

PARIAHS TO PIONEERS

Could the settler movement be part of the solution and not part of the problem in the resolution of the Palestinian-Israeli conflict?



Forewords by Ambassador Daniel C. Kurtzer
Sir Malcolm Rifkind

Gabrielle Rifkind, May 2010

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FOREWORD by Ambassador Daniel C. Kurtzer

A constant feature – and dilemma – of Middle East peacemaking involves the fate of Israeli settlements in the territories occupied in 1967. Most often, proposals emerge for removing settlements and settlers as though moving pieces on a chess board. While the issue of settlements correctly is seen as one of the most important and pressing issues to resolve, the fact is that the resolution of the settlements issue will impact on the lives of hundreds of thousands of people. This is not a problem to be taken lightly.

Israel has undertaken two massive efforts in the past to remove settlements and relocate settlers. In 1982, the Israeli settlements in Sinai, including Yamit, were evacuated in fulfilment of the Israeli-Egyptian Peace Treaty. This was a wrenching moment for many Israelis, who had heard for years that Israel would prefer to keep the Sinai settlements rather than evacuate them for a peace treaty. Twenty-three years later, a different kind of evacuation took place, this time the unilateral disengagement of Israel from Gaza, which involved the removal of some 8,000 settlers. In both cases, the evacuations were conducted professionally and with a minimum of civil disturbance, but both involved a maximum of psychological disruption.

Any contemplated evacuation of settler and settlements from the West Bank, as part of a peace agreement in which a Palestinian state is created, will be even more wrenching and thus more psychologically disorienting not only for Israeli settlers, but also for a large percentage of the Israeli population at large. Since 1967, many Israelis have come to see the West Bank as part of the state. Whereas ideology or religious commitment propelled some Israelis to move to the West Bank in the first ten years after the 1967 war, in the last decades cheaper land, bigger homes and a rural lifestyle within commuting distance of Israel's largest cities have increased the settler population substantially. Thus, it is not only the politics and logistics of moving hundreds of thousands of settlers that will confront an Israeli government that makes peace with the Palestinians, but also an array of psychological, sociological and security issues that extend far beyond the settler population itself.

This Oxford Research Group study examines the possibility – counterintuitive at first glance – that the settlers now seen as “pariahs” by some can become the next generation of “pioneers” who forge the infrastructure of Israel's future. One of the most interesting conclusions of this study is that the settler community will need an enhanced sense of security in order even to begin assimilating the idea of evacuating large parts of the West Bank. This is a stunning conclusion in some respects, for one of the earliest rationales for the settlements – long proven not to be the case – is that the settlements themselves were supposed to enhance security for Israelis. Now we understand better that the settlers too will need an enhanced sense of security in the aftermath of their evacuation from the West Bank.

The study disaggregates the settler community into groupings that illustrate the pluralism of backgrounds, views and motivations within the settler population. The study also examines some of the most challenging issues that must be addressed – how to define borders in a manner that produces territorially-viable and contiguous states of Israel and Palestine; the elements of an early compensation/evacuation package that might induce tens of thousands of settlers to return to Israel even before a peace settlement is reached; what lessons from Gaza disengagement need to be learned and applied; and what options exist for some settlers to remain in the West Bank even after a peace settlement is achieved.

By examining these issues dispassionately, the Oxford Research Group has launched what could become one of the most important processes necessary to achieve peace, namely, an internal dialogue and reckoning among settlers about their own future and the future of the State of Israel. This dialogue will be well-served by the research and analysis in the present report.

FOREWORD by Sir Malcolm Rifkind

There is no shortage of difficult issues that need to be resolved if Israelis and Palestinians are to agree to a Palestinian state adjacent to the State of Israel. One of the most intractable has been the future of almost half a million Israelis who have taken up residence in the West Bank and East Jerusalem since the Six Day War in 1967.

Most of the world thinks of those settlers as right-wing ideologues committed to a Greater Israel and placed in their homes by the Israeli Government to ensure the creeping annexation of the West Bank and the impossibility of a two-state solution.

This report by the Oxford Research Group is invaluable for several reasons:

Firstly, it enables the reader to understand that the settler issue is much more complex and diverse than is normally assumed. Almost a third of the settlers are ultra-orthodox Jews, many of whom reject or are indifferent to Zionism, and who have been attracted to the West Bank because of the availability of low-cost housing for very large families. Such communities could be tempted back to Israel if the financial incentives were generous.

Many of the remainder are in settlements in parts of the West Bank that could be annexed by Israel in exchange for land of similar size and quality which is, currently, part of Israel. Offers of land swaps were made by Israeli Prime Ministers in previous negotiations.

Secondly, the report points out that in seeking a solution the world must see the settlers not just as individuals and families but as part of wider communities who would be traumatised if their communities were destroyed by ill-prepared plans for resettlement. Negotiations must concentrate on means as well as ends.

Thirdly, we are reminded that just as there are many Arabs who are Israeli citizens so, too, some Palestinian leaders have recognised that some Israelis might wish to continue living in the West Bank even if it became part of a Palestinian state. If the United Kingdom can have many permanent residents who are not British citizens why cannot a Palestinian state accept the same?

