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QUARTERLY UPDATE ON DEVELOPMENTS

EDITED BY GEOFFREY ARONSON

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Geoffrey Aronson, a writer and analyst specializing in the Middle East, is the editor of the *Report on Israeli Settlement in the Occupied Territories* (hereinafter *Settlement Report*), a Washington-based bimonthly newsletter published by the Foundation for Middle East Peace. Unless otherwise stated, the items in this section have been written by Geoffrey Aronson directly for this section or drawn from material written by him for the *Settlement Report*. The Institute for Palestine Studies is grateful to the foundation for permission to draw on its material. Major documents relating to settlements appear in the Documents and Source Material section.

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THE JERUSALEM EXPROPRIATIONS ISSUE

Rabin Backs Down on Jerusalem Expropriations

From *Settlement Report*, July 1995.

Bowing to an unprecedented convergence of international and domestic political opposition, the Rabin government on 22 May suspended a decision to expropriate two tracts of land in annexed East Jerusalem. The announcement of the expropriation of the two tracts—335 dunums in the Beit Hanina region of northwest Jerusalem and 200 dunums near Beit Safafa in the city's southwest—had been published on 4 April in the local Palestinian press, without fanfare and with no expectation that it would cause significant opposition. Nine hundred units for Israeli Jews were planned for the 335 dunums in Beit Hanina, while for the 200 dunums in Beit Safafa a police facility and 400 dwelling units were planned. It is not clear whether this housing would have been for Arabs or Jews.

Since Israel annexed the 70,400 dunums comprising East Jerusalem in June 1967, more than 23,378 dunums of mostly Palestinian-owned land has been taken for the construction of settlement neighborhoods that today house more than 160,000 Israelis, and which ring almost the entire northern, eastern, and southern perimeter of the city. No housing for Palestinians has ever been built on expropriated lands.

The cabinet discussed the expropriation on 1 May. In Rabin's view, the confiscations are not inconsistent with the terms of Israel's agreement with the Palestinians and moreover represent a compromise: Far larger expropriations favored by Housing Minister Binyamin Ben-Eliezer had been discussed internally. In late 1993, four parcels had been targeted for expropriation by the Ministry of Housing and the Jerusalem Development Authority:

- 800 dunums between French Hill and Pisgat Ze'ev known as the Eastern Gate;
- 790 dunums belonging to Palestinians from Wallaja near Gilo;
- 650 dunums for Har Homa B;
- 335 dunums near Ramot.

In early 1994, Ben-Eliezer formally proposed to the prime minister that all these tracts be expropriated, and documents were prepared. Some months later, however, the minister of finance was advised by the government's legal adviser that the expropriations would be "politically sensitive," and Rabin halted the orders.

In February 1995, Ben-Eliezer renewed his efforts to implement the expropriations. As a result of discussions with Rabin, two parcels were targeted: 335 dunums northeast of Ramot, and 200 dunums on "Hill 717" next to Beit Hanina (this last not mentioned in early options). The finance minister published the expropriation orders in early April.

By mid-May, Rabin believed that the worst of the furor—which he termed "much ado about nothing"—had passed. A cabinet meeting on 14 May confirmed the expropriations, issuing a statement that "the cabinet has no intention to carry out additional expropriations of land in Jerusalem for housing purposes." A proposal to cancel the expropriation was supported only by the four ministers from Meretz.

According to a Rabin aide, the cabinet announcement was worded to enable further expropriation for "security or traffic purposes." Rabin himself explained that the freeze applied only to expropriations for housing: "I believe that we now have enough areas to build, including Har Homa A, and of course, expanding in areas where such building can be done without expropriation."

The constellation of forces opposed to government policy abruptly changed with the unprecedented decision of two largely Arab parties which traditionally vote with the government—Hadash (The Democratic Front for Peace and Equality) and the Arab Democratic Party—to table a vote of no confidence in the Rabin government on the expropriation issue.

The extraordinary prospect of Likud MKs joining Arab MKs in toppling the government convinced Rabin to "defer" the expropriation orders at a special cabinet meeting on 22 May.

