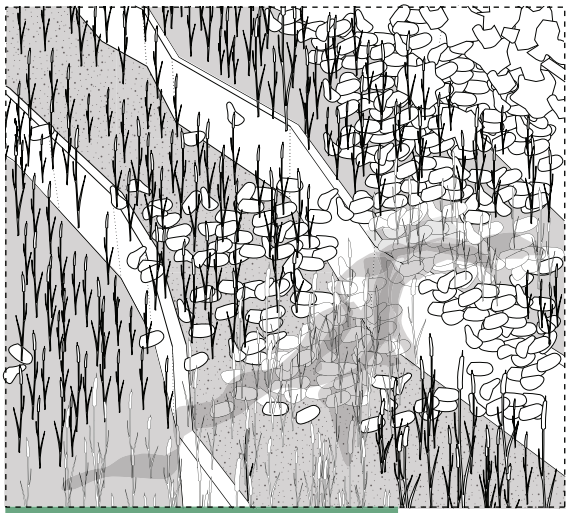
1 ISRAELI DEMOLITION OF HOUSE IN AREA C



2 REORGANIZATION OF ON-SITE RUBBLE



3 WASTEWATER DUMPED OVER SITE



4 PHYTOREMEDIATION PLANTS

fig. 4.14 *Step-by-step transformation of a site of Israeli demolition into a new one of Palestinian wastewater bioremediation.*

Intervening post-demolition, the following design tactic attempts to explore how this fluctuating boundary can once again be stretched elastically into Area C, in favour of the Palestinians, without the requirement of re-construction.

In doing so, it goes beyond its probes into territorial access to challenge the very core of the Israeli restrictions in Area C, mainly that construction cannot be performed without a permit. Yet, problematically, at the core of this limitation is an assumed collective understanding of what exactly 'construction' is and entails. The line between built and un-built is somehow presented casually as overtly clear, the two conditions diametrically opposed and fundamentally at odds with one another. Yet in reality such distinctions are never so easily ascertained.

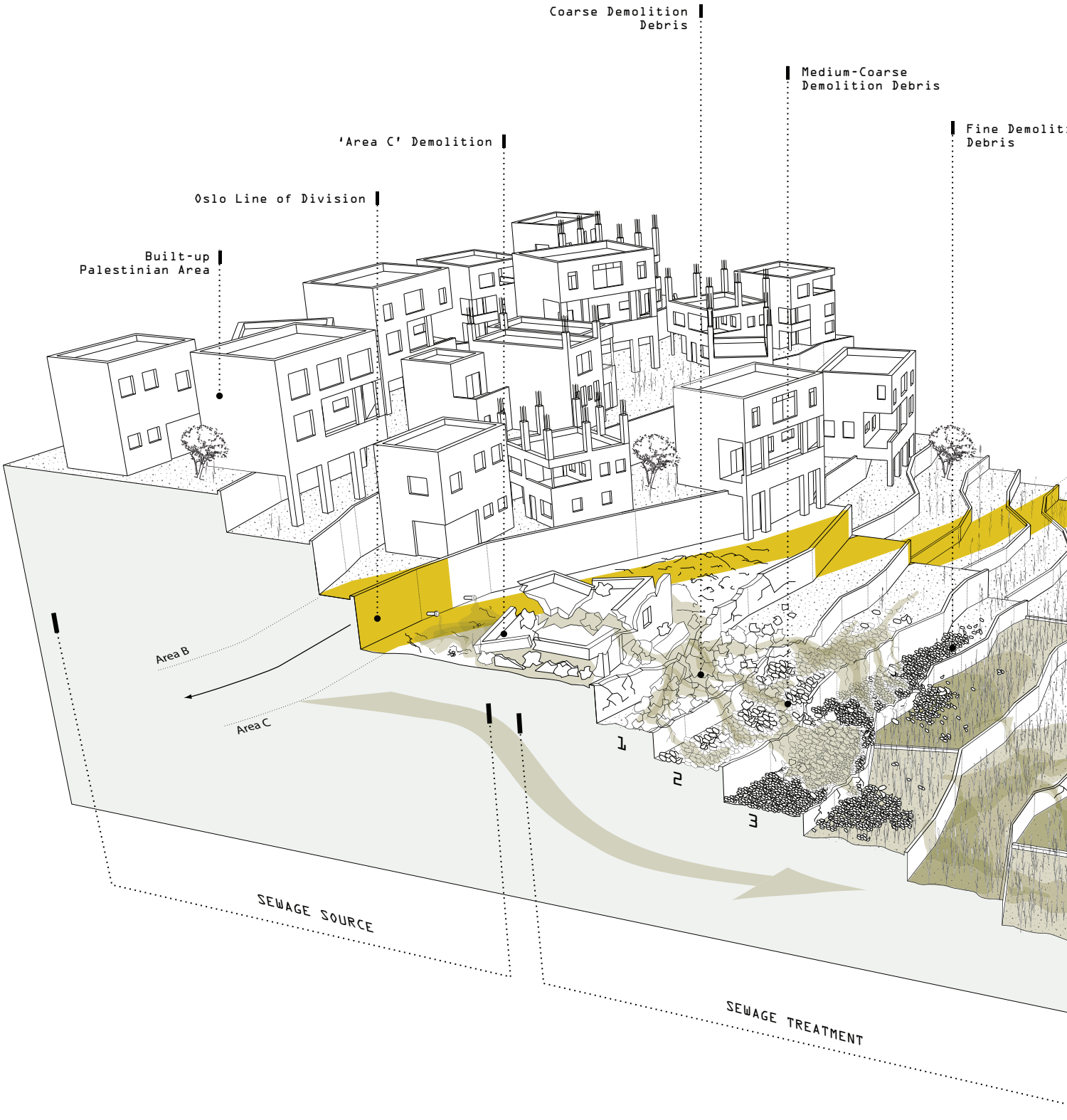
Feeding upon this ambiguity, the following design utilizes as its starting point for 'construction' the very waste left behind at a site of demolition. The use of such rubble probes at the definition of construction and places an onus of legal clairity upon the Israelis. Can construction occur through the simple re-arrangement of the demolition components – even if nothing on the site has been added or modified? If so, that dangerously implies that from the exact second the bulldozer completes his duties, he could once again need to be summoned back to the site; a precariously balancing broken slab or boulder falling to a new location, dangerously suggesting at 'construction'.

If it is not the arrangement of the components which signals building, then it seems to suggest that construction is more contingent upon intention than the actual spatial manifestation. Four sheets of zinc paneling, a wooden skid and a plastic sheet may be waste improperly disposed of outside of an industrial area in one scenario, but when utilized by Bedouins in the Jordan Valley, they become an aggressive Palestinian 'land stealing' palace of sorts. And indeed, the greater trend of Israeli demolition is indicative of this type of thinking. In areas not of geopolitical desire to Israel, whole houses can go un-demolished by the IDF, whereas in highly contested areas which Israel has slated for future settlement expansion, Palestinian communities are targeted again and again for the most menial forms of construction.

The discovery that intention and location, rather than physical form is what is determining when 'construction' has occurred sheds light onto the underlying purposes of Israel's restrictions and demolitions in Area C. Hidden under claims of environmental preservation, most demolitions are performed on the basis of unauthorized construction on lands slated for agriculture under an old outline regional planning scheme from the British Mandate period (RJ/5 and S/15) during the 1940's.[51] However, it is within these same regions that Israeli settlement construction can be found.

The following design tactic challenges this antiquated designation and its prohibition in the face of an urgent need for infrastructure projects in the West Bank's rural areas. The design contests that rather than compromising the agrarian nature of these areas, such a wastewater treatment system supports it through the prevention of wastewater contamination and the provision of a treated source of irrigation water. To accomplish this, the design couples the

51 For further information on this planning scheme and its implications see: A. Cohen-Lifshitz and N. Shalevl, *Prohibited Zone: Israeli planning policy in the Palestinian villages in Area C*, 56.



WASTEWATER TREATMENT THROUGH DEMOLITION 'REORGANIZATION'

fig.4.15 The site of Israeli house demolition and its adjacent affected terraces are 'reorganized' to produce a new site of wastewater infrastructure.

