

6. The Settlements

RON NACHMAN WINCED and his lips emitted an audible grunt of pain as he pushed himself from his car to stand erect on the road that traces the settlement of Ariel. Ariel is one of three West Bank settlements that are also cities, a source of considerable pride to Nachman, who founded the place twenty-seven years ago and now serves as mayor. He has been losing bone at the base of his spine for several years and is now rarely free of acute distress. Yet he is a proud, combative man who does not dwell on the bad cards he has been dealt, but rather on how he has played his hand. He provided a taste of his gruff personality by delivering a long, plaintive lecture to one visitor who had referred to him as a “settler.”

“Let the Arabs call us settlers,” he declared. “I’m a fourth-generation Jewish Palestinian. My great-grandfather came here in the first *Aliyah*. That was 1885. My family has never left. This is our land.¹

“You’ve already seen what we started with here,” he continued, referring to photographs of a single caravan resting on a pile of rocks. “Well this here is the first row of houses I put up, right along the ridge line.” He paused long enough to allow his listeners to get a fix on Palestinian villages visible from the ridge. “I wanted the Arabs in those villages down there to see us every

1. Ron Nachman, notes of interview with author, Ariel, approx. August 9, 2005.

time they came out of their doors. I wanted them to know we are here. I wanted them to know we weren't going anywhere."²

The Arabs have ample reason to know that Ariel is there. It runs for 3.1 miles along a ridge line that begins at an altitude of over 1,800 feet and climbs another 400 feet. The town has its share of needed and ongoing changes. Still to be repaired, for example, is a gymnasium roof that caved in years ago during a mighty snow storm; Nachman claims a freeze on settlement construction imposed during the premiership of Yitzhak Rabin is to blame. Several hundred yards away a bulldozer was preparing the ground for construction of a temporary fence to protect the settlement from Palestinian infiltration. The Sharon government had announced months earlier that the West Bank security wall would protect Ariel, its bloc of at least fourteen settlements, and some thirty-seven thousand settlers, but quiet U.S. pressure caused Sharon to postpone the link. At least seven illegal outposts also reside within the Ariel bloc. Their apparent purpose is to further isolate the Palestinian villages while providing the Israeli settlements in the area with greater contiguity.

The large Palestinian town of Salfit sits to the south of Ariel; to the north are several smaller Arab villages. Modern highways—Route 60 runs north-south while Route 5 runs east-west—serve the settlements but have been closed to Palestinian motorists during most of the period since the Second Intifada began. When our car with three passengers turned from Ariel in the direction of Jerusalem, IDF troops at a guard post urged us to turn back because of sniper fire along the road. We did.

The visitor is soon lost in a haze of road numbers amid the names of Jewish settlements and Palestinian villages. Even so, what is strikingly clear is that the infrastructure developed over the years was put in place to suit what an old administrative law

2. Ibid.

practitioner in the United States might have termed the “public convenience and necessity” of the settlers and not the Palestinians. It is the latter’s villages that have lost contiguity because of the roads and settlement boundaries, their farmlands that wound up on the wrong side of a road or fence, their commuting time from village to village that has doubled or trebled, their access to schools, hospitals, jobs, and former neighbors that has been made infinitely more challenging.

“We’re not trying to make life tough for them,” Nachman insisted. “See down there. That’s a tunnel we’ve built that goes from the village to the agricultural land. That solves one problem. We’re trying to live with them, not drive them out.” He speaks haltingly of the kind of political solution he envisions. Maybe a few slivers of land on the West Bank could go to the Arabs. Politically, however, those people should be participating in the Palestinian state that has become Jordan. After all, Jordan already has a Palestinian majority. And clearly they are not Israelis. Demography? Not an issue. National identity is all that counts.