Of course these issues remain incredibly complex and optimism is a rare commodity at the present time. But the Oxford Research Group is to be complimented on ensuring a far better understanding not only of the problems relating to the Israeli settlers in the West Bank but of ways in which these issues could be resolved in a humane, sensitive and rational way as part of a successful peace negotiation.

INTRODUCTION

Sorrow makes us wicked and hateful – Henrik Ibsen

It is dignity that inclines us towards what is less bad; it is rationally grounded hope that makes us better – Esther Benbassa, *Suffering as Identity*

End of conflict between Israelis and Palestinians will involve addressing all the major issues which include borders, Jerusalem, security, refugees, settlements and religious sites. This report, however, will focus on the settler issue as it has been placed centre-stage in recent events by the policies of the Obama administration. The focus will cover settlers in the West Bank and what scope there is for the settlers to become part of the solution and not part of the problem. It does not address the question of settlers in East Jerusalem.

The Israeli government's policies on settlements are read by the international community as a sign of a lack of seriousness to engage in a genuine peace process with the Palestinians. This report aims to reframe the debate and to offer an alternative lens to open up the current impasse. It will explore whether a significant number of settlers can transform their status from *pariahs to pioneers* and thereby contribute to the increased security of the state of Israel and the resolution of the Palestinian-Israeli conflict.

The Palestinians and others have for many years emphasized that the settlement policy of the Israeli government has created facts on the ground, making it impossible to create a contiguous and economically and politically viable Palestinian state without removing a significant number of settlers. It is the intention of this report to explore whether there could be serious momentum to find a resolution to the settler question that aides an ailing peace process and to help create the conditions for a viable sustainable Palestinian state.

This report was in part catalysed by statements both by Prime Minister Salam Fayyad and Former Chief Negotiator Abu Alaa that a future Palestinian state would “espouse high values of tolerance, co-existence, mutual respect and deference to all cultures, religions” (Salam Fayyad July 2009). They both claimed that some of the settlers – should they wish to do so – could remain within a future Palestinian state. These statements echo early statements made by Yasser Arafat. The ideas put forward in the report, for example residency and dual citizenship, aim to catalyse new thinking. Whilst some of the ideas explored will be ‘unthinkable’ at this juncture exploring new ideas may open up a wider lens and indicate cooperative intentions and increase the chances of securing a sustainable resolution. In other words it could increase a culture of more flexibility.

ORG does not, however, underestimate the depth of trauma between the settler and the Palestinian communities and the potential for combustible dynamics. Any new political realities will need to address these deep conflicts. The report also suggests that the settler movement will be faced with a choice. Those who choose to stay will have given up the protection of the state of Israel and if this protection is necessary, this would involve returning within the borders of the Israeli state.

Expansion of settlements has been a constant feature of Israeli policy under all governments for the last thirty years, regardless of their political complexion. However, according to Gershom Gorenberg in his book *The Accidental Empire*, there was no government policy on settlements until 1977, just a reality dictated by ad-hoc measures of settlers and their supporters in government. This is evident today with 120 settlements and approximately 479,600 settlers that remain in the West Bank and East Jerusalem (2008 figures). The settlers have become pariahs in the eyes of many Israeli citizens, the Palestinians and the international community, and are seen

as an obstacle to peace. The demonization of the settlers has reached such high levels that even acknowledgement of a factual, historical, Jewish presence in the West Bank are rare for fear of legitimizing their presence, while the policy towards them has focused essentially on their exclusion.

There is deep polarization within the settler movement. This spans from secular quality-of-life settlers, particularly those east of the barrier who now seek to return to Israel, to national religious settlers who have become increasingly embattled, outspoken and active. Of the total 289,600 settlers the breakdown within the different communities are about 40% ideological, 29% ultra-Orthodox, 31% secular. The motivations of these groups will be described later.

As part of this report, Oxford Research Group (ORG) has conducted a number of qualitative interviews with senior settler leaders. The interviews aimed to listen and explore what scope there is for new thinking in addressing the settler issue. The analytical lens of the report frames the settler question not as an obstacle to peace-making, but one that presents a menu of options to be considered by policymakers and the settler community in a conflict which is often described as an intractable.

In conversations with some of the leadership of the settler movement, it became clear that their primary needs are currently driven by human security concerns. Here the term “human security” is being used to address how people feel safe and have a secure base. This is not about being protected only by military security but rather an exploration of the importance of respecting human ties and causing minimal disruptions to the social fabric that holds communities together. In their interviews, settlers emphasized the need to live without fear, taking their children to school, visiting grandparents, as well as having the opportunity to develop work lives without a high anxiety about the outbreak of conflict.

Many settlers have deep ideological beliefs, which appear to be fixed as they are often constructed at an early age. Ideological positions, however, are often shaped by a desire for security. The individual narrative that has been constructed is usually predicated on a belief about what will increase their sense of security. Such experiences can create a defensive mindset that reduces the capacity to embrace new thinking. Many such narratives have been shaped by the history of the Holocaust and the belief that it is only military security that will provide any safety. This report aims to reframe what real long-term security might look like.