Ben-Eliezer accepted the turnabout "with a grieving heart." On the other hand, he noted that "Only two plans have been frozen. All other construction in Jerusalem will continue as planned.

The Israeli Peace Camp and Expropriations

Tanya Reinhart, "Shooting and Protesting."*

The Israeli politicians of the so-called peace camp have a cause to celebrate these days. The confiscation of the 530 dunums in East Jerusalem has been suspended. Now, they say, all supporters of peace need to be united in defending Rabin's government and its peace process. Let us not be pusillanimous, they add, and let us forgive the government—for the sake of peace, of course—for over 60,000 dunums which it has confiscated in the West Bank alone since the Oslo Accord. Of top priority should now be a speedy implementation of the second stage of "interim solution," as Meretz asks Rabin to do.

Indeed, the implementation of the second stage of "interim solution" is already in process all over the West Bank. By mid-May the [Israeli] treasury transferred to the army 300 million shekels out of the billion shekels allotted for the purpose this year. And what is the army doing with this enormous sum? It is constructing bypass roads to serve the needs of the [Jewish] settlers and to assure "that their social structure would be preserved." So far, the [Israeli] government has approved the construction of 130 km of such bypass roads. As is known, roads are not constructed in heavens, and land must be confiscated for the sake of their construction. According to my best sources more than 11,000 dunums of land were confiscated in the last few months for this purpose, and according to the recent *Ha'Arezt* revelations, more such huge confiscations are to be expected.

During the very time when the "peace camp" celebrated those 530 dunums, the Supreme Court discussed quietly a symbolic case of confiscation. Acting through advocate Avigdor Feldman, a group of Palestinians of [the town] Al-Bireh asked the court to stop the confiscation of their land for the purpose of a road intended to connect the settlement Pesagot with the settlement Givat Ze'ev. The representative of the state claimed that the confiscation has a useful purpose since it was intended to facilitate the implementation of the second stage of the Declaration of Principles

(DOP). It was also claimed that according to the international law, land confiscation intended to facilitate conditions for peace is permitted. On the basis of such arguments it could even be supposed that in two years time when, according to the DOP, the second stage is going to end, Israel intends to destroy the roads it is now constructing and return the land to its rightful owners who will then plant orchards on it.

But whatever this government does, Meretz will continue to support it and Hadash will continue to keep its silence as a party even more serious in its support of the peace process than Meretz. They do so in spite of the fact that the government declares openly that not only would no settlement be removed during the "interim period," but also that the government is duty-bound to assure the quality of life in the settlements before Israel begins the formal transfer of law enforcement in the downtowns of some cities of the West Bank to the Palestinian police as Arafat desires it, with the effect of freeing those cities from any intervention of human rights organizations and of any appeals to the Supreme Court. This is why Arafat implores everybody in the peace camp to keep quiet about anything the government may do. And even more intently, he implores everybody in the peace camp to exert their influence so that B'Tselem and other human rights organizations stop bothering him. Human rights should be sacrificed for the sake of peace.

It is now becoming more and more apparent that the Israeli left has renounced its long-standing commitment to end the conquest of the territories for the sake of preventing Likud to return to power. The latter aim is now considered overriding in importance anything else. There even appeared a new slogan "Let anything happen as long as Likud is not in power!" Keeping Rabin's government in power has top priority. Everything else can wait. Hadash, which considers itself the hero of the hour because Rabin suspended the confiscation of those 530 dunums under its pressure, kept reiterating throughout the crisis that "it would do everything it can not to jeopardize Rabin." Its Knesset member Hashem Mahmeed declared that even if the present government falls, Rabin would be in the position to form a new government with the assured support of Hadash, which would then simply demand a higher price for its support. Hadash

* *Yedi'ot Aharonot*, 31 May 1995, translated in Israel Shahak, *From the Hebrew Press*, July 1995.

proved that it is the same kind of party as Meretz and Shas: ready to support anything for a good tit for tat.