Nachman is far from the only Israeli to urge the involvement of neighboring Arab states in solving the Israeli-Palestinian conflict. Israel Harel, a reflective *Haaretz* columnist, believes the Palestinians keep trying to eliminate Israel because they know that even 5,500 square kilometers—all of Gaza and the West Bank—is insufficient for the large, rapidly growing Palestinian population. The key to his solution is thus to convince Egypt to donate about thirty thousand square kilometers of the now barren Sinai which the Palestinians could live on, farm, and own.³ The proposal reminds one of the tale of a Jewish village in tsarist Russia that debated whether it would be a good or bad thing for one of the eligible village girls to wed the tsar’s son. After hours of back-

3. Israel Harel, “Preserve The Land,” in *Israel and the Palestinians: Israeli Policy Options*, ed. Mark Heller and Rosemary Hollis (London: Chatham House, 2005), p. 47.

and-forth the shared conclusion was that the step would be beneficial. “Wonderful,” declared the local wise man, “now all we have to do is convince the tsar.”

The Labor government that presided over the colossal victory in the 1967 Six Days’ War explored “land for peace” options with its defeated neighbors during the period that followed but never concluded a deal. Partly this was due to the collective Arab mindset at the time, best illustrated by the famous “Three No’s” resolution adopted by the Arab League Summit in Khartoum that September: “no negotiations, no recognition of Israel, and no peace with the Zionist entity.”⁴ At the very least, regional political conditions were not conducive to a land for peace arrangement.

Nor did the international scene improve matters. On November 22 of the same year, the UN Security Council passed Resolution 242, calling on Israel to withdraw from “territories occupied” during the war. This is a formulation that, in the context of the Palestinian-Israeli and Arab-Israeli land debates and related provisions declaring the right of states in the region to “secure and recognized boundaries,” cannot be interpreted as requiring either a total or an immediate Israeli pullout. Although coming amid a now-defunct cold war superpower rivalry for influence in the Middle East, this international development has borne upon the status of the Occupied Territories through to the present.

At the time of the 1967 victory, the Israeli government had no immediate interest in settlements. Rather, Defense Minister Moshe Dayan believed in self-government for the Occupied Territories, assuming the interim period of occupation would be followed by a negotiated end to the conflict. Dayan deferred to the Jordanians in matters of social and political concern to the Palestinians. The Jordanian dinar was the local currency, local Jordanian law remained in place, and a revised Jordanian curricu-

4. Ibid, p. 39.

lum was taught in the schools. While over time the economic relationship between Israel and the territories took on more than a faintly colonialist hue, at the outset the relationship seemed to reflect mutual interest. Soon Palestinians were providing one-quarter of Israel's factory labor and one-half of its construction and service labor. The territories became important markets for Israeli goods. The Labor government introduced mechanized agriculture to places where none had previously existed, brought television to the territories, and initiated educational and health care improvements that had strong quality-of-life components. Between 1968 and 1973, the GNP of the territories grew at a stunning annual rate of 14.5 percent.⁵

The government had no immediate intention of building settlements in the Occupied Territories, but some of its citizens did. The breakthrough came at a place named Kfar Etzion, a place just east of Jerusalem abutting today's Green Line. In 1927, a group of ultra-orthodox Jews from Jerusalem and a handful of recently arrived Yemenites founded the settlement, calling it Migdal Eder. It was destroyed by rioting Arabs two years later. A few years afterward, the site was purchased by a man named Shmuel Yosef Holtzman, who named it Kfar Etzion in his own honor. This settlement lasted only until the outbreak of the 1936 Arab uprising, when its residents fled and its structures were demolished. Jews again returned to build four communities during the 1943–47 period, but they fell to the Jordanian Army in the 1948 war; little if anything was left standing. Fifteen captured Jewish fighters were machine-gunned by the Jordanians. Because of that atrocity many of today's settlers believe they live on hallowed land, drenched as it is with Jewish blood.⁶

5. United States Library of Congress, *Country Studies: Israel*, "The Occupied Territories." Available online at <http://countrystudies.us/israel/>.

6. Dror Etkes and Lara Friedman, "Gush Etzion," *Settlements in Focus*, Peace Now/Americans for Peace Now, November 2005, p. 1.

After Israel recaptured the area in 1967, a number of Israelis—including descendants of those who fell fighting the 1948 battle for the settlement—asked the government for permission to resettle the area. Jerusalem refused but the settlers moved on their own. Before long, the government found itself defending them against Palestinian attacks and providing the full range of social and educational services to make the settlements viable.