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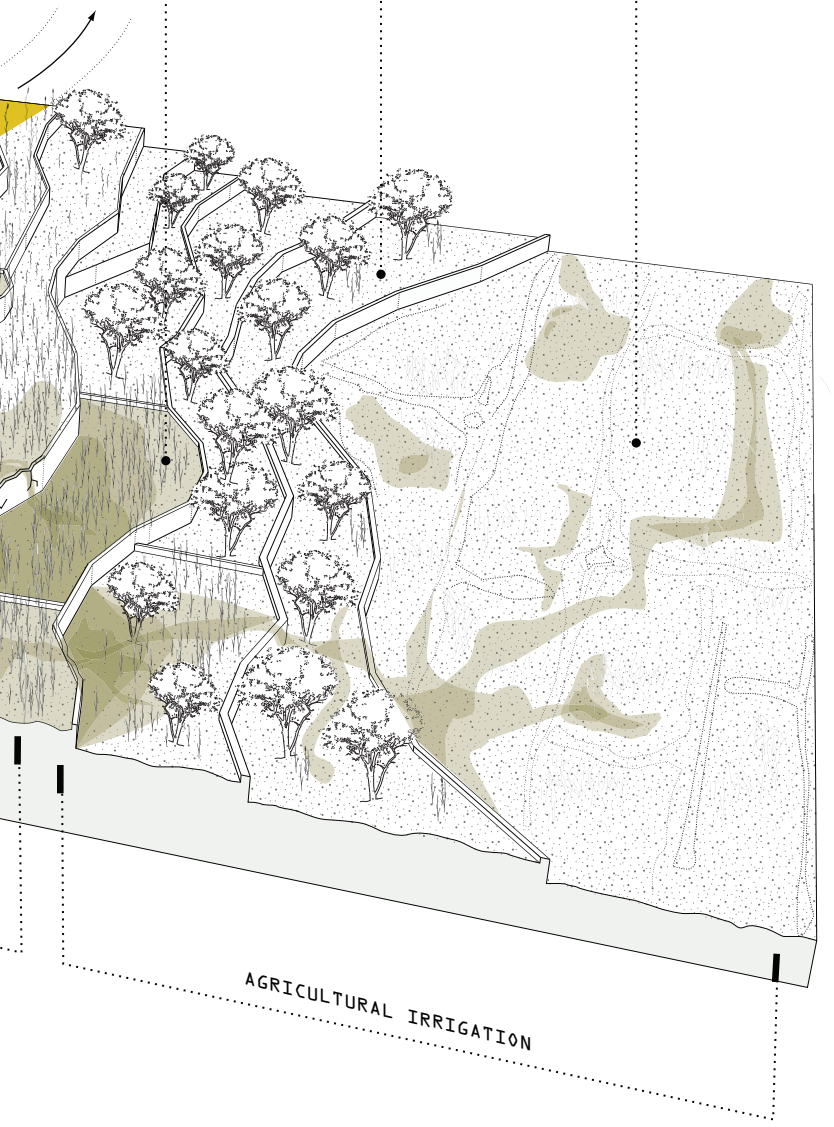
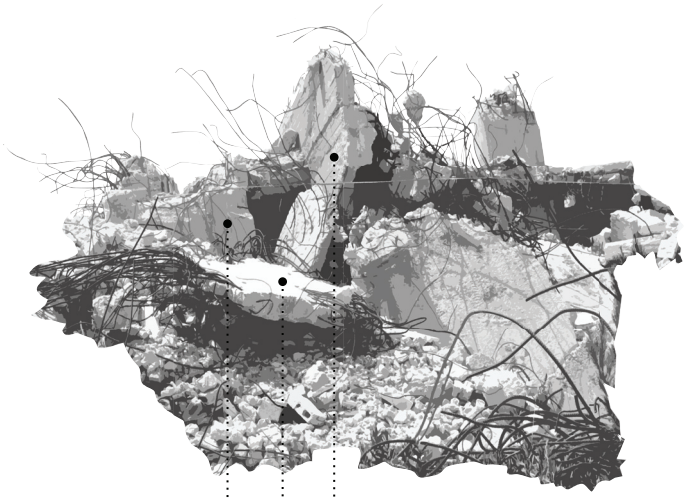