The report suggests that the Israeli government can play a very active role in creating the kind of environment in which the settlers, if encouraged to return within the 1967 borders of Israel, could be seen to be increasing the security of the state and acting as the new pioneers. In addition, the government could provide financial incentives and compensation which makes resettlement in Israel financially viable. However, it will also be important to address the psychological fears and insecurities that prevent the settler movement from engaging in the necessary preparations to relocate to Israel proper. Such preparations could involve giving settlers more control over shaping their future lives and thereby reducing the possibility of fragmentation within their communities.

Part of the story of the disengagement from Gaza is that communities were broken up and many still remain homeless. The houses were destroyed and there were no negotiations with the Palestinians in Gaza about the transfer of resources with the exception of the World Bank arrangement over the greenhouses in Gaza. This in part is motivated by the Israeli government’s belief that destroying the properties would end any desire of the settler community to return to Gaza, as well as sensitivities about Palestinians living in former Israeli homes. The refusal is also partly motivated by the settlers’ projection to engage with this matter for fear it will imply admission of defeat. However, this further perpetuates the conflict environment and does not prepare communities to learn to coexist and respect each other’s needs. Such views are not born

out of naivety but an understanding of how policies that exacerbate hatred serve to perpetuate the conflict.

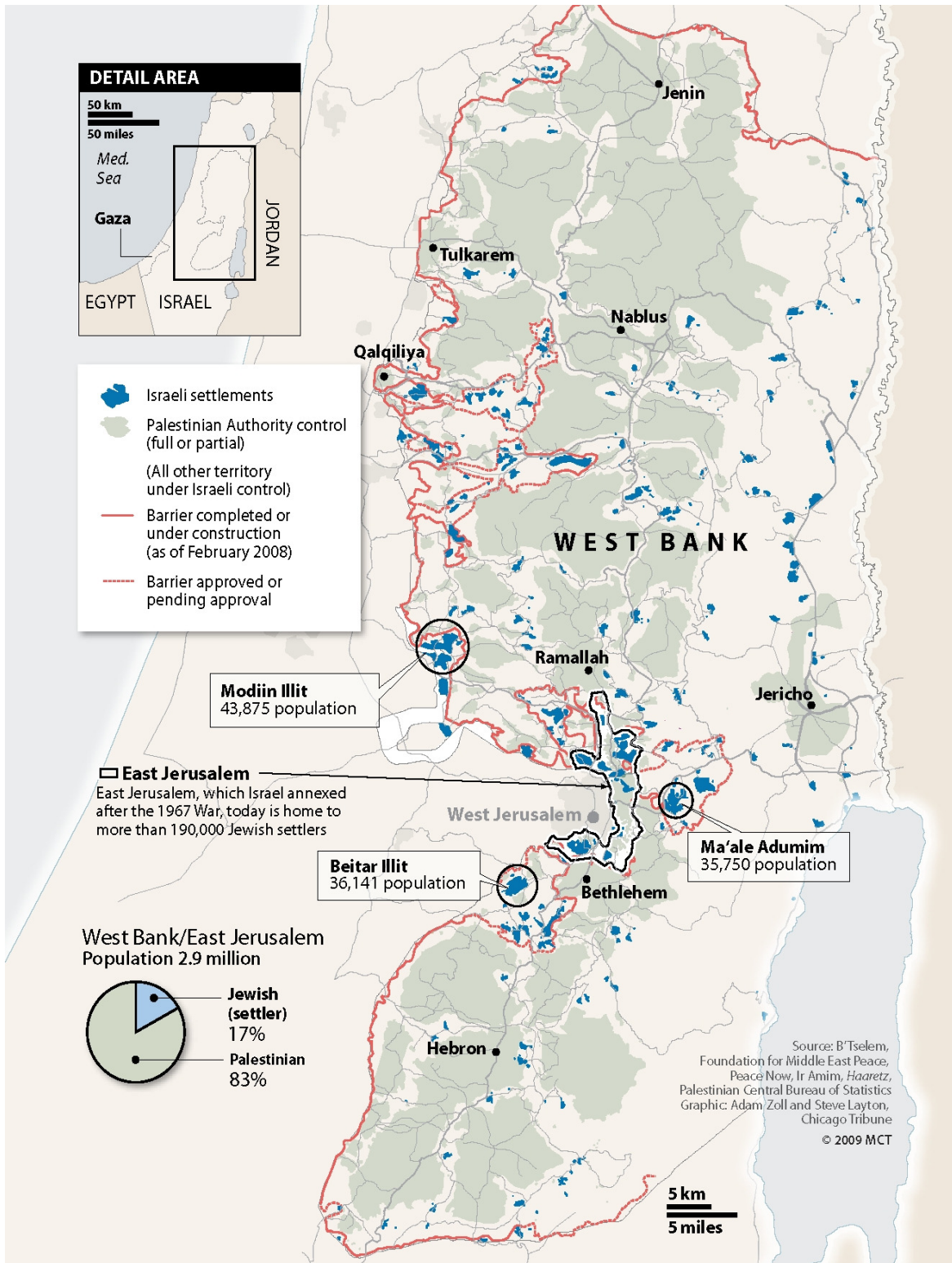
If there is eventually to be an end of conflict between the Palestinians and Israelis, there will need, ultimately, to be a truth and reconciliation process. It would be necessary to address the terrible traumas the communities have suffered. Whilst this may be too distant a thought at this point, policy-makers need to consider, as part of the policy-making process, whether their policies contribute to stimulating hatred or preparing for an end of conflict.