"Let anything happen as long as Likud is not in power!" is now the only slogan unifying what once was the peace camp. Otherwise they are shooting and protesting. One hand is confiscating land and the other is raised in protest. "There is no other choice," they say, "we have to stop Likud." One has to acknowledge that Rabin knows how to pay. Meretz has four ministers, Yossi Beilin is now becoming one and perhaps even Tamar Gojanski of Hadash will—she is a Jewess after all—become a deputy minister in charge of something or other. In general, Rabin knows all too well that since his government depends on the votes [of Knesset members] from the peace camp he has to reward its leaders who deliver these votes.

But in reality there is no difference whatsoever between Rabin's and Likud's plans. The only difference is that Rabin succeeds in putting them into effect because he encounters no opposition from the left. This is why every day that his government exists means more and more irreversible acts of dispossession and land confiscation in the territories. Let me just mention one. As is known, some settlements in spite of the good financial conditions offered attracted only highly ideologically motivated Jewish settlers. It was because the roads leading to them often passed through or near Palestinian localities; and ordinary Israeli Jews didn't want to risk being showered by stones on their way from or to work. Through the construction of bypass roads Rabin's government solves this problem. From now on we can expect that ordinary Israeli Jews will not hesitate to settle anywhere in the territories.

The only way that remains open to the remainder of the left is to return to opposition, to renew the struggle against the conquest, and to resist by any means possible the implementation of what this government calls the "interim solution."

UN Security Council Debate on the Expropriations, May 1995

From *Settlement Report*, July 1995.

[From 12 to 17 May, the United Nations Security Council discussed Israel's planned land expropriations in East Jerusalem. The resolution calling upon Israel

to rescind the expropriation orders was vetoed by the United States (see Doc. A2 in JPS 96), with all other members of the council voting in favor. Excerpts from the debate follow.]

Mr. Nasir Al-Kidwa (Permanent Observer of Palestine):

. . . Recently, we became convinced that a new era had dawned in the Middle East and in the history of the Israeli-Palestinian relationship as a result of the important and fundamental development of the signing of the Declaration of Principles between the Palestine Liberation Organization (PLO) and the Government of Israel. . . .

The minimum level of compliance with the contractual obligations of the parties, and negotiation in good faith, requires that the parties do not make changes on the ground that prejudice the results of the negotiations or influence it. . . . Such acts violate the Hague Regulations of 1907 and its Annexed Regulations and the Fourth Geneva Convention of 1949. This is exactly what Israel has recently done with its announcement of new confiscation orders of 53 hectares of East Jerusalem land and the announcement of plans for the construction of residential units for settlers and another unit for police use. . . . We believe that the cosponsors have to intensify their efforts to rescue the process . . . by pushing for the parties' implementation of their contractual obligations. The American cosponsors carry a larger responsibility in this regard because of the letters of assurance they provided to the parties participating in the process, including the letter of assurance to the Palestinian side, which was an integral component of the basis for Palestinian participation in the whole process. That letter of assurance, dated 24 October 1991, states the following about the issue of Jerusalem:

The United States is opposed to the Israeli annexation of East Jerusalem and the extension of Israeli law on it and the extension of Jerusalem's municipal boundaries. We encourage all sides to avoid unilateral acts that would exacerbate local tensions or make negotiations more difficult or preempt their outcome.

We are now witnessing precisely such actions, and we hope that the United States will take a clear position in keeping with its assurances in this regard.

Mr. Gad Yacobi (Israel):

... There is no contradiction between the peace process and continued development in Jerusalem for the benefit of all its residents, both Jewish and Arab, and if one looks at the Declaration of Principles one will find no reference to any prohibition of development activity in Jerusalem. . . .

Accordingly, we believe that any attempts to address this issue outside the agreed-upon framework stands in contradiction to the letter and spirit of the agreements signed by Israel and the PLO and to the principles of the peace process. We therefore call upon the members of the Security Council not to take any action on this matter.