A second case of such “adverse possession” involved the biblical city of Hebron, where Abraham and his family are believed by many Jews, Muslims, and Christians to be buried. Jews had lived in Hebron over the centuries, even when the territory was under the control of other actors. In 1929, frenzied anti-Jewish Arab mobs brutally murdered sixty-seven Jewish residents of the city even as more than four hundred others were given refuge by Arab neighbors. The survivors soon left Hebron.⁷

In 1968, extremist Rabbi Moshe Levinger organized a movement to resettle all parts of biblical Israel beginning with its most ancient city. He and his followers advertised for fellow Jews who wanted to spend Passover in Hebron and wound up with eighty-eight celebrants at the city’s Park Hotel. Days later, Levinger announced his intention to stay in Hebron. Dayan proposed instead that the settlers move to a military base overlooking the city. Such was the founding of the Kiryat Arba settlement.

In 1978, a group of ten women and forty children moved in the dead of night from Kiryat Arba to a medical clinic, Beit Hadassah, which had been abandoned since the 1929 riots. By that time, Menachem Begin and his Likud Party were in power in Israel and while he favored settlement of the entire land of Israel, he was wary of putting Jews in the heart of Arab communities. While Begin’s first inclination was to starve the Jewish residents out, he eventually settled for permitting them to come and go

7. Lara Friedman and Dror Etkes, “Hebron,” *Settlements in Focus*, Peace Now/Americans for Peace Now, October 2005, p. 2.

from Beit Hadassah but to restrict anyone else from entering the building.⁸

On Friday nights, some Kiryat Arba residents, including Yeshiva students, would attend nearby services with the women and children of Beit Hadassah. When the women and children returned to Beit Hadassah, the men and older boys would dance to the building and say prayers over the Sabbath wine for them. In early May 1980, Arab terrorists positioned on a roof across the street from Beit Hadassah attacked the celebrants with guns and grenades, killing six of them and wounding twenty. Begin responded by officially authorizing the establishment of a Jewish community protected by IDF in the heart of Hebron.⁹

That community, along with Kiryat Arba, understandably attracts some of the most virulently anti-Arab Israelis in the entire West Bank, Israelis who in many cases would like to be employed pushing Palestinians back across the Jordan River. The relationship of many of the settlers with the local IDF forces keeping the parties apart is strained; incidents of violence are common. Private Israeli citizens are discouraged from driving their own vehicles to Hebron. Buses serving the city sport bullet-proof windows in an effort to frustrate snipers. On February 25, 1994, Dr. Baruch Goldstein, a Brooklyn-born settler, entered the Ibrahimi Mosque—the Muslim portion of the Tomb of the Patriarchs—and opened fire with his M-16 rifle, killing twenty-nine Arab worshippers and wounding hundreds more before he was killed by surviving worshippers. He was buried at Kiryat Arba, a hero to his fellow Jewish fanatics. A plaque marking his grave salutes him as “a righteous and holy man . . . who devoted his soul to the Jews, Jewish religion and Jewish land. His hands are innocent and his heart is pure.”¹⁰

The early post-1967 Labor governments lacked a desire to

8. Ibid, p. 2.

9. Ibid, p. 3.

10. Ibid, p. 3.

populate biblical Israel with settlers. Most of its leadership, however, had grown up during the pre-statehood Kibbutz Era when tiny outposts offered protection against small-scale raids and provocations, reinforcing the brand of communalism that was a central ethic of the emerging state. For that reason, they listened closely in 1968 when Deputy Prime Minister Yigal Allon proposed a series of settlements along the Jordan Valley and eastern slopes of the mountain ridges that run inland from the Sea of Galilee to the Dead Sea. The area in question, he argued, was critical to Israel's ability to defend itself against attack from Jordan or Iraq. It could be buttressed by a series of purely military outposts (*Nahals*). Due to the oppressively hot climate and marginal agricultural productivity of the area, the local Palestinian population was small so that displacement, perhaps resulting in increased antagonism, could be limited. Accordingly, the "Allon Plan" envisioned future Israeli annexation of the area.¹¹