To anyone living in conflict, security is central to any resolution. Whilst this report promotes human security concerns of the settler movement, essential for any kind of stability in the region will be the need to also address the security issues of the Palestinians. It will be important that any resolution of the conflict is not at the expense of one party, and in this case, injustices to the Palestinians and the creation of their state. Anxieties and fears shape this conflict, whether it is amongst Israelis who have more power, or Palestinians who see themselves the victims of Israeli power. Key to all recommendations is that needs of people on both sides of the divide, Palestinians and Israelis, are treated with dignity and respect and solutions found to enable this. Without this the parties will be fostering a legitimate grievance which will likely prevent a sustainable resolution of the conflict.

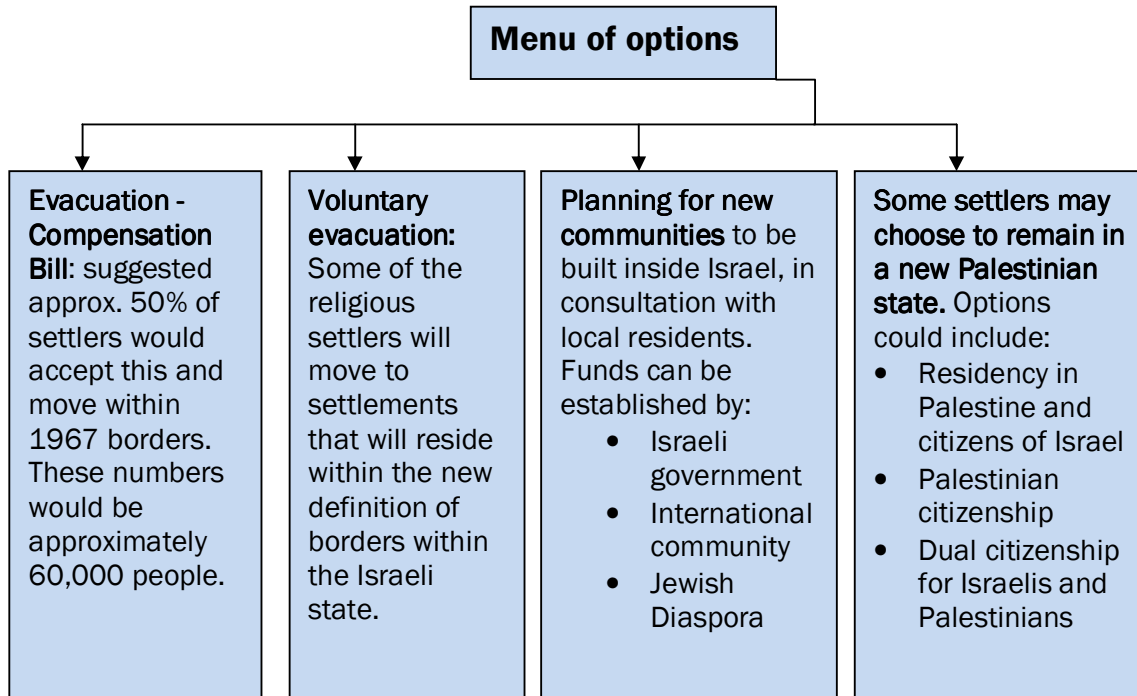
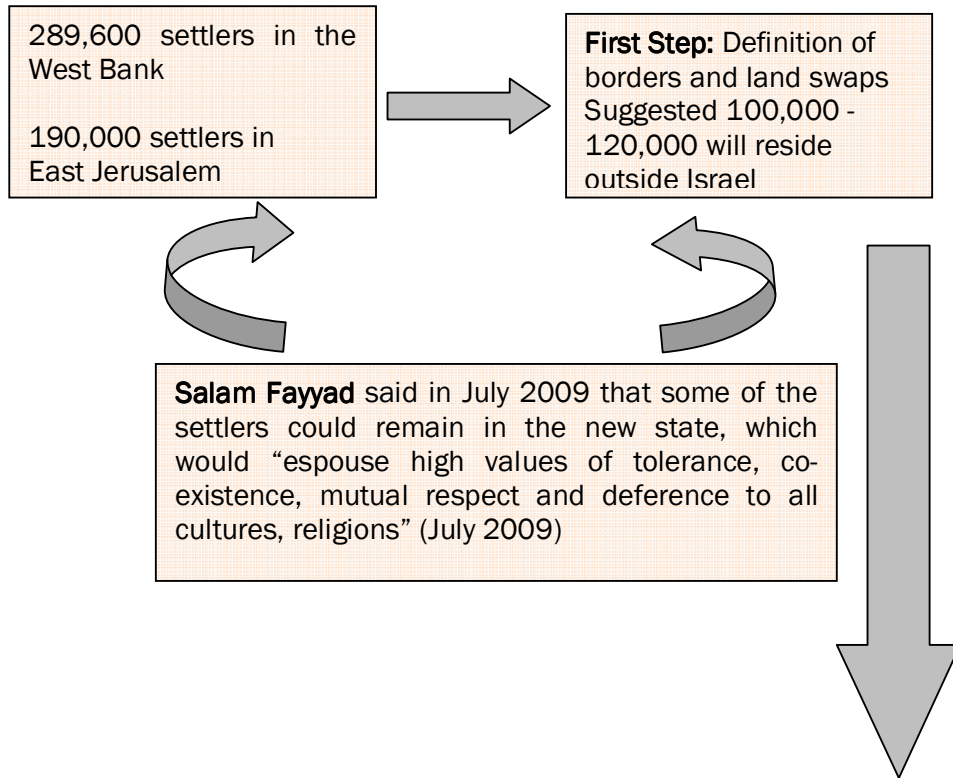
ORG conducts its work through the lens of conflict resolution and believes that in order to bring about end of conflict it is necessary to understand human motivation and why people behave in particular ways. In the current conflict environment, fear and insecurity are predominant emotions that shape people's attitude. This has led to deep polarization within the Israeli society and a potential culture of denial amongst the settlers. It is hoped that in the current climate, this report will stimulate more public debate and present constructive options in order to support an end of conflict.