Sir David Hannay (United Kingdom):

... We (also) consider that the decision [to expropriate lands in East Jerusalem] is contrary to the spirit of the Declaration of Principles agreed by Israel and the PLO in 1993, which reserves the issues of settlements and Jerusalem for the final status negotiations. This decision in a sense prejudices the outcome of those negotiations.

If it pursues this course of action, the Government of Israel would, we believe, undermine the peace process and play into the hands of those who oppose it. We therefore strongly urge Israel to reconsider its decision.

Mr. Edward W. Gnehm, Jr. (United States of America):

In regard to the Israeli notice to expropriate land in the Jerusalem area, my government has publicly stated that this is not particularly helpful to the peace process. Indeed, it is difficult to see how such actions promote the peace process.

Having said that, we do not believe that this is the appropriate forum for dealing with this issue, which is for the parties to this dispute to address. Indeed, Israel and the Palestinians have demonstrated their abilities to contend with and resolve difficult issues in the search for peace. . . .

Debate in this council on issues which are for the parties to address will only distract attention from their efforts and have a negative impact on the process. None of us, I am sure, wants to see that happen. It is therefore incumbent upon us that we not undercut the peace process with a divisive debate or hasty action. Instead, we must act in a manner that encourages the

parties in their search for reconciliation and by doing this nurtures the peace process.

Mr. Jean-Bernard Merimee (the president of the council, speaking as the representative of the European Union):

... [Through the expropriations decision,] the Israeli authorities seem to be reaffirming their de facto hold on Jerusalem and are blatantly modifying the status quo in that city, whereas the spirit of the Declaration of Principles is to maintain the situation as it stands so long as negotiations on the final settlement have not been concluded. Everyone knows the extreme sensitivity of the question of Jerusalem. Everyone recalls that the annexation of Jerusalem was condemned by the international community and has still not been acknowledged. . . .

The reason given to justify these expropriations is of just as much concern to us. . . . A total stoppage of work on new settlements is absolutely essential for progress in the peace process.

For those reasons, we feel that it is legitimate to demand the withdrawal of the expropriation measures. The European Union calls on the Government of Israel to reverse its decision and to refrain in future from taking new measures of this type. . . .

The parties have agreed that certain items should be dealt with during the discussions on the final settlement. That does not mean in any sense that international law no longer applies to those issues. Neither does it mean that the serious developments that affect them should not be brought up by the international community. The peace process, which is based, *inter alia* on Security Council resolutions, is part of a long history that it is trying to transcend. It cannot, however, erase it, for a lasting peace can be built only through respecting what the other side deems essential.

Mr. Robert Fowler (Canada):

Canada believes that the recent decision by the Israeli government to expropriate land in East Jerusalem is extremely unhelpful to the peace process and is contrary to the spirit and intent of the Declaration of Principles agreed by Israel and the Palestine Liberation Organization (PLO). It also contravenes the provisions of the Fourth Geneva Convention, which apply to the entire West Bank including

East Jerusalem, and which prohibit changing the demographic balance of or otherwise modifying territories under occupation. . . . Like many other friends of Israel, Canada calls on the Government of Israel to reconsider its decision to expropriate those lands.

[After the vote, the various representatives made statements. U.S. Ambassador to the UN Madeline Albright's statement was reproduced as document D7 in JPS 96. Excerpts from the statements of other representatives follow:]

Sir David Hannay (United Kingdom):

In our view the draft resolution represents a calm but clear statement of the legal position. The cosponsors of the draft resolution accepted all the amendments proposed by the European Union members of the council, and, as a result, the text avoids any reference to wider issues, apart from a clear declaration of support for the peace process.

We very much understand and sympathize with the attachment to Jerusalem of the Israeli people, which was expressed by the permanent representative of Israel during the debate. But we believe that the Government of Israel should recognize that others feel equally strongly about the city, and should refrain from taking actions which seek to change the status quo on this most sensitive of all issues before the conclusion of the final-status negotiations.