1 DEMOLITION BOULDERS



SIZE : LARGE/ COARSE

LOCATION : TERRACE ONE

USE : FILTRATION OF LARGE DEBRIS

2 DEMOLITION ROCKS



SIZE : MEDIUM/ COARSE

LOCATION : TERRACE TWO

USE : FILTRATION OF PARTICULATE MATTER

3 DEMOLITION DIRT AND GRAVEL

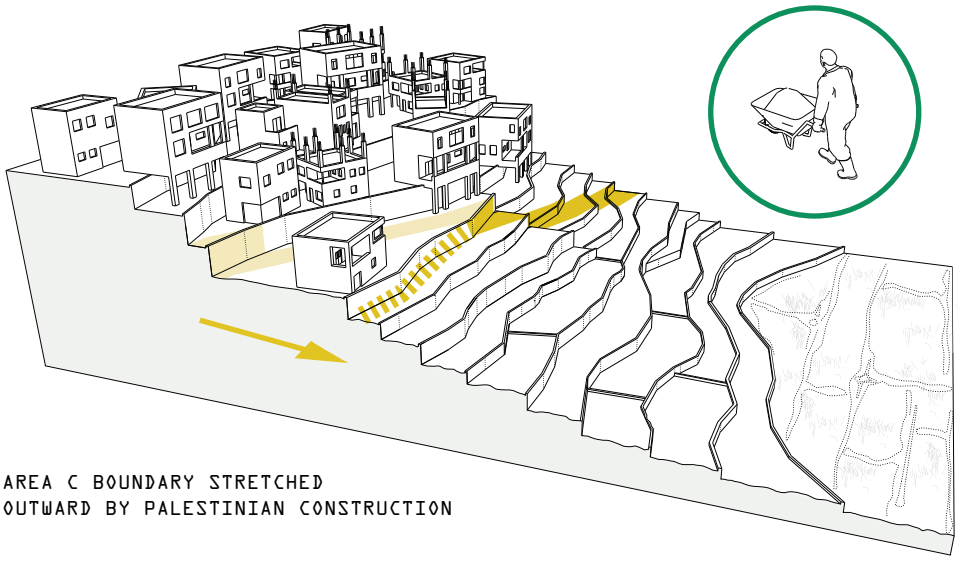


SIZE : SMALL/ FINE

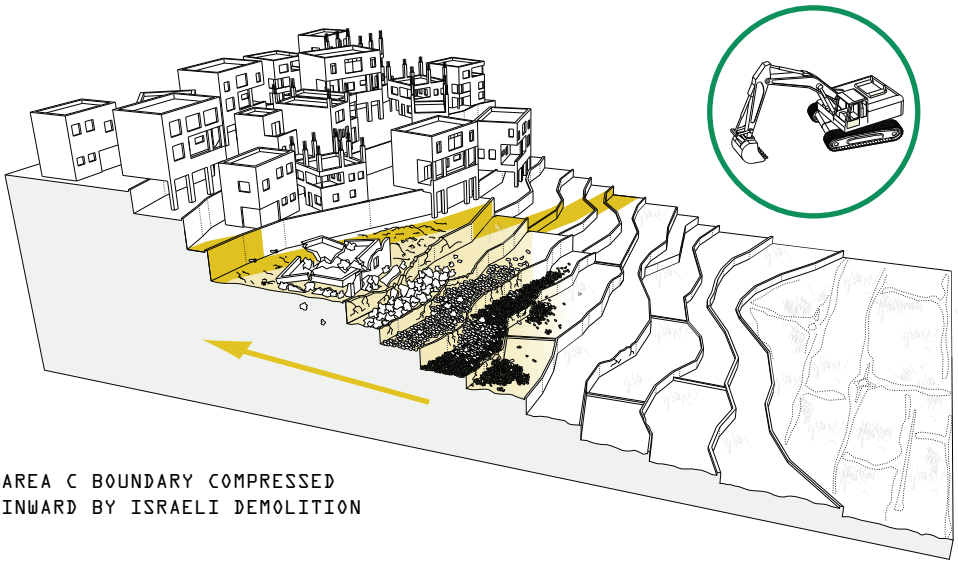
LOCATION : TERRACE THREE

USE : FILTRATION OF FINE PARTICULATE MATTER

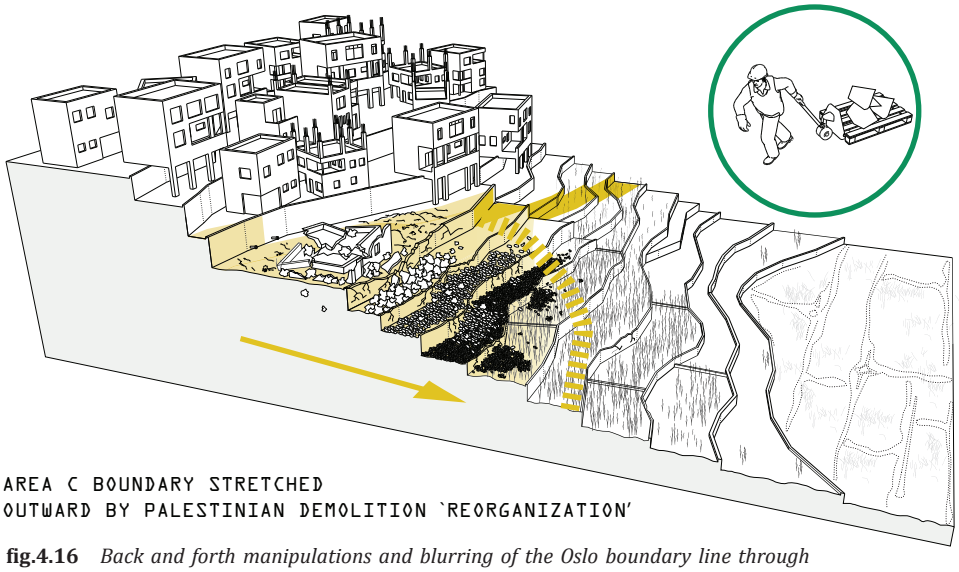
DEMOLITION REORGANIZATION



AREA C BOUNDARY STRETCHED
OUTWARD BY PALESTINIAN CONSTRUCTION



AREA C BOUNDARY COMPRESSED
INWARD BY ISRAELI DEMOLITION



AREA C BOUNDARY STRETCHED
OUTWARD BY PALESTINIAN DEMOLITION `REORGANIZATION'

fig.4.16 *Back and forth manipulations and blurring of the Oslo boundary line through Palestinian construction and Israeli demolition.*

subversion of the Israeli act of house demolition due to unauthorized construction with the creation of a new local bio and phytoremediation wastewater treatment system.

CONSTRUCTION VS. REORGANIZATION

The components of the demolition rubble are re-organized on site according to their size. (see page 191, figure 4.15) The largest demolition boulders are stored on the topmost of the effected terraces in order to serve as a filter device for the sewage's large debris. Medium-sized demolition rocks are then situated on the next terrace down to serve as a progressive filtration step for particulate matter. Small rocks and gravel in the next sequential terrace filter out even smaller particulate matter. A final series of bioremediation ponds are located on the bottom-most terraces, containing phytoremediation plants which can remove harmful metals and chemicals. The treated water is then channeled to the below agricultural terraces to serve as a source of irrigation.

The end result is a fully-integrated wastewater management system which requires the design expertise of architects and landscape architects, but which only re-organizes demolition waste and therefore does not actually involve any new forms of construction. Its subsequent attack by Israel then, would signal an unprecedented level of absurd determination with regards to preventing the Palestinian utilization of Area C; the demolished site being slated for demolition, D9 bulldozers and pneumatic drills arriving onsite to determinedly destroy a waste-ridden site of rubble and sewage which they had previously destroyed weeks earlier.

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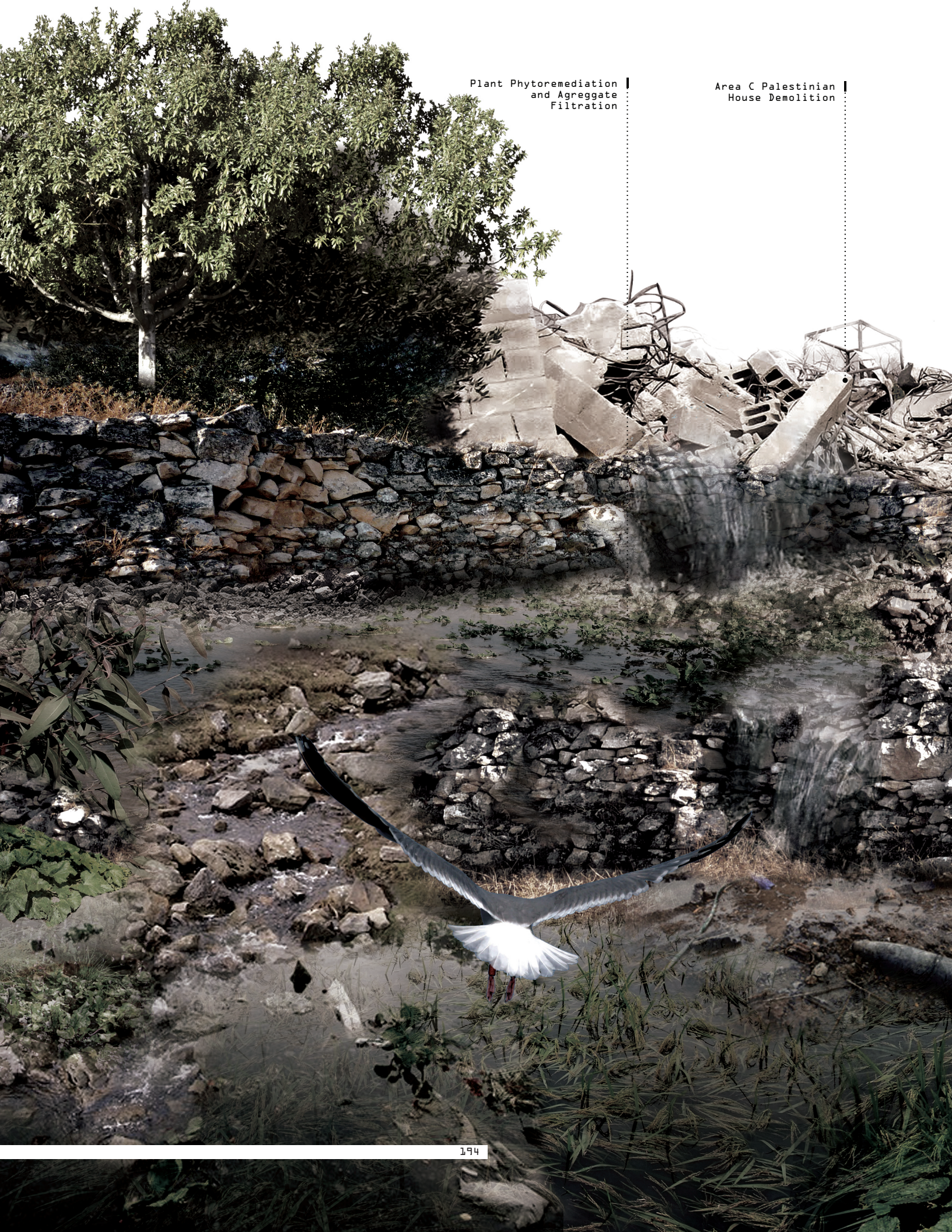
> **(next) fig.4.17** *Wastewater is passed through a site of demolition, cleaning the water and preparing it to become a source of irrigation.*


Plant Phytoremediation
and Agreggate
Filtration
Area C Palestinian
House Demolition


Filtered Water
Provides Irrigation
to Fodder Crops





TO EXIST IS TO RESIST

"This is not the first time we have been kicked off our land. That is no reason for us not to go back and continue work."[1]

– Ghassan Najjar, director of the Burin Community Center on the annual Palestinian Olive Harvest

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fig. 5.01 *Simple perseverance has become one of the most widespread forms of resistance in this occupation, as exemplified above by a Palestinian farmer who insists of harvesting his grapes near the Israeli settlement of Karmi Zur, the houses of which can be seen in the background.*

1 Ben Lorber, "Havesting olives as a statement of resistance." *The Electronic Intifada.* October 24, 2011, accessed October 30, 2011, http://electronicintifada.net/content/harvesting-olives-statement-resistance/10514

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The emerging spatial inevitability of enclavization in the West Bank - from nature reserves to closed military areas, settlements and Palestinian villages encircled by the Separation Barrier - stands in stark contrast to the ongoing promise to Palestinians that they will be able to realize their goal of a sovereign state, complete with its corresponding territorial contiguity. In the unabated continuation of the current processes of enclavization, Palestinian autonomy is obviated. With Palestinian cities and villages, Jewish settlements and their respective infrastructural systems becoming so entangled geographically- slipping and folding under and over one another in the vertical plane- the complexities of ethnic division reach a point of absurdity and ultimately become what Eyal Weizman describes as the *Impossible Politics of Separation*.[2] Indeed, because of such impossibilities, a number of scholars have already foreshadowed the unfeasibility of spatially realizing the two-state solution.[3] Acting at this most crucial of moments then, an exploration into the various avenues available to both Palestinians and those working on their behalf to reverse, or at best, hold at bay such processes of creeping annexation becomes all the more essential.