Any change in attitude of the settlers and those that represent them in government would require statesmanship on behalf of the Israeli government that addresses Israel's long-term security needs in the region. The perception outside of Israel (and inside) is that settlements and settlers lie at the heart of Israel's occupation of the Palestinian Territories. A shift in beliefs within the settler community and the Israeli government would involve instilling the argument that Israel's real security lies in the settlers returning within 1967 borders as part of a negotiated final status agreement with the Palestinians. In this context, a strategic recalculation may be essential for Israel's long-term security interests.

Gabrielle Rifkind, May 2010



MENU OF OPTIONS FOR THE SETTLER MOVEMENT



RECOMMENDATIONS

The Need to Define Borders and Land Swaps

Defining borders and the nature of land swaps will clarify which settlers will be part of the state of Israel and which settlers, if any, will reside in the new state of Palestine.

This will provide clarity for the number of settlers that need to be relocated and thus deals with realities that were created since 1967 in a purported pragmatic way. It also retains the territorial contiguity of both states – a characteristic seen as crucial for sovereign viability.

Significant work has already been done on this but as yet no agreement. The Clinton Parameters and the Geneva Initiative can be useful guiding principles here, both proposing agreements on one-to-one swaps. Where a gap continues to exist, an exploration of citizenship and residency modalities could also be proposed.

Evacuation-Compensation Bill

This bill is a means of incentivizing settlers who live East of the separation barrier to relocate to Israeli sovereign territory following a final status agreement. However, in the current climate, it is unlikely that the Israeli government will re-introduce the evacuation-compensation bill into the Knesset.

The Israeli Government needs to do more to provide alternative solutions for the ‘natural growth’ of settlers, particularly the ultra-orthodox community. The settlement building freeze is an essential component in bringing the Palestinians and Israelis to the negotiating table. The concerns of the settler community need to be taken seriously with the possibility of the provision of land within 1967 borders.

The International Community could play a very important role in establishing and contributing to a settler relocation fund. Such action could set in motion a process of gradual relocation which would potentially generate a domino effect. Analysts who have worked in depth on the settler question suggest that between 100,000 to 120,000 West Bank settlers will need to move. This will depend on the nature of the land swaps*. Within this figure it is suggested that 50% would be economic settlers and would respond to compensation. One Home, a movement lobbying for compensation for settlers, has made the following recommendations for the re-integration of the settlers into the State of Israel:

- The cost per settler household has been estimated at be \$300,000.
- Communities could be expected to move at a rate of approximately 20,000 settlers per year.
- These communities would be involved in the planning and shaping of their homes, potentially in the Galilee and the Negev.
- Unlike the Gaza disengagement, coordination with the Palestinian leadership has to be part of such a process or else it could be chaotic, apart from running the risk of weakening the PA.

*See: “Getting to the Territorial Endgame of an Israeli-Palestinian Peace Settlement,” *Baker Institute for Public Policy report*, <http://www.bakerinstitute.org/publications/BI-pub-IPTerritorialEndgame-020210.pdf>

Recommendations to the International Community

The international community can use discreet diplomacy and work quietly behind-the-scenes with the Israeli government to prepare the settlers to relocate. This can be done both with the financial incentives and practical help as appropriate.

This recommendation would need to be seen as part of a bigger picture in which the question of the Palestinian refugees would be addressed with generous compensation, full rehabilitation and training. An International Mechanism would need to be established after a final status agreement to agree and distribute compensation*.

ORG's recommendations suggest the need to differentiate between a final peace implementation fund and the creation of a transitional fund in order to create a momentum in which the settler movement begin to return to Israel. Such a fund could be established by the US government, and supported by the Israeli government and the Jewish Diaspora.