Mr. Wang Xuexian (China):

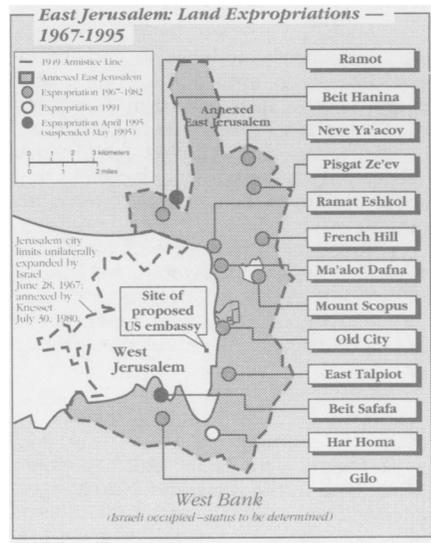
It is fair to say that the requests contained in the draft resolution were reasonable and appropriate and that its language was moderate. If the draft resolution had been adopted, it would have contributed greatly to the peace process in the Middle East, not damaged it.

Mr. Merimee (the president of the council, speaking as the representative of France):

Along with all the other countries of the European Union, France recalls that these expropriations are contrary to international law and violate, in particular, provisions of the Geneva Conventions. Furthermore, these measures have been explicitly forbidden by several resolutions

of the Security Council and disregard the spirit of the Declaration of Principles signed on 13 September 1993.

The parties to the peace process decided to reserve for future negotiations discussion of the most delicate matters, including Jerusalem and settlements. In no instance can this indicate that international law does not apply in the meantime. To the contrary, Jerusalem remains an occupied territory, and will remain so as long as the parties have not agreed on its final status. Until that day, which we hope will come as soon as possible, all international conventions and United Nations resolutions apply to the Holy City.



<p>CONSTRUCTION EFFORTS GO FORWARD</p>
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Rabin's "Battle for Jerusalem" Shifts into High Gear

From *Settlement Report*, July 1995.

The abortive effort to expropriate Palestinian lands in Jerusalem has focused attention on the Rabin government's current construction policies, which are proceeding in the spirit of the plans announced in October 1990 when Ariel Sharon was minister of housing and construction. The Likud's intention was to increase the Israeli population of these areas—then 120,000—by 50 percent through the construction of 15,000 dwelling units in the 1990-93 period. Sharon explained at the time that, "We are going for a massive construction plan in the heart of Jerusalem, at least 5,000 [units] a year for the next eight years, most of it in East Jerusalem."

The government of Yitzhak Shamir, as well as the municipal government led by Teddy Kollek, saw an opportunity at the time to exploit the unprecedented numbers of immigrants from the then-Soviet Union to increase the Israeli Jewish majority in the city. "For the first time since 1967," noted an internal working paper of the Jerusalem municipality, "a possibility exists to alter the demographic balance of the city, not only to preserve it."

Fewer numbers of new immigrants settled in Jerusalem than planners had hoped, and plans to break ground on 5,000 new units annually have been scaled back in recent years to reflect a nationwide consolidation after the rush in immigration subsided after 1992. However, this reduction is relative. Compared to the 1967-90 period, the settlement communities in East Jerusalem today are in the midst of a boom in new housing construction which can be expected to add 3,000 new units annually to the 38,500 already in place.

Today, housing policy in Jerusalem under Yitzhak Rabin's Labor government is based on making certain that Israel suffers no loss of sovereignty in the annexed areas during final status negotiations with the Palestinian Authority scheduled to commence next year. Minister of Housing and Construction Binyamin Ben-Eliezer has described this effort as "the battle for the destiny of Jerusalem."

On 4 May, Ben-Eliezer announced that Israel will build 30,000 new housing units in Jerusalem (East and West) over the next five years, vowing that additional land expropriations will be made as needed. Major construction is currently planned for the following areas:

Har Homa. Ground is about to be broken for 6,500 units on this key stretch of land between the Palestinian village of Umm Tuba [in Jerusalem] and the West Bank village of Beit Sahour. Har Homa is the linchpin development for completing the establishment of large-scale housing estates for Israelis all along Jerusalem's southern perimeter. When these estates are completed, Jerusalem's Palestinian neighborhoods throughout East Jerusalem will have been all but cut off from their West Bank hinterland by a ring of East Jerusalem settlements housing more than 200,000 Israelis.