Today there are twenty-seven Eastern Strip–Jordan Valley settlements and five military outposts with a total of just under nine thousand settlers, but there has been no new construction since the mid-1980s.¹² At one point the Sharon-Olmert government announced its intention to build an "eastern fence" to protect these settlements but deferred to international pressure and has still to begin the project. The organization Peace Now, which tracks settlement activity, recently reported an effort by Minister of Agriculture Yisrael Katz, in conjunction with the World Zionist Organization's Settlement Department, to earmark \$32 million in incentives and other subsidies to attract additional numbers of Israelis to these settlements.¹³ Yet during the 2000 Camp David

11. See "The Allon Plan," MidEastWeb.org. Available online at www.mideastweb.org/alonplan.htm.

12. Lara Friedman and Dror Etkes, "Eastern Strip of the West Bank," *Settlements in Focus*, Peace Now/Americans for Peace Now, September 2005, p. 1.

13. *Ibid*, p.3.

negotiations, Ehud Barak's negotiators agreed to yield the area to Palestinian sovereignty. Apparently, the establishment of diplomatic relations with Jordan and the removal of the Saddam Hussein regime in Iraq greatly diminish the national security value of these settlements even if Alon had a point thirty-five years earlier. In describing his own plans for the West Bank today, Prime Minister Olmert has described the Jordan Valley as Israel's "security border," an imprecise term that, if expansively applied, could add 15 to 35 percent to the West Bank land Israel might seek to appropriate.

Ariel, on the other hand, was precisely the kind of project that marked the difference in ideology between Labor and the Likud a generation ago. Where Labor used settlements to reinforce claims to the Jerusalem area and defend the country against attack from the east, Likud wanted to settle all of biblical Israel. The 1977 election, in which the Likud fused together a coalition of Greater Israel advocates, Jews of Middle Eastern heritage, and those who had never bought into Labor's idealistic socialism, marked an early turning point in the settler movement. Backed by unapologetic expansionist movements like Gush Emunim (Bloc of the Faithful) and resourceful Likud ministers like Ariel Sharon, Israel placed settlements in strategic places, gave them room to grow, and reinforced their presence by putting other settlements nearby, all part of a strategy to make it hard if not impossible for Palestinian villages to expand or to gain the territorial cohesion necessary to form a state. Small at the start, as was typical of most such settlements, Ariel had plenty of elbow room in which to expand. More important, it was smack in the heart of the West Bank. Located ten miles from the closest Green Line point, twenty-five miles from Tel Aviv, and thirty from Jerusalem, it announced to the Palestinians that every part of their land was open to Israeli settlement. Unlike other big blocs such as Gush Emunim and Ma'aleh Adumim, it could not be conceptualized as

integral to Jerusalem or Tel Aviv. And unlike most of the other settlements far from the Green Line, it was and remains overwhelmingly secular.

“We’ve got nearly twenty thousand people now,” Ron Nachman was saying. “Just over half of them [are] Russian. And we’re a city—hotel, university, even an electron accelerator, one of only nine in the whole country. Not bad for a pile of rocks and a caravan.”¹⁴ He failed to mention the municipal court and police station that add to the city’s development and sense of permanence.

Amid fears raised by his embrace of unilateral disengagement, Sharon visited Ariel in July 2005 and told residents exactly what Nachman wanted them to hear. “I want to make it clear,” he emphasized, “that this bloc will always remain a part of Israel and there will always be territorial contiguity between the Ariel bloc and the rest of Israel.”¹⁵ Yet this may be an easier policy to declare than to achieve, particularly if a current or future Israeli prime minister believes he could establish the final Israeli borders through negotiation as opposed to unilateral action. Ehud Barak recalled that at Camp David, he too insisted on retaining Ariel with the support of President Clinton and observing: “Look, I don’t know what will happen. In the past, for me it’s not a hypothesis—I was there and I was ready to go further than any other Israeli leader, and Ariel was inside the line that was proposed by us to the Palestinians and backed at Camp David by Clinton. It included Ariel.”¹⁶

At Camp David, Palestinian representatives rejected the plan. They were clearly concerned about “cantonization,” winding up with pockets of land isolated by Israeli settlements, roads, and restrictive travel arrangements and affecting hundreds of

14. Interview with Nachman.

15. “Ariel—Israel’s Smart City,” *Surprisingly Engaging*, Ariel Municipality & Ariel Development Fund, July 21, 2005.