- **A Transitional Peace Fund.** The US Administration could request additional funds to set up an independent fund after borders have been defined to support the reintegration of settlers back into the state of Israel. It would be important that this is implemented before a peace agreement and is used to support the transition to an end of conflict.
- **Senate Appropriation Bill.** A Senator supportive of Israel's security could propose legislation for a transitional fund to facilitate the relocation of settlers.
- **Jewish Diaspora.** Given the Diaspora commitment to the security of the state of Israel, a fund could be established to help the reintegration of the settlers back within the 1967 borders.
- **Role of international envoys.** Senior Middle East envoys George Mitchell (US), Tony Blair (Quartet) and Robert Serry (UN) could engage with religious leaders how they see an exit from this potential escalation in the conflict. They could encourage them to make statements calling for calm and the use of non-violence within their communities.
- **Drawing on previous experience of relocating communities.** The World Bank has conducted extensive research on the relocation of communities. This information could usefully be shared with Israeli authorities.
- **The European Union.** The EU could play an active role in creating the conditions for peacemaking and encourage the relocation of settlers. The French President, Nicolas Sarkozy, voiced his support for the bill during his Knesset speech in June 2008. He could play an active leadership role within the European Union to pursue this aim.
- **Coordinating initiatives with the Israeli government.** It is important that these efforts are seen to be part of an Israeli initiative.
- **Engaging the settler leadership.** The Gaza disengagement experience has influenced the West Bank settlers and made them more open to constructive international engagement. Their inclusion in the diplomatic process could force them to realize what Israel's real international constraints are. This may open the door for their transformation from pariahs to pioneers.

- **Recognition of Jewish historic links to the West Bank.** ORG interviews indicate that key to constructive engagement with Israeli national-religious population and the settler movement is explicit recognition of a legitimate historic link of Jews to the West Bank. This does not imply any automatic rights for Israeli Jews over this territory, but is a statement that can alter the way in which the international community is perceived. ORG has seen that such recognition may enable greater settler ability to recognize the legal vacuity of Israel's occupation.

* See Chatham House's project "The Regional Dimension of the Palestinian Refugee Issue", http://www.chathamhouse.org.uk/research/middle_east/current_projects/palestinian_refugees/

Learning from Gaza

It will be essential to learn from the experience of the August 2005 disengagement from Gaza where the experience of evacuation and its consequences led to the fracturing and traumatizing of communities.

- **A disengagement from the West Bank will need to be negotiated with the Palestinians.** The unilateral withdrawal from Gaza, which was not negotiated with the local Palestinian population, was ultimately destructive as it prevented any process of reconciliation with the people of Gaza. It will be very important to negotiate the relocation of the West Bank settler populations with the Palestinian government, engaging both Fatah and Hamas. In informal discussions with the leadership of Hamas, it was suggested that should any long-term ceasefire be negotiated, the removal of the settlers could be negotiated to take place over a 10-year period.
- **The importance of preparation for relocation.** The manner in which the Gaza disengagement was executed, and the treatment of those that were relocated, point to the huge importance of proper preparation for exercises of this scale. Although families that were relocated were provided with financial compensation and land on which to build new houses, the majority of them are still living in temporary housing within Israel.
- **The role of the Israeli state in positively encouraging the settlers to move.** It is difficult to prepare people who are reluctant to leave the settlements and there is a tendency of communities to behave as if it is not going to happen. Rarely expressed publicly, ORG's interviews have found that the Gaza disengagement has weakened the tendency to oppose relocation amongst significant leaders in the settler community while strengthening others. Selecting the settler interlocutors wisely would make it possible for the Israeli government to play an active role in encouraging the settlers to believe that they are making a positive contribution to the State of Israel and could be seen to be the new pioneers by returning to within 1967 borders. The tone, language, and planning of the government will be important here. Beyond this it is important to give practical incentives, e.g. work security (many will be dependent on local public sector jobs); and an individual sense of legitimacy in which settlers feel engaged in the process and have sense of personal responsibility.

- **Relocation of settlers will need to involve their active role in the planning of new communities within the 1967 borders.** Respect would need to be given to recreating communities that ensured social cohesion and existing relationships, for example with religious leaders, doctors, teachers etc. Settlers could be actively involved in the planning of their new communities in advance of their being resettled.
- **Importance of welcoming back settlers that leave the West Bank.** Cooperating on this with an equivalent of the SELA administration (the official governmental body that dealt with this during the Gaza disengagement) would need to be actively employed.
- **The option of gradual withdrawal** where settlers would be part of being involved in building their own homes, factories, communities that reflected the needs of the community.

Residency and Citizenship

For those settlers who do not accept compensation and would wish to remain in the new Palestinian state, a number of options could be explored about their status. Some of these options would require a detailed legal framework. Moreover, many of these may be impracticable at present but opening them in principle would indicate co-operative intentions and increase the chances of securing a sustainable resolution.