Airplane Hill. Three thousand dwelling units have been approved for this location just west of Har Homa.

Settlement X. Two thousand units have been approved for this development, located between Har Homa and Airplane Hill.

Current Construction in the West Bank

[There are currently about 5,000 dwelling units under construction in West Bank settlements. This represents just under 7 percent of the 82,000 units under construction nationwide in March 1995 (the latest date for which numbers are available), a percentage consistent with the historical average.]

Throughout the West Bank, ambitious plans for additional housing have been somewhat delayed by the fact that the special ministerial council established in January 1995 to review settlement plans has not been convened since its first meeting: As a housing ministry official explained, "In the current situation, all construction in the territories is problematic. . . . It is simply preferable not to convene the ministerial committee." When the committee last met in January, it approved the construction of 4,100 new units as part of a four-year plan for the construction of 16,000 units. These are going ahead as planned, but with the postponement of subsequent council meetings, the Housing

Ministry has been unable to get approval on the plans it was expected to put forward for an additional 6,000 units, most of them in the Jerusalem area.

The following figures were compiled from various press reports and official Israeli government statements. They do not cover activity in every settlement and should be regarded as informed estimates only, given the incomplete nature and constant fluctuation of the numbers appearing in published reports.]

West Bank Settlements

	Under Construction	Construction Starts Approved	Completed in 1995
Aley Zahav	20		
Alon Shvut	34		
Argaman		8	
Beitar	1,100	900	1,920
Beit Horon	50		
Elazar	95		
Givat Ze'ev	500	1,300	1,140
Givon		250	
Hamra		8	
Har Adar		703	
Hinnanit	30		
Kedar	42		
Kiryat Sefer	200	400	
Ma'ale Adumim	2,000	2,000	800
Mitzpe Jericho			25
Mod'in	600		
Neve Daniel	46		
Omarim			35
Oranit	400		
Pdu'el	20		
Pnei Hever	22		
Ro'i		8	
Sdemot Mehola		10	
Tomer		10	
Yafit		6	

THE ISRAELI-PALESTINIAN FRONT

The Settlements as a Final Status Issue

Middle East Study Group of American Academy of Arts and Sciences, "Status of Israeli Settlers on Palestinian Territory," (excerpts).*

[The following excerpts spelling out settlements options are taken from the report of

* Jeffrey Boutwell and Everett Mendelsohn, principal authors, *Israeli-Palestinian Security: Issues in the Permanent Status*, Report of a Study Group of the Middle East Program, Committee on International Security Studies, American Academy of Arts and Sciences (Cambridge, MA: American Academy of Arts and Sciences, 1995).

the study group comprising Israelis Joseph Alpher, Shlomo Gazit, and Ze'ev Schiff; Palestinians Ahmad Khalidi, Nizar Ammar, Yezid Sayigh, and Khalil Shikaki; and Americans Jeffrey Boutwell, Everett Mendelsohn, Shibley Telhami, and Naomi Weinberger. The study group met from August 1992 through May 1994.]

The political sensitivity of the settlements issue with the Israeli public is born out by polls showing deep divisions regarding their long-term future. Polls taken in early 1994 (prior to the Hebron massacre) showed 55 percent of respondents opposed to removing the settlements in a permanent status agreement, with 45 percent in favor of dismantling settlements. Complicating the picture, however, is the fact that 87 percent of Israelis are in favor of granting financial aid to help settlers relocate into Israel, which perhaps demonstrates some flexibility in Israeli public opinion should the economic and security needs of the settlers be safeguarded.

Rabin himself has indicated that he is not irrevocably committed to all the settlements, should they interfere with a potential peace accord. . . .