As a growing body of awareness forms around the damage being caused to Palestinians who are prohibited from using the vast amounts of lands confined in nature reserves and closed military areas, and as areas of State Land in the West Bank, a series of grassroots initiatives have begun to explore various avenues of prevention against the further territorial slippage of Palestinian land into these dubious restricted designations once they succumb to seizure by the state. Primarily focusing on lands which are still privately-owned by Palestinians, yet situated in the highly restricted Israeli-controlled Area C, these Palestinian grassroots initiatives not only work towards the improvement of the Palestinian agricultural sector, but also reinforce social relations as a means of resisting the processes of *spaciocide* currently at play in the occupation.

The creation of the Occupied Territories' first seed bank in 2003 by the 'Union of Agricultural Work Commitees' (UAWC) is one such example of a local initiative.[4] The seed bank, located in the southern West Bank city of Hebron, now includes thirty-five seed types and over 200 species coming from eleven plant families.[5] The presence of such a bank, which both collects and makes available seeds for Palestinian use, provides what the head of the union, Do'a Zayed calls '*food sovereignty*'; or having control over your own seeds.[6] This crucial first step in ensuring the robustness of the Palestinian agricultural sector works by providing

2 Weizman, *Hollow land: Israel's architecture of occupation,*161-184.
3 Such as Meron Benvenisti, Eyal Weizman, Saree Makdisi, Dan Gavron, Jeff Halper and Bradley Burston.
4 Tramel, Salena. "Seed Bank on the West Bank" *Grassroots International.* Oct 14,2011 http://www.grassrootsonline.org/news/articles/seed-bank-west-bank
5 Ibid.
6 Ibid.



fig. 5.02 *The annual olive harvest in the West Bank has become incredibly politically charged following the occupation. Due to the correlation between cultivation and land ownership under the Ottoman Land Law, a successful harvest has come to signify the successful continued useage of one's fields. Groups of international volunteers have now joined the Palestinians in their cultivation efforts, providing greater manpower and their international observer status as counterweights to Israel's seizure policies. Shown here, foreigners working with the International Solidarity Movement (ISM) help Palestinians in Qusin cultivate their olive trees.*

the benefits of hereditary native species to those struggling to farm in the region, while simultaneously reinforcing biodiversity through a broadened range of planted crops.

Perhaps equally as crucial as the provision of seeds to farmers is the work being done by various Israeli, Palestinian and international organizations to provide trucked water sources to Palestinians for agriculture. This practice has enabled many Palestinian farmers to sustain their crops when it would otherwise be impossible. On 26 September, 2009, one such convoy of 100 activists travelled to the South Hebron Hills escorting water trucks.[7] In addition to providing water to local farmers, these activists were able to reconstruct a damaged dirt road which had previously impeded the passage of water delivery.[8] Furthermore, the presence of Israeli citizens in this water convoy had played an important role in placating the IDF, who initially would not allow such a delivery, but then, after much arguing, eventually allowed the convoy to pass and water delivery to occur.

In recognition of the various hardships that Palestinians experience in their day-to-day lives, such resistance initiatives deserve particular mention for their successful ability to challenge the creeping sentiments of helplessness felt amongst Palestinians. Embodying the mantra of *sumud*, they further show how the deteriorating situation in the West Bank can be impeded through simple, everyday actions of steadfastness.

Perhaps the most notable example of such measures currently underway in the West Bank is the events surrounding the annual Palestinian Olive Harvest. Having always been an important part of Palestinian society and of the economy of the West Bank, the olive harvest has taken on a new significance under the conditions of the occupation. Palestinians now cultivate their olives as a direct act of nationalistic solidarity. As such, the simple task of harvesting ripe olives for their sale and consumption has been thrust into the forefront of the territorial land disputes between Palestinian villagers and Israeli settlers, who are both fervently working to maintain territorial strongholds in the West Bank, while discrediting that of their opponent.

Work by Israeli and Palestinian organizations and NGO's, such as the 'International Solidarity Movement' (ISM), 'Rabbi's for Human Rights', 'Bustan Qaraaqa' and 'Zaytoun' is aimed at countering the threats of settlers to Palestinians harvesting their land by organizing teams of local and international volunteers to assist Palestinians in their annual Olive Harvest. Their presence in this conflict as *political progenies* has meant that many lands which undoubtedly would have already undergone confiscation by the Israeli authorities for lack of cultivation have remained in Palestinian hands. Every October these volunteers collectively work to cultivate the various at-risk olive orchards located in areas of tight Israeli restriction in order to prevent their seizure and appropriation by the state. By providing further manpower, better equipment, and greater resources, the farmers are able to cultivate even difficult to access areas of their land. The presence of internationals throughout this process, even simply as observers, has helped to mitigate the violent actions of Israeli settlers that oppose Palestinian cultivation and who perceive the ability for Palestinians to maintain their land-claims as a direct threat to their own Jewish settlement expansion initiatives.

[SEE POLITICAL PROGENY]

7 Alternative Information Centre video. "Breaking the Thirst", accessed February, 20 2012, http://www.youtube.com/watch?v=sCuU5g0sZyc&feature=related.
8 Ibid.

Throughout the West Bank, a substantial amount of pressure has been placed on the performance of the agricultural olive sector. With roughly one quarter of the gross agricultural income in the Occupied Territories coming from the cultivation of some 12 million olive trees (occupying roughly 45% of Palestinian agricultural land) the stakes for a successful high-yield harvest remain incredibly high.[9] Aside from reinforcing territorial legitimization, olive cultivation in the West Bank provides employment and income to approximately 100,000 Palestinian families who cultivate the olives for their oil. Indeed, a 2010 Oxfam report found that "*in a good year, the olive oil sector contributes over $100 million income annually to some of the poorest communities.*"[10]

The impact of a poor olive harvest is particularly damaging since many of these producers are small in size, making their ability to absorb losses lower than that of larger producers.[11] Despite seasonal fluctuations resulting from variations in the amount of annual precipitation, soil conditions and seasonal temperatures, one of the greatest obstructions to olive production has been the violent actions of the West Bank's Jewish settlers. According to Oxfam, prior to the 2011 harvest, acts of vandalism by Israeli settlers cost West Bank Palestinian farmers $500,000 in destroyed olive trees.[12] The destruction of roughly 7,500 olive trees in 2011 alone (including a single incident in Burin where 2,500 trees on 900 dunams were burned down) points towards a frightening trend in settler violence.[13] Given the long duration involved in establishing an olive orchard, the immediate replacement of these trees will not mitigate the damage until years into the future.

As the various organizations supporting the olive harvest continue to do their work, an investigation into additional opportunities for Palestinian agricultural fortification will also need to occur, and indeed, the designs of this thesis have attempted to do so. Given the blatant disregard for the law showcased by Israeli settlers and the lack of intervention on behalf of the IDF, it is no longer prudent for Palestinian farmers to invest solely in olive production. While settlers and farmers are transfixed on the performance of the olive tree, unexploited opportunities are resting dormant in the landscape surrounding them. Shifting from an emphasis on land conservation to one of land reclamation, the designs of this thesis' Tactics One and Two challenge acts of Palestinian agriculture to operate offensively and to find new avenues for local economic fortuity which are not heavily susceptible to the violence of settlers or the restrictions on territorial access and freedom of movement currently hindering the livelihoods of the Palestinians. It is hoped that through the agency granted by landscape and ecologies, as well as through the enlistment of the tools of design, further such initiatives will begin to surface, further facilitating the Palestinian act of continued existence as a form of resistance.