16. Ehud Barak, transcript of interview with author, Israel, August 17, 2005.

thousands of Palestinians. The issue was finessed in the Clinton Parameters which, according to a Peace Now paper, simply listed relevant goals in dealing with the settlements issue including retaining 80 percent of settlers in existing blocs, ensuring Palestinian territorial contiguity, minimizing areas annexed to Israel, and limiting the number of Palestinians affected.¹⁷ Taking the Parameters a step further, the Virtual Geneva Accord would consider Ariel as Palestinian territory at least until the parties themselves negotiate contrary arrangements.¹⁸ An Israeli source familiar with the period of negotiations that began with Camp David and ended at Taba states that at Taba the Palestinians indicated a willingness to permit Ariel, but not the other settlements and outposts in its bloc, to remain Israeli, all in the framework of land swaps, with some land now part of Israel to go to the Palestinians.

As the blocs have grown, complicating issues have developed. Gush Etzion, for example existed for most of its development as a growing suburb of Jerusalem catering mostly to orthodox and ultra-orthodox residents. These people are settlers only in the technical sense of the word. Their communities are so integral to the Jerusalem area that not even the Palestinians talk seriously about the bloc's separation from Israel at the conclusion of final status negotiations. But one of its newer and fastest growing settlements, Efrat, strays far from the Green Line, running nearly to Bethlehem and thereby restricting the orderly development of affected Palestinian communities. Efrat's leader is Rabbi Shlomo Riskin, who grew up in the Bedford-Stuyvesant area of Brooklyn and for many years presided over the large congregation at Lincoln Center in Manhattan. He speaks proudly of the good relations his community maintains with neighboring Palestinian vil-

17. Dror Etkes and Lara Friedman, "Ariel and Ariel Bloc," *Settlements in Focus*, Peace Now/Americans for Peace Now, May 2005, p. 3.

18. The Geneva Accord, "Draft Permanent Status Agreement," as published by *Haaretz*, October 2003. Available online at www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=351461.

lagers, about eighteen thousand of whom now reside inside the declared borders of Gush Etzion but outside the Green Line.

“Number one, I would like very much to see a Palestinian state,” he said. “I think it’s important for the Palestinians.”¹⁹ Yet Riskin opposed Sharon’s unilateral disengagement plan, claiming it rewarded terrorism. And he was unpleasantly surprised when the Virtual Geneva Accord failed to include Efrat on the Israeli side of the adjusted border. “But some people from the Geneva Accord say they made a mistake by not putting it in,” he noted. “If they had it to do over they would put it in because to break us up from Gush Etzion makes no sense.”²⁰

Throughout Israel, the West Bank, and Gaza, the political situation is in some turmoil and negotiations are on hold—a situation the Hamas victory in January’s legislative races and the results of Israeli elections in March 2006 may do more to muddy than clarify. Still, the facts on the ground do change and bring potentially long-lasting effects. Take, for example, the E-1 project planned by Israel, which is prominent among the litany of Palestinian concerns. To many Israelis, the plan to build a new neighborhood northeast of Jerusalem and west of the Ma’ale Adumim settlement is a logical addition to a stretch of land that may be comfortably categorized as a suburb of Jerusalem and thus, in the Israeli mind, falls outside the mandate of UN Resolution 242 and its post-1973 cousin, Resolution 338. The Israeli anti-settlement community, however, offers a far graver prognosis. As reported by Peace Now:

Construction of E-1 would jeopardize the hopes for a two-state solution. It would, by design, block off the narrow undeveloped land corridor which runs east of Jerusalem and which is necessary for any meaningful future connection between the south-

19. Rabbi Shlomo Riskin, transcript of interview with author, Israel, August 7, 2005.

20. *Ibid.*

ern and northern parts of the West Bank. It would thus break the West Bank into two parts—north and south. It would also sever access to East Jerusalem for Palestinians in the West bank, and sever access to the West Bank for Palestinian residents of East Jerusalem.²¹

As noted earlier, the E-1 controversy does not lend itself to easy compromise. Developed under the Israeli plan, it blocks Palestinian north-south contiguity. In Palestinian hands, it impedes east-west Israeli contiguity.