In light of Rabin's attitude toward the settlements both on the Golan Heights and the West Bank, it is not surprising that settlement residents and leaders are uneasy about the future of the settlements and the government's long-term commitment to them. Despite this uncertainty, there has, nonetheless, been a net gain in the number of residents in the West Bank settlements (perhaps as much as 10 percent) since the Oslo accords were signed. This increase, plus doubts about the Rabin government's commitment to halting settlement activity, has made the Palestinians similarly uneasy about long-term Israeli intentions. Even as Palestinian autonomy was initiated in the Gaza Strip and Jericho, construction of new settlement housing has continued in some parts of the West Bank, especially in and around East Jerusalem. This has been accompanied by settlement construction close to the Green Line, especially in the Ariel and Etzion bloc areas. Moreover, the election in November 1993 of a Likud mayor of Jerusalem, Ehud Olmert, ensured a continued expansion of Jewish settlements to the north and east of the city on the Mount of Olives and around Ras al-Amud in the direction of Ma'ale Adumim, in addition to building large Israeli housing units in the

heart of neighborhoods in Arab East Jerusalem.

In microcosm, then, the settlements issue highlights the difficulty of reconciling Israeli-Palestinian differences on how to achieve both functional security (preventing conflict between Israeli settlers and Palestinians) and existential security (Israeli sovereignty over the settlements versus the legitimacy and needs of a sovereign Palestinian entity). By the same token, looking at the settlements from purely a security perspective, it is quite legitimate to ask the question: If no settlements existed today, would there be any security justification for building them?

In looking ahead to the permanent status negotiations over the settlements, there are several quite different sets of options for resolving these politically charged issues. Moreover, elements of these options can be successfully explored even prior to the final date for starting the formal talks in the spring of 1996. The emergence of visible guiding principles could well serve to dampen tension and to clarify current ambiguities for residents of the settlements, as well as their opponents. Examination of the security implications of these options, as well as their political-religious-ideological dimensions, may add important elements to the discussion and debate that is taking place within both the Israeli and Palestinian communities. Given that the settlements serve/affect different people in different ways, the implications of the four options outlined below, for both settlement dwellers and Palestinians, should also be part of the equation.

One such option would involve the phased dismantling of all or almost all of the Gaza and West Bank settlements, with the concomitant reduction of the extensive security arrangements thought necessary to protect the settlements and settlers as outlined in the Oslo and Cairo accords. The timing could directly match the transition from the interim to the permanent status periods, or, if mutually agreed to, extend beyond the transition period and be phased over a longer time interval. Compensation for those moving back across the Green Line would certainly ease this move for many settlers. If undertaken during the interim phase, this option would relieve the IDF and other Israeli security forces of a substantial burden. From the Palestinian perspective, this option would be politically popular and would increase both the legitimacy of

the Palestinian National Authority and ease the police task of curbing Palestinian violence against the settlers. This option would also remove the settlements issue from the discussions which will focus on creating secure and reasonable borders for the Israeli and Palestinian states.

A second option favored by a number of Israelis involves a mixed demographic-political solution. Areas lying adjacent to the Green Line that comprise 10-15 percent of West Bank territory contain some 60-70 percent of Israeli settlers. Some propose that these areas be annexed to Israel, thereby incorporating a large majority of the settlers into Israel itself. The remaining settlements in the West Bank, and all of the Gaza settlements, would then be dismantled and the residents returned to Israel, or integrated into the annexed settlements. If accepted in the negotiations as part of an exchange of territories, such as transferring the Umm al-Fahm triangle to Palestinian sovereignty (or other nonterritorial elements), this option is seen by its proponents as constituting an effective political and demographic solution to the issue. The settlements to be closed, including several (Kiryat Arba and Elon Moreh) in which the most militant settlers live and which would present substantial security dangers if left untouched, would become politically isolated in terms of Israeli public support, since the majority of the other settlements would be maintained.