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9 UN Office for the Coordination of Humanitarian Affairs. " Olive Harvest Factsheet." (October 2011):1, accessed November 22, 2011, http://www.ochaopt.org/documents/ocha_opt_oliveharvest_FactSheet_October_2011_english.pdf

10 Oxfam. *The road to olive farming: Challenges to developing the economy of olive oil in the West Bank.* (2010): 5, accessed November 22, 2011, http://www.oxfam.org/sites/www.oxfam.../the-road-to-olive-farming_0.pdf

11 More than 80% of olive farmers are small-medium scale farmers. Ibid.

12 "Oxfam: settlers cost farmers over $500,000 this harvest." *Maan News.* October 20, 2011, accessed November 22, 2011, http://www.maannews.net/eng/ViewDetails.aspx?ID=430878

13 UN Office for the Coordination of Humanitarian Affairs. " Olive Harvest Factsheet.", 1.





CONCLUSION

"Here on the slopes of hills,
facing the dusk and the cannon of time,
close to the gardens of broken shadows,
we do what prisoners do,
and what the jobless do:
We cultivate hope."[1]

- Palestinian Poet **Mahmoud Darwish**

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fig. 6.01 The West Bank's pastoral hills and valleys, full of olive trees and grape vines, belie the geopolitical forces of Israeli seizure simmering below their surface. These areas remain the most vulnerable for Israeli annexation and settlement expansion due to their unpopulated status. Though, as rural lands, they remain crucial to the livelihoods of Palestinians who rely upon them for cultivation and for grazing. Here, an olive grove in the West Bank village of Battir stands in the foreground. In the distance the beautiful landscape of Wadi Makhrour can be seen.

1 Mahmoud Darwish et al, . *A state of siege*. (Syracuse, New York: Syracuse University Press, 2010).

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On October 31st, 2011, after gaining a majority vote of support from 107 countries,[2] the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) recognized the state of Palestine as its 195th full member.[3] The move was a substantial political accomplishment for the Palestinians, with UNESCO being the first of any international organization to officially recognize the Territories' status as a state. As such, the unilateral act was politically intended to spark similar initiatives at various other international agencies, such as The World Health Organization and World Bank.[4] And ultimately, to reinforce the main Palestinian bid for statehood pending approval by the Security Council of the United Nations.[5] Despite criticism of the application for membership- both from within and outside of the Territories[6] - as well as a threat from the US to withdrawal its funding to UNESCO,[7] the PA's decision to unilaterally take steps towards securing statehood through outside diplomatic channels had resulted in the first political change in the conflict's trajectory in almost a decade.[8]

Apart from offering an opposing stance to Israel's creeping practices of territorial seizure, UNESCO membership also provided a new avenue for Palestinian resistance on the ground, by enabling the most treasured geographic and cultural sites of the West Bank to be applicable for protection under UNESCO World Heritage designations. Once approved, such titles would render any unilateral action by Israeli authorities towards the seizure of such lands in violation of international law, beyond the restrictions imposed by the Hague and Geneva Conventions.[9]

2 Harriet Sherwood, "Israel rushes settlement growth after UNESCO accepts Palestinians," November 1, 2010, accessed 20 February, 2012, http://www.guardian.co.uk/world/2011/nov/01/israel-settlement-growth-unesco-vote-palestinians.

3 "General Conference admits Palestine as UNESCO Member," October 31, 2011, accessed October 31, 2011. http://www.unesco.org/new/en/general-conference/single-view/news/general_conference_admits_palestine_as_unesco_member_state/.

4 Among a list of sixteen such organizations; Harriet Sherwood, "Israel rushes settlement growth after UNESCO accepts Palestinians," November 1, 2010.

5 Which itself had generated much controversy, see Victor Kattan, "A State of Palestine: The Case for UN Recognition and Membership," Al Shabaka, May 27, 2011, accessed June 5, 2011, http://al-shabaka.org/policy-brief/politics/state-palestine-case-un-recognition-and-membership?page=show and; Tal Becker, "A Coming Storm? Prospects and Implications of UN Recognition of Palestinian Statehood," The Washington Institute for Near East Policy, (6) June 2011.

6 Danna Harman, "Israel: Palestinian UNESCO bid is rejection of negotiations," Haaretz, October 5, 2011, accessed October 7, 2012, http://al-shabaka.org/policy-brief/politics/state-palestine-case-un-recognition-and-membership?page=show.

7 Ibid.

8 The Second Intifada in 2000 and the Arab Peace Initiative in 2002 being the last most memerable events.

9 The Associated Press, "Israel slams 'absurd' UNESCO decision on Jerusalem, West Bank holy sites," Haaretz, October 29, 2010, accessed October 7, 2012, http://www.haaretz.com/news/diplomacy-defense/israel-slams-absurd-unesco-decision-on-jerusalem-west-bank-holy-sites-1.321868.



^ **fig. 6.02** *Tactical usurpation, or the commandeering of one's opponent's strategies and practices, has occurred persistently throughout the years of occupation, in a variety of forms and permutations. Here, more banally, outdated and abandoned precast concrete sections of the Separation Barrier and usurped by a homeowner in order to construct his own property fence.*

And indeed, shortly following Palestine's membership approval at UNESCO, a list of some 20 such proposed sites had already been generated by the Palestinians.[10]

For the Palestinians, what is particularly useful about the protection afforded by the environmental category of World Heritage Sites was the ability to safeguard unpopulated lands away from creeping Israeli annexation, in a manner not solely reliant upon the conversion of rural areas through urbanistic development and construction and therefore without reverting to techniques solely dependent upon a demographic deterrence. Along the same lines, examining the capacity for rural lands to be reclaimed and protected from seizure while maintaining their rural character has been a primary point of interest in this thesis.

As the previous sections have shown, Israel has conceived of unique means for securing unpopulated areas through their unilateral declarations of areas as State Land, followed by further restrictions within certain areas declared as nature reserves and closed military zones. By adopting a similar tactical approach to environmental protectionism, the Palestinians are in effect attempting to emulate and co-opt the success of such Israeli restrictions.

Overall, the entering of UNESCO into the arena of the conflict as a new *political progeny* further underscores this thesis's argument regarding the volatility of jurisdictional control as it relates to proprietary rights in the West Bank. It shows how such volatility precariously balances on an edge – capable of being swayed in one direction or the other and largely dependent upon strategic timing and the input of those agents involved in the process of jurisdictional coercion. As a strategy then, the Palestinian decision to counter Israel's unilateral attempts of territorial seizure through declarations of cultural and environmental preservation of their own is indicative of a much broader trend in the strategic development of this protracted conflict.

[SEE POLITICAL PROGENY]

Tactical usurpation, or the 'commandeering of one's opponent's strategies and practices', has occurred persistently throughout the years of Israeli occupation, in a variety of forms and permutations. As a predominant trend throughout this process of mimicry, the involvement of landscape and the built environment has been central to the issue at hand. Within acts of tactical imitation and usurpation, space has become the fundamental medium of engagement, and the built and natural environment its primary tools for manipulation.

The cycle of emulation in the Occupied Territories perhaps began unconsciously during the early days of Jewish immigration into West Bank areas, when newly arriving religious Jewish-Israeli settlers, predominantly coming from Russia and Europe, sought to establish agrarian kibbutz's (in line with those which had been created within Israel prior) and viewed themselves as the next era of pioneers fulfilling their religious right to reclaim the biblical

10 The timing of UNESCO's approval could not have been more prescient. Working to ensure the Palestinian affiliation to urban sites of cultural significance, such as the Ibrahimi mosque/ Cave of the Patriarchs in Hebron, the UNESCO designation came in direct opposition to Israel's own recent unilateral declarations on sites in the West Bank which were part of a list of 150 "Heritage Sites of Jewish Cultural significance" autonomously slated for Israeli renovations and upgrading. Sites listed by Palestinians; "Palestine to Submit 20 Sites for UNESCO World Heritage Site Nomination," Popular Archaeology, (6) March 2012, http://popular-archaeology.com/issue/march-2012/article/palestine-to-submit-20-sites-for-unesco-world-heritage-site-nomination

lands of 'Judea and Samaria'.[11] By doing so, they grounded their illegal presence within a greater religious framework. Yet, they also blatantly overlooked the land's indigenous population and bypassed over 2,000 years of history and Arab inhabitation. Ironically, along this destructive process, the Israeli settlers have directly mimicked the ongoing agrarian practices of the Palestinian villagers who surround them, and to whom their aggressive practices of territorial seizure have disenfranchised and displaced. Put succinctly by Eyal Weizman:

"*The very thing that renders the landscape 'biblical' – traditional inhabitation, cultivation in terraces, olive orchards and stone buildings – is made by the Arabs whom the settlers come to replace. The people who cultivate the "green olive orchards" and render the landscape biblical are themselves excluded from the panorama*."[12]