Meanwhile, the Palestinians take issue with techniques employed by the Israelis to stake out their positions on the West Bank. One is the series of by-pass roads constructed throughout Area C, the 60 percent of the West Bank where, under the Oslo Accords, Israel remained responsible for both security and civil administration until a permanent status agreement is reached. The roads permit Israelis to (1) travel to and from or between settlements while avoiding Palestinian population centers, (2) shorten the line between settlement areas and the Green Line, and (3) develop a sense of community among the various settlement blocs, all the while keeping Palestinian traffic away from the settlements. The roads help define what Israel would claim during any final status talks. That Palestinian traffic, always limited by the few on- and off-ramps in Palestinian communities, was substantially eliminated during the Second Intifada has added the insult of inconvenience to the injury caused by the fact that many of the roads were built in substantial part on privately owned Palestinian lands. Although Israeli law prohibits the construction of settlements on those lands, military seizures for security-related reasons are harder to challenge.

Jerusalem, where the Second Intifada was born, remains a

21. Dror Etkes, Danny Seidemann, and Ir Amim, "What is E-1," *Settlements in Focus*, Peace Now/Americans for Peace Now, May 2005, p. 1.

place vulnerable to bad decisions and allergic responses. Since the Gaza withdrawals, the local Palestinian focus has returned to two Jerusalem-related issues. The first, now on hold, involves a plan by the municipality to demolish eighty-eight Palestinian homes on the southern edge of the Old City called Silwan. The area, believed to have once been occupied by King David, has been zoned for parkland purposes and is now central to city plans for an archeological park around the Old City. Standing alone, the controversy would sear few nerves and quickly pass away, but few things stand alone in the history of Israeli-Palestinian relations, particularly when it comes to Jerusalem.

Nor are events there divorced from personalities. Ariel Sharon, for example, has been at the center of a number of incendiary events involving Jerusalem. Sharon was minister of agriculture in 1982 when he established a special committee whose purpose was to help militant settler groups use government land to establish a foothold at a site near Herod's Gate. As minister of housing in 1991, he tried unsuccessfully to fast-track a similar effort. That same year, a board of inquiry headed by Haim Klugman, director general of the Ministry of Justice, placed Sharon at the center of a series of policies described in a Peace Now report as "tainted by systemic and blatant illegality." Government assets had been funneled illegally to settler groups, which also used falsified documents to seize Palestinian properties. Later, it was as minister of infrastructure in 1998 that Sharon supported settler groups trying to undertake construction at Herod's Gate, a move then being blocked by the Israeli courts. As prime minister, Sharon's failure to meaningfully attack the problem of illegal settlements on the West Bank grated on both Palestinian and American nerves. He was publicly committed to their demolition and was obligated by the first stage of the Road Map document to do so, just as the Palestinian leadership is to dismantle the apparatus of terrorism in its own society. Overall, Palestinians suspected he

was selective in his observance of the law and one-sided in demanding their adherence to cease-fires and confidence-building security measures while ignoring those he saw as inconvenient.