Even this redrawing of Israeli-Palestinian borders in a radically gerrymandered fashion, however, has one significant drawback: The territory involved (depending on the actual borders) is inhabited by as many as 40,000 Palestinians living in long-established villages and towns. In effect, solving the problems of an estimated 70,000 Israeli settlers could displace tens of thousands of Palestinians, either politically or physically. Unless these Palestinians choose to move across the proposed border back into Palestine, they would be added to the Palestinian Arab population of Israel, exacerbating an already sensitive demographic and political issue within Israel. Some advocates of this option also suggest maintaining a number of the early "security" settlements built in the Jordan Valley following the 1967 war. The number of settlers is small, however, and in light of the other security arrangements already made with Jordan, their contribution to Israel's strategic security has greatly diminished. Given that these settle-

ments are already quite isolated and that the Palestinians would find it difficult to accept them, retaining them once a Palestinian state is established might actually represent a security liability for Israel.

A third option advanced by some for whom the West Bank settlements represent a religious rather than a political fulfillment, would allow Israeli settlers to remain as residents of the West Bank but as citizens of the new Palestinian state, subject to its laws and regulations. Presumably, this option would not be chosen by many Israeli settlers and would be especially shunned by those who have strong nationalist claims to the West Bank. If included in the permanent status agreements, however, this option would have the effect of obviating the claim that the Palestinians were trying to create a "Jewish-free" area in historic Palestine.

A fourth proposal that has been tentatively examined involves a variant of option two, in which certain areas of the West Bank would become zones of mixed sovereignty, rather than being directly annexed by Israel. Israelis and Palestinians living in these areas would remain citizens of Israel and the new Palestinian state, respectively. As much as possible, local government administrations would reflect demographic patterns, creating Palestinian or Israeli counties and municipal areas within these mixed sovereignty zones. In cases where the two populations are tightly interwoven, there would be joint town or municipal administrations. Since some of the areas of mixed population under consideration are currently in Israel, these regions also would become part of the mixed sovereignty zone. The potential political gain of this option is that neither Israelis nor Palestinians would be forced to move or give up their national citizenship. Also, this option covers roughly the same number of Israeli settlers, 70,000 to 80,000, as option two above. Security would largely be handled by the respective police forces of the two sides, though close Israeli-Palestinian cooperation and coordination would be required. Unlike the current situation in the interim phase, however, the two sides would be working as equals. This option may well be unworkable at the present stage of Israeli-Palestinian relations. Few

precedents exist for mixed sovereignty over peoples and territory, and the planning and experimentation needed to make it work may well be beyond both parties. A willingness on the part of both communities to develop the necessary trust and communication would be essential for the success of this proposal. The proposal also has clear implications for ways of resolving the issues of Jerusalem. Nationalism itself, however, may be too strong a component of the politics of both communities for an option of this sort to be realistic.

In sum, the presence of up to 140,000 Israeli settlers (not including those in greater Jerusalem) living among 1.8 million Palestinians in the West Bank and Gaza Strip creates substantial problems in working out a successful permanent status agreement. Various options may arise both prior to and during the negotiations. As the date for the permanent status negotiations (May 1996) draws closer, a date only a few months prior to the next scheduled Israeli elections (October–November 1996), Israeli commentators have asserted their belief that no Israeli government—Labor or Likud—could relinquish all the settlements and survive politically. For the Palestinians, on the other hand, it seems clear that any permanent status agreement which significantly reduces the size of West Bank territory, without important territorial exchange or other visible compensation, would face grave political difficulties.

In the end, then, it will take a combination of political will and political ingenuity to reach an acceptable compromise that satisfies the security requirements and national aspirations of the two sides. An agreement that does not provide for meaningful self-determination and the achievement of real sovereignty for the West Bank as well as Gaza is almost certainly unacceptable to the Palestinians. As noted above, the cost of failing to arrive at a mutually acceptable solution, or [arriving at] one that seems coerced, would leave the Israelis and Palestinians in a state of extended distrust and recrimination. It would also provide additional grounds for Palestinian rejectionists to oppose the peace process and would pose the threat of long-term irredentism.