Since then, the processes of usurpation and emulation have taken on ever-more complex forms between Israelis and Palestinians, occurring both overtly, as a strategic means of tactical warfare, and also more subconsciously, appearing as broader psychological trends of cultural emulation, all the while surfacing in bizarre, unimaginable and at times self-detrimental ways. Exemplifying the latter, many upper-middle class Palestinians are now consumed with the luxuries of a Western lifestyle and have become asphyxiated by the distractions of materialism embodied within them. Rather than distinct from the forces of the occupation, such emulation emerges as a product from within it. Writer Ahmed Moore explains:

"The occupier and its patron state have succeeded in creating a faux and unproductive Palestinian bourgeoisie, one whose primary focus is on the trappings of material living... their energies are almost completely dedicated to the impossible task of gaining acceptance through mimicry... Mimicry takes so much effort that there isn't much left over for the humanizing and uplifting task of agitating for equality; the key to national and individual self-esteem and worth."[13]

The spacious villas, swimming pools and state of the art security systems of the settlements have thus provided Palestinians with a dangerous precedent for such emulation. Set for completion in 2013, 'Rawabi' will become, "*the first planned Palestinian city*".[14] Engulfing an entire hilltop of natural land nine kilometers north of the city of Ramallah, it is located within a perfect commuter's distance to the city's core. With its uniformly planned rings of fortified monolithic housing, the project's overtly foreign vernacular and insular master planning has led to it consistently being misidentified as a new Israeli settlement. In the creation of such a project for the Palestinians, the inequalities currently experienced between Israeli citizens and stateless Palestinians as a product of the Jewish settlements will now be complimented by new issues of social inequality emerging from within the built fabric of Palestinian

11 For further reading see Akiva Eldar and Idith Zertal, *Lords of the Land: The war over Israel's settlements in the Occupied Territories, 1967-2007*, (New York, Nation Books, 2007).

12 Eyal Weizman, "Politics of Verticality," Open Democracy, 6; The Paradox of double vision, April 26, 2002, accessed September 2011, http://www.opendemocracy.net/ecology-politicsverticality/article_805.jsp.

13 Ahmed Moor, "Rawabi, the American mission to civilize the West Bank," Mondoweiss, January 14, 2010, accessed February 3, 2010, http://mondoweiss.net/2010/01/rawabi-and-the-american-mission-to-civilize-the-west-bank.html.

14 Ben Hubbard, "Rawabi: Work Begins on first Planned Palestinian City," The Huffington Post, December 1, 2010, accessed January 12, 2011, http://www.huffingtonpost.com/2010/01/12/rawabi-work-begins-on-fir_n_419712.html; Rawabi website, http://www.rawabi.ps/index.php.

society itself; the rich elites of Ramallah moving into Rawabi to fortify themselves against the disparity found in the poorer local Palestinian villages of their surroundings.

The modern-day practices of emulation and usurpation have also spread beyond the social realm of Israelis and Palestinians in this conflict, appropriating as necessary from academic disciplines and making a particularly strong appearance in the IDF's military strategies. As the vast body of work by Eyal Weizman has shown, the application of critical theory to the fields of architecture and urban design have played an important role in the IDF's training.[15] From infiltration tactics reliant upon notions of 'inverse geometry' to the interpreting of works by Tchumi, Deleuze and the Situationists by IDF soldiers to help form their spatial notions of Palestinian cities and refugee camps. The impact of outside disciplines and areas of study on the Israeli military's strategic functioning is profound.

Outside of the application of critical theory, the IDF has also taken to appropriating a multitude of seemingly ubiquitous everyday artifacts from the civilian sector and subverted their uses towards militaristic means. And indeed, it was in 1979 when the residential dwellings of the settlements themselves were argued by IDF Chief of Staff Refel Eitan as *'temporary security necessities'*.[16] Elsewhere, 'aesthetically pleasing' highway sound walls are being co-opted into the apparatuses of the Separation Barrier, checkpoints are being dressed as sterile international terminals and divisive apartheid road networks masked as the provision of modern infrastructure. The spatial embodiments of *ubiquitous usurpation* have manifested themselves across the landscape of occupation and can now be found everywhere.

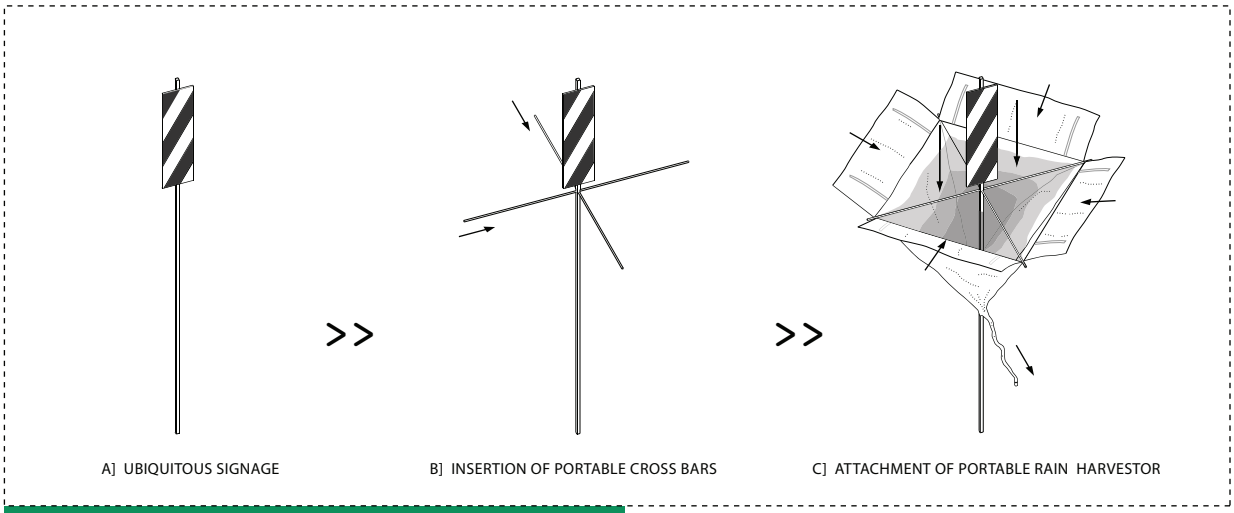
In this upside down world of protracted conflict, where nothing remains as it seems and where the manipulated tools of warfare are unpredictable, seemingly innocuous, and constantly changing, the most banal of objects can instantaneously become strategic to political upheaval. As this thesis has shown, landscape and ecologies have provided a new means of engagement within the occupation's systems. As space and territorial rights are thrown into the confusion of the occupation, the natural environment has entered centre stage, affording much opportunity to both Palestinians and Israelis, but also fuelling an incredible amount of geopolitical turmoil. The original clever spatial tactics of both sides have since been contorted beyond identification. Once fervently opposing the nationalistic symbolism of the Palestinian olive tree, Israeli settlers are now themselves taking to extensive tree planting efforts, producing their own olive groves on West Bank Miri land without intentions of cultivation, therefore solely using them as a catalyst towards their own illicit schemes of land seizure.[17] Simultaneously, the Palestinians have now embraced the once reviled, fast spreading pine tree, with new plans being announced to surround their first official 'settlement' of Rawabi with a generous donation of 3,000 of them, coming from the Jewish National Fund, no less.[18]

15 See Eyal Weizman, "Lethal Theory," 17. See also Weizman, *Hollow Land: Israel's architecture of occupation;* and Segal, Rafi and Eyal Weizman. *A civilian occupation: the politics of Israeli architecture*. Rev. ed. (Tel Aviv; New York: Babel; London: Verso, 2003).