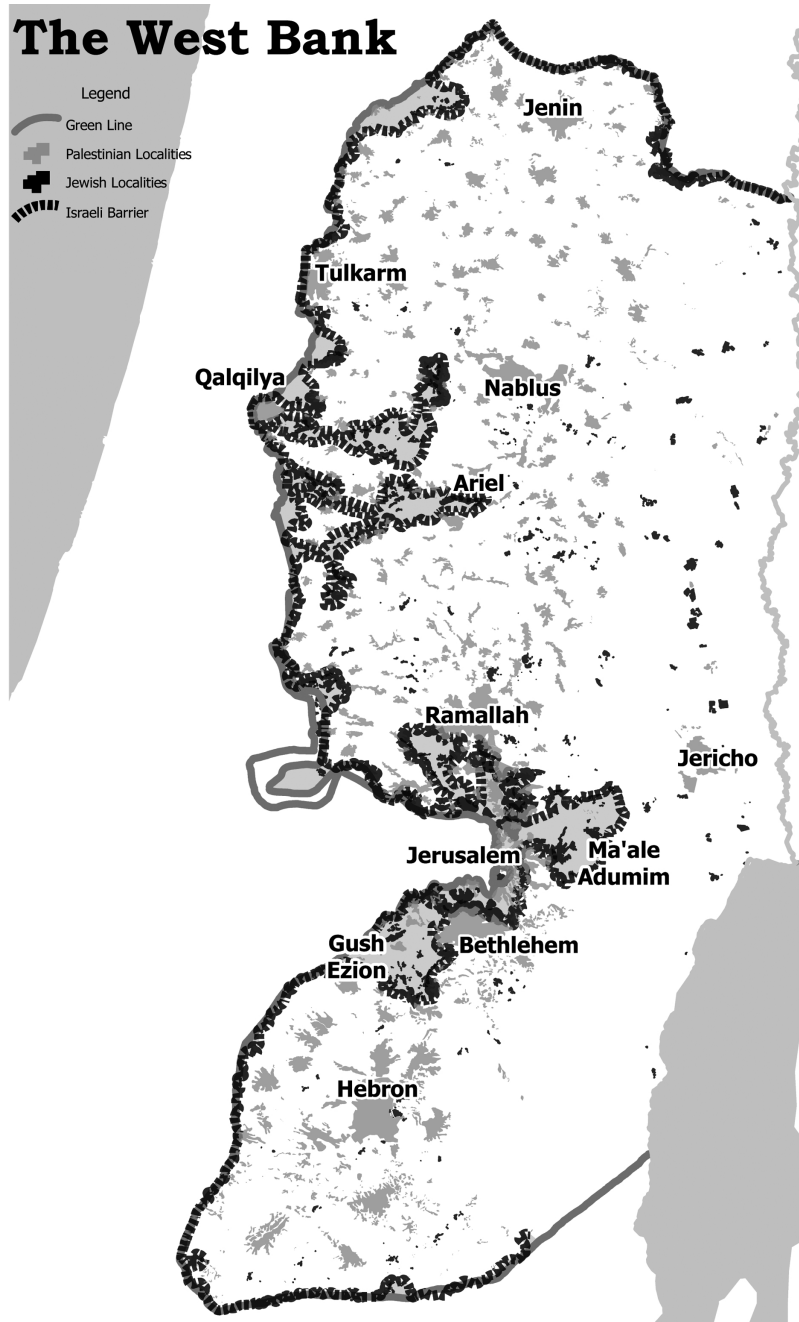
“Sharon underwent a change in the way he looked at settlements,” claims an Israeli who frequently participated in meetings with him. “Until he decided to disengage, he didn’t care about illegal settlements. Once he changed policy, the illegal settlements became important.”²²

One of the important early decisions of the Olmert government will be to define and execute Israeli policy as regards illegal settlement activity. In 2003, perhaps to lay the political groundwork for addressing the issue, Sharon asked a lawyer named Talya Sason to investigate the status of the illegal settlements or, as they are frequently called, “outposts.” Her comprehensive report was issued in March 2005.²³ In it, she documented the practice of establishing the illegal settlements, checked their then-current status, and identified a figure of 105 such outposts, with at least twenty-four having been built after Sharon became prime minister. Peace Now, which has kept track of the growth of illegal settlements for years, has placed their number at over one hundred with just over fifty planted during Sharon’s period in office. As such sources document, the practice first gained impetus after 1993 when Yitzhak Rabin froze new settlement construction on the West Bank and Gaza. Although most illegal outposts started with delivery of a single caravan to a desired location, several now have multiple caravans; many have the permanent structures—administrative centers, classrooms, even homes—which have replaced the early caravans.²⁴

22. Interview with senior Israeli participant, January 2006. By mutual agreement, the conversation was on background.

23. Talya Sason, “Summary of the Opinion Concerning Unauthorized Outposts,” Prime Minister’s Office, Communications Department, Israel, March 10, 2005.

24. *Ibid.*



Sason found a pattern of covert and, in many cases, illegal dealings with the government as typical of the settlement issue over the years. A paralyzed policy emerged as the law ran in one direction and the Zionist ethic in another. That is, those committed to the idea of settlements were far more dedicated to building them than were authorities charged with oversight in stopping them. She found no single agency keeping tabs on the illegal activity while some agencies were in active collusion with the law breakers.