- **Residency under Palestinian sovereignty while maintaining Israeli citizenship.** For many settlers such a prospect would be inconceivable and would incentivize their return to Israel. However, for this to become an option, the following need to be explored:
 - **Integration:** As residents of Palestine they would need to abide by the principles of living under Palestinian Law. Residents could be screened on criteria such as: whether the applicant has a history of violence towards the Palestinians the probability behaviour continuing. If the applicant resides on private Palestinian land they would need to contact the original owners to see if they would sell their house.
 - **Taxes:** Such an arrangement could involve paying local taxes to the country in which they are living, and central taxes to the country to which they are citizens.
 - **Voting rights:** Voting arrangements would include local council votes in the area of residency, and votes in national elections would be to the country of citizenship.
 - **Dual citizenship:** Another option to be considered is dual citizenship for both Palestinian and Israeli citizens.
 - **Property Rights:** If Israelis decide to remain in the new state of Palestine, significant work would need to be done to look into land and water distribution. It would include cutting off significant parts of the land around the settlements that would be declared “state land”.
- **Residency in Israel but with negotiated access to religious sites.** For those religious settlers who choose to return to Israel, it would be important negotiate with the Palestinian government access to religious and historical/heritage sites in a new Palestinian state.

HISTORY AND EXPANSION OF THE MOVEMENT

The year 1967 was transformational in the history of the state of Israel. Whilst in the space of just six days, the size of the state was quadrupled, the real impact of that acquisition was only to transpire over the course of the years that followed, through the development of a movement that conceived of the occupied lands as the natural right of “Greater Israel”, and thus began to establish settlements within them. The legacy of that movement is evident today not only in the 120 settlements and approximately 479,600 settlers that remain in East Jerusalem and the West Bank, but also in the ideological polarisation that stands behind it and in the resulting political paralysis that has so often thwarted steps on the path toward peace.

Whilst the settlement project refers back to archaeological evidence that proves Jewish presence on this land predated Zionism by some two millennia and while the rights Jews may claim based on this history are contested, the very fact of the existence of Jews for so many centuries is beyond doubt. As it is understood today, settlements began in earnest in the aftermath of the June War of 1967, but it is important to recognise that it is an extension of traditional aspects of Zionism and draws heavily on its pioneering ethos. In the first half of the twentieth century, the dominant strand of Zionism – and that which contributed most to the establishment of the state of Israel – was the secular one. It too was based on the premise a state should be established in the biblical home of the Jews.

As Daniel Kurtzer has written in “Behind the Settlements”: “The ideology of settlements is intimately bound up with the ideology of Zionism”. With the advent of Zionism in the late 19th century, Zionist leaders preached the need to settle the land, to build and be built as Jews, to reclaim the ancient Jewish homeland of Eretz Yisrael, the land of Israel, as a means to normalize Jewish history and society. Until the declaration of Israeli independence in 1948, the cornerstone of the settlements enterprise was the idea of the “Whole Land of Israel”, based on the historical connection between the Jewish people and the land promised to them in the Bible. Until 1948, settlers were seen as the authentic pioneers of Zionism”¹.

In the period before 1948, Jewish immigrants settled throughout mandatory Palestine, including on the West Bank of the river Jordan, which was home to many biblically important sites. These immigrants left those areas after the 1948 war, which ended in the division of mandatory Palestine and the creation of the state of Israel, west of the 1949 Armistice or ‘Green’ line.

The settling of the West Bank by Israeli Jews resumed, this time in violation of international law, in the aftermath of the 1967 War under a series of Labour governments that failed to take decisive action in determining a policy for the Occupied Territories². In this period a number of secular settlements were established in the Jordan Valley, largely with the goal of creating a barrier against further incursions from Jordan.

However, the driving force behind the movement to settle the conquered territories was a new generation of religious Zionists who, building upon the revisionist tradition of Ze’ev Jabotinsky, who himself was secular. Buoyed by the propitious military victory of June 1967, the religious Zionists went beyond the dominant secular Zionist line and began to act on what they saw as a biblically inspired imperative to establish three complementary concepts – the land of Israel, the people of Israel and the Torah of Israel. The kind of governance in these areas was of little importance. It was this national-religious group which in 1974 formed Gush Emunim (Bloc of the Faithful) – the organisation which, together with its settler arm, Amana, accelerated the project of establishing Jewish communities throughout the West Bank.

The shift that this group represented in its approach to Zionism was quickly reflected in the political sphere. The arrival of Likud in government in 1977 on a political platform which declared that “the right of the Jewish people to the Land of Israel is eternal and is an integral part of its

right to security and peace”³ was a testament to the growing strength of the movement. Political support for the settlement movement – a prerequisite for its success⁴ – has however never been restricted to right-wing governments. The settlement project has accelerated under Likud, Labour, and unity governments alike, as all have been both aware of the political benefits of catering to this growing electoral constituency (or of keeping it on the political/geographical periphery⁵), and wary of the risks of appearing to forsake security – that unassailable tenet of Israeli foreign policy.

Whilst the election of Menachem Begin’s Likud government in 1977 does reflect the growing strength of the movement to settle the Occupied Territories, he was also the first Israeli leader to realise policies based on the principal of land for peace. In the case of the Israeli withdrawal from Sinai that followed the Camp David Accords of 1978, this policy, which included a dismantlement of settlements and removal of 5,300 settlers, did not pose a great threat to the heart of a movement that was premised on a natural right to all the lands of Judea and Sumeria⁶, given that the area in question on Sinai contained few settlers and was not historically integral to ‘Greater Israel’. The Oslo Accords of 1993, signed by the Labour Prime Minister Yitzhak Rabin, with PLO Chairman Yasser Arafat, however, implied an inherent commitment to an eventual withdrawal from the territory most important to the religious Zionists. In a development that reveals the power the settlement movement and its hold over Israeli politics, the ‘interim period’ that followed Oslo actually saw an unprecedented growth in the number of settlers, increasing by almost 100% between 1993 and 2000⁷. Recent successive governments have typically explained away this expansion as necessary ‘natural growth’, referring to ‘organic’ construction in the larger settlements that abut the 1967 border and East Jerusalem.⁸