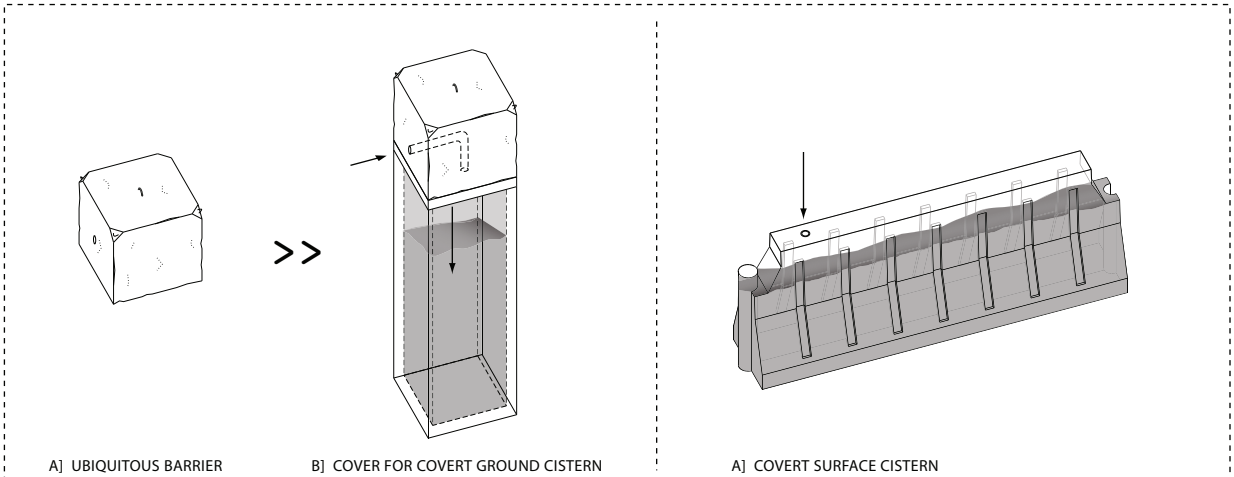
16 Eyal Weizman. *Hollow Land: Israel's architecture of occupation*, 100-108.

17 As explicitly documented in interviews with Israeli settlers conducted by Irus Braverman, see Irus Braverman, ""The Tree Is the Enemy Soldier": A Sociological Making of War Landscapes in the Occupied West Bank." 22-24.

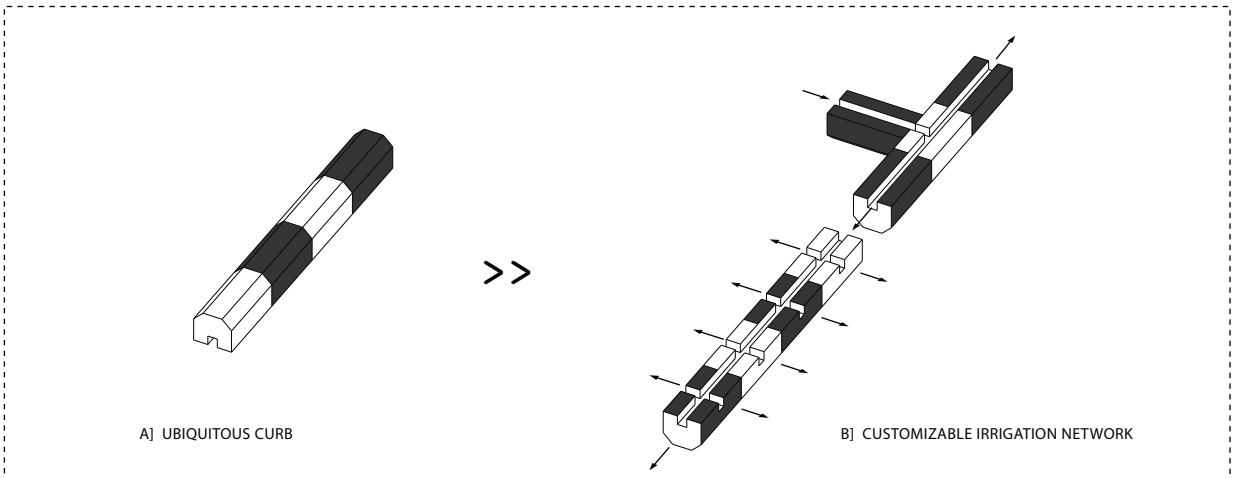
18 Uri Davis, "Rawabi implicates PA in Zionist project," *Ma'an News Agency*, May 8, 2011, accessed May 9, 2011, http://www.maannews.net/eng/ViewDetails.aspx?ID=358002



1 WATER COLLECTION | SUBVERTED SIGNAGE



2 WATER STORAGE | SUBVERTED BARRIERS



3 WATER IRRIGATION | SUBVERTED CURBS

fig. 6.03 *Potential types of 'Ubuquitous Usurpation,' converting IDF civil infrastructures into covert Palestinian water infrastructures*

Within such a framework, the design tactics of this thesis have also ascribed to capitalizing on the unique potentials that such manipulative emulation affords. In summary, tactic one's *extraterritorial appropriation* proposed a process of territorial reclamation which targeted the West Bank's inaccessible closed military areas by harnessing the high degree of protection given to Israeli wildflowers and relying upon the inconspicuous mobility of honey bees. The design then usurped this rhetoric of environmental protection as a means of amplifying the Palestinian's own apiary initiatives. The *decaying jurisdictions* of tactic two, likewise, relied upon a process of emulation- wherein the popular acts of illegal dumping in the West Bank were hijacked and re-choreographed as a means for solving the Palestinian's own local waste management issues, while simultaneously reclaiming much needed public areas of State Land. The thesis' final tactical design of *seeping boundaries* propounded the subversion of Israeli house demolition sites by restructuring the anatomy of their debris into a new formation – one that is capable of creating an indestructible system of communal wastewater infrastructure.

Given the unpredictable nature of the conflict and its perpetual mutability, one could also imagine the emergence of other forms of tactical-emulation resistance, beyond the tactics herein put forward by this thesis. Further opportunities exist for tactics to capitalize on the multitude of ubiquitous civic infrastructural components brought to military service by the IDF – from precast curbs to large concrete blocks, and plastic jersey barriers. Through design these objects could be subverted away from their militaristic uses and returned to a new Palestinian civic use. The cement blocks littered along roadsides and serving as prohibitive roadblocks could one day be augmented to serve as clandestine ground cistern portals (see fig. 6.03, opposite). The plastic jersey barriers found abandoned at previous observation stations could be implanted into fields where they would function as additional surface water storage tanks. In addition, the generic precast concrete curb, flipped upside down and augmented to create a new network of illicit irrigation channels (see pg. 219, fig. 6.05). Beyond these initial concepts, opportunities for small-scale resistive interventions against the occupation through the usurpation of the landscape's ubiquitous artifacts abound: simple additions and augmentations taking an inexhaustible catalogue of IDF infrastructures and affording them a slew of new clandestine Palestinian uses.

In their final culmination then, the three tactics of this thesis aim to contribute to a new concept of what the identity of the Palestinian constructed environment under occupation might emerge looking like. It has sought politically to charge these formations by connecting seemingly disparate practices in a manner which efficiently grants them a greater overall agency. The tactic's designs stress the potentiality for such an identity to emerge from within an environment of the very forces currently preventing their production, and therefore, argue against the belief of a passive and resigned Palestinian agency. . Yet this approach of coupling prosperity and resistance must come with caution. In inadvertent ways, some of what has enabled the occupation's prolongation over the past decades has come from an 'NGO paradox,' wherein such agencies take on welfare responsibilities for the Palestinians that are the sole responsibility of Israel as occupier and by doing so alleviate the State of its obligations under international law, ultimately facilitating the occupation's prolongation.

This thesis recognizes the challenges associated with this precarious balance and the pressures it places upon the architect. Without any social, economic and environmental improvements in the lives of the Palestinians, the risk is that more and more of them will choose to emigrate and leave their rural villages altogether, settling instead in urban West Bank areas or other countries. Through modest improvements to their lives, such as those propounded by this thesis, this silent mass transfer may be avoidable. Yet what remains with such an approach, is the risk that such improvements may extend beyond the (unclear) point of basic necessity, serving instead to sustain the occupation. Crucial to preventing such a phenomenon is ensuring that the designs of this thesis avoid creating a 'normalization' of the Israeli occupation by making it more widely accepted and tolerable. It is for this reason that the three tactics of this thesis have focused on solely using such improvements as a vehicle for land reclamation; as a means of allowing a greater number of Palestinians to participate in resistance by efficiently integrating political activism into the very practices of their day to day lives, rather than depending upon actions occurring solely in their spare time.

In summation, there should be no mistaking the fact that, despite outlining new avenues for social, economic and environmental improvement, the emphasis of this thesis has been on political resistance and on the ability of landscape and architecture to operate as agents for territorial reclamation . The sheer fact that this thesis involves the Palestinian usage of land which is restricted by Israel makes its designs political and therefore not a complacent form of humanitarianism. In the same way that the annual olive harvest is able to provide fortuity to the Palestinians, yet still serves as a form of opposition against land seizure, these tactics cautiously aim to improve livelihoods without enabling normalization, or tacitly sanctifying the occupation's illegality.