Ms. Sason found the Ministry of Construction and Housing a particular culprit. Not only did it knowingly distribute funds to illegal outposts but it cooked the books by entering the funds in an account whose purpose was expansion and improvement of existing lawful settlements. Further, the Settlement Division of the World Zionist Organization was systematically establishing illegal outposts. Shockingly, she also found some fifteen settlements situated on private Palestinian land, a practice held illegal since an Israeli Supreme Court decision in the late 1970s. In some cases the illegal activities amounted to felonies, but no court had the criminal jurisdiction to try the case. And when authorities would finally exercise the gumption to dismantle an illegal outpost, often the settlers would return in a flash, picking up where they had left off before being interrupted.

According to Ms. Sason, "The big picture is a bold violation of laws by certain State authorities, public authorities, regional councils in Judea, Samaria and Gaza and settlers, while falsely presenting an organized legal system."²⁵

Still, there seems little doubt that the illegal outposts will be gone once the dust settles. They have no strategic value. All are in areas from which the Israelis will certainly withdraw. The demands of the United States, the commitments of Israel, and the

25. Ibid.

insistence of the broader international community are so clear and the political costs of the outposts relative to their strategic worth so great that one has trouble envisioning a contrary outcome. Olmert's approach to the issue was exhibited February 1, 2006, when, pursuant to court approval, he ordered security forces to dismantle the illegal settlement of Amona located near Ramallah. A gathering of settler protesters estimated at two thousand hurled rocks and paint at the security forces, set roofs afire and employed wooden stakes to push back the troops, but they were outmanned and out-equipped. Residents—their numbers swelled many times over by youthful out-of-area protesters—were pulled kicking and screaming from the houses. Local officials and medical personnel estimated the number of injuries at about eighty. In office less than a month, Olmert had shown he could act decisively against militant West Bank settlers, particularly where the issue is illegal outposts. But, particularly in the midst of an election campaign, he did not seek confrontation for its own sake. Perhaps the outposts give him a few cards to play in order to pre-empt more serious demands. Or perhaps he is delighted to have Israel's Road Map noncompliance juxtaposed with that of the Palestinians, entangled as they are with the far more difficult terrorism issue.

Today's numbers on the West Bank underline the fact that, the Gaza disengagement notwithstanding, demographics remain an issue of central Israeli concern. Not counting East Jerusalem, an estimated two-hundred-and-thirty-five thousand settlers reside in a total of 121 West Bank settlements, compared to about 2.5 million Palestinians also living on the West Bank. The vast majority of settlers—160,000 to 175,000 residing in fifty-one settlements—live inside the projected area of the security fence. This leaves seventy-three settlements and about seventy thousand settlers outside the protective shield of the security barrier. (Counting only settlements approved by the government, the highly re-

spected Center for Mid-east Peace and Economic Cooperation places the number of settlers residing east of the proposed security barrier at 58,000.) If unilateral separation means nothing else, it means that, one way or another, their communities are at risk. Either through further unilateral steps or final status negotiations, Israel will have to find a way to protect its own territory inside the Green Line, retain its Jerusalem area settlement blocs, provide a formula for dividing the land that will satisfy a working majority of its own citizens, and give Palestinian leaders something they can present to their constituencies—including their own diaspora and other states in the region—without providing a new *casus belli*.

Yet the key geographic areas of contention all have special histories or relate to important current issues. Ariel may be in the heart of the West Bank, but it is a well-run, modern, secular Israeli town that embodies the values of historic Zionism. Hebron and Kiryat Arba are open sores on the corpus of Palestinian society. But Hebron, the City of Patriarchs, is nearly as precious to Jews as Jerusalem, and they have paid a very high price to return to a city their ancestors inhabited through more than two millennia. Efrat, a pleasant community that gets along well with Palestinian neighbors is also another obstacle blocking the Palestinian dream of a capital in East Jerusalem. In this sense, the hard times of Intifada 2 have made it necessary for both sides to abandon policies grounded in the sawdust of illusion. The dragon of Greater Israel was slain by one of its principal architects even as the tactic of suicidal terrorism turned out to be very expensive for those who borrowed it from more extreme allies and made it their weapon of choice.