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In line with the above, the tactics of this thesis have sought to be cognizant of the fact that the cycle of Israeli-Palestinian usurpation is ongoing, and that, indeed, the designs of *Contesting Limits* themselves are subject to Israeli subversion.

Regardless of ardent attempts at foresight, by the sheer nature of their imposition during a time of conflict, these designs may ultimately, yet inadvertently, play into the hands of Israel. In recognition of this potentiality, the overarching aim of this work has been to underscore the madness of the ongoing protraction of a belligerent military occupation: to stress the inevitability of such Israeli reprisals to the point of their absurdity, to highlight

the outlandishness of the Israeli government's practices of militaristic control- ones which would see the culling of a nation's own protected wildflowers, or the imposition of tight restrictions on honey bee mobility in the name of security. Or, that would instigate the perpetual demolition of a site comprised of no more than refuse, sewage and construction rubble- in order to prevent its Palestinian use.

Although it would be impossible to foresee the exact trajectory such designs will take in light of Israeli reprisals, it is important to keep in mind that it is this same indeterminacy which has granted the project its original agency. In this respect, *Contesting Limits* has utilized a process of design which can be considered 'soft' in nature. Taking into account the volatility of the landscape, it employs a design methodology comprised of a network of interconnected spatial tactics operating in a responsive, malleable, and indeterminate fashion. The hope is that such a design approach will enable similar initiatives to take place across the rural areas of the West Bank; from Hebron to Tulkarm and Jenin. The ability of a network to have multiple sites of engagement operating in tandem, not only allows their political power to propagate at the national level, it further allows for individual 'malfunctioning' sites to be 'unplugged' or placed in a dormant condition without compromising the greater system of territorial reclamation as a whole; if wildflowers are culled in one location, they are re-planted in another, or returned the following season.

It is recognized that in light of this *soft* design approach, criticism may come to this thesis for not pushing the design envelope of these tactics farther into the realm of traditional architecture. While it does seem possible to engage in more direct forms of resistance construction, and indeed, such is being done by those Palestinians who insist on rebuilding their houses in Area C post demolition, the sharply amplified Israeli repercussions of such actions, in the form of hefty fines and imprisonment, render the efficacy of such projects inversely exponential.

However, in further response to such criticism, it is also important to highlight the restrictions associated with 'harder' forms of architectural intervention. The long duration involved in designing and constructing such projects typically means that they will always be lagging behind in response to the conflict's developments. Furthermore, such designs are not easily augmented and tend instead to freeze within the built environment the systems of power inequality existent at the time of their production. While the sheer act of construction can cause huge geopolitical sways, and therefore is a highly effective tool during its initial establishment, the greater concern of architects and designers should remain towards the project's lasting impact and legacy. Indeed, the ability to affect immediate political change, yet to do so in a manner of social irresponsibility is best exemplified through the rapid construction of the illegal Israeli settlements themselves, which have afforded Israel the best of territorial gains, yet in the process have further solidified conditions of social inequality, instigating violent backlashes from the Palestinians and leading to the further detraction of social and infrastructural resources away from more at-need areas within Israel itself.

Ultimately, the power of this thesis' *soft* forms of design lies in its ability to operate in a manner which is non-linear, which can augment its performance and resilience towards unpredictable situations. Its coupling with nature further allows the designs to harness the



^ **(above) fig. 6.04** *In a conflict where nothing in the landscape is neutral, where the forms of civil infrastructure have been subverted from civilian to military use, their subsequent re-appropriation by Palestinians could be envisioned in a way which plays off the proliferation of these forms across the landscape. Here, a Palestinian farmer has attempted as much: using precast concrete blocks typically found as road barricades, as a way to construct his own agricultural terrace in Area C where construction is highly restricted.*

> **(pg. 221) fig. 6.05** *Ubiquitous subverted objects culminate to create a water irrigation system in the Palestinian landscape.*

complex adaptability of living ecologies- characteristics absent from conventional means of concrete construction.

Still, by decidedly implementing a form of spatial resistance which is 'soft' and which focuses on preserving the rural landscape without urbanization, various concessions have been made. The 'hard' embodies an undeniable ability to make acts of resistance profoundly legible, opposing any Israeli claims that such sites were not being utilized by the Palestinians. The compromised legibility of the 'soft' also makes it less effectual emblematically: as an icon of collective Palestinian unity and nationalistic pride in opposition to the occupation, stifling what would conventionally be associated with nationalistic state building practices, which, undeniably, these tactics are not.

Designing within such an environment of political volatility involves a perpetual re-appraisal of the multitude of acting internal and external political forces at work in the West Bank. It is in this sense that this thesis has stressed the power afforded to the new *political progenies* and argued the emergence of an arena of engagement for *architects*. As design and construction work commences for architects however, other new players can enter the equation at any moment – settler organizations can impose sway upon the IDF and Civil Administration in favour of their own desires, or can even turn violent themselves. Outside aid can become encumbered by a slew of caveats and clauses, impacting Palestinian actions in exchange. It is when architecture fails to appropriately navigate all of these forces that well-meaning projects have their intentions turned awry. Designs of beautification and happy Israeli-Palestinian connectivity and cohabitation may be well intentioned, but completely disregard the current political climate. A project promoting recreation and leisure in a setting where Palestinians have no free time for such activities inadvertently benefits only the Israeli portion of society. Likewise, projects of shared water infrastructure, such as those of Israel's own 'linkage policy' at the Joint Water Committee, use a guise of equality to facilitate the continued presence of a dominant illegal settler population living on lands which are belligerently occupied and where there should be no requirement for sharing in the first place.

It is within the mad framework of all these variables that the Israeli-Palestinian conflict is organically finding its 'resolution.' As argued in Part One of this thesis, actions on the ground being performed by the diffuse networks of political progenies and by Israel itself are having the greatest impact on the conflict's trajectory. As this thesis has further shown, in some instances, the impact of outside actors has proven advantageous to the Palestinians, yet in others, this extra source of intervention has proven detrimental. Explaining how Israel has been able to thrive under the power afforded to it via the occupation's state of exception, the analysis of Part One has outlined the spatial apparatuses of control utilized by the State to maximize its territorial gains and minimize its collateral demographic damage. Part One has further shown how for decades the negotiations have ceased to be an equitable means of resolving this conflict. Given Israel's superior position of power and the staunch political and financial support it receives from the United States, who is supposed to be serving as an 'impartial' broker, it is currently not possible to envision a just and lasting peace emanating

from the negotiations.[19] Whether through examples of the pilfering of water and resources or through the opportunities for unregulated industrial development and waste disposal, the protraction of this conflict has shown how time and time again this state of exception has worked in the favour of Israel. It is now clear that the prolongation of the current status quo is the best way for Israel to achieve its ultimate aims.

In recognition of this, the designs of this thesis have attempted to disrupt the comfort of the status quo. Although the fundamental power inequalities between occupier and occupied have remained - the designs have not forced an Israeli evacuation of the West Bank - the act of territorial reclamation is accomplished though more incremental means. As this thesis has attempted to show, it is frequently these smaller turning points which culminate over the long run into a greater form of unified political resistance.

Finally, this thesis aims to contribute to the establishment of a new body of productive thinking surrounding the concepts of Palestinian resistance and social and economic prosperity independent of the forces of occupation by exploring how the agency of architecture can charge present-day practices and impregnate them with an active strategy for territorial reclamation. In keeping with the concept of 'sumud', the designs promulgate the continued existence of the Palestinians on their indigenous land. Ultimately, by instilling such spatial tactics, the thesis becomes responsive to the geographical, architectural, and political dynamics existing between the explicit governance of the natural and built environment by humans and the implicit governance of humans through the natural and built environment.

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19 For further insights into this position, see Noam Sheizaf, "Direct negotiations: Recipe for prolonging the occupation," +972, February 13, 2012, accessed February 13, 2012, http://972mag.com/direct-negotiations-the-recipe-for-prolonging-the-occupation/35308/

Water Tanker Fills
Covert Ground Cisterns

Hollow Plastic Barriers
Serving As Field Cisterns

Concrete Barriers
Hide Ground Cisters




Hollow Plastic Barriers
Serving As Field Cisterns
Inverted Curbs Serve as
Water Irrigation Channels

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