The period of the Second Intifada 2000-2005 and after has been characterised by further expansion of the settlement project. Palestinian action and the unilateral building of the separation barrier since 2002 have encouraged some secular and ‘quality of life’ settlers – particularly east of the barrier – to seek ways to return to Israel. By contrast, hard-line national religious elements became increasingly embattled, outspoken and active and the number of ‘illegal outposts’⁹ in the West Bank increased rapidly.

The seminal event in this development was the 2005 disengagement from Gaza, a traumatic episode for many of the national-religious settlers, who saw it as the state’s total betrayal, or even “a kind of world war of Holocaust like dimensions”¹⁰ – leaving many more determined than ever to prevent the same thing from happening in the West Bank. Simultaneously, disengagement made clear to many settlers that, contrary to the previous common wisdom, a forced evacuation was indeed possible.

Perhaps the most striking development of this period was not in fact the growth in the number of settlements themselves, but rather the measures ostensibly taken to provide protection to them. This included the building of a separation barrier and settler roads, the establishment of a network of roadblocks and checkpoints; and the extension of the areas under Israeli control surrounding settlements. They have all increased the fragmenting of the land – constricting freedom of movement and precluding the territorial contiguity that would be integral to the establishment of a viable Palestinian state.

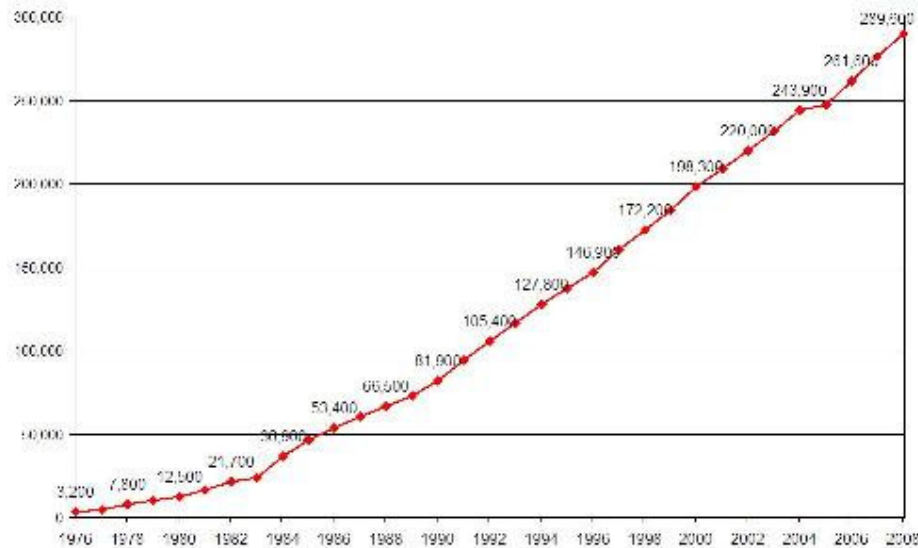
Number of settlers

The number issue remains controversial. According to the Israel Central Bureau of Statistics in 2008 289,600 settlers live in the West Bank and some 190,000 settlers live beyond the Green Line in East Jerusalem.

By contrast, a recent report by the James A. Baker Institute for Public Policy (named after the former US Secretary of State), “Getting to the Territorial Endgame of an Israeli-Palestinian Peace Settlement,” based on an intensive 18-month long workshop with Palestinian and Israeli experts,

had a different set of figures for the number of settlers that would need to be relocated. Part of the problem is that there has been no consensus on how to define the settler population. The key question was how far to include Jerusalem in the figures. Were the Israeli population in this area to be left out of the count of settlers, this would give a total of 280,000 settlers, the report suggests. But, according to the Palestinian team at the workshop, the territorial area of Jerusalem had to be dealt with in the same way as the entire West Bank and, therefore, the Israeli population in the Jerusalem municipal area living beyond the June 4, 1967, line should be counted together with the other settlers, reaching a total settler number of approximately 485,000¹¹.

Table showing settler population growth since 1976 (not including East Jerusalem):



(Source: Peace Now¹²)

BREAKDOWN OF THE SETTLER GROUPS

The national-religious Zionists referred to above have long constituted the backbone of the activist movement to settle the territories occupied in June 1967. Different groups of Israelis have however been moving to the West Bank for reasons unrelated to religious belief, in particular to answer residential needs, often as result of a government policy of encouraging emigration through economic incentives. A variety of more or less discrete groups with differing aspirations and priorities remain living in the West Bank today. Of the total 289,600 settlers (excluding inhabitants of East Jerusalem), 22% of settlers live in national-religious settlements, 31% live in ultra-orthodox settlements, 15% live in secular settlements and the final 32% in heterogeneous settlements.¹³ By way of proviso, it is important to recognise that while these groups are often easily distinguishable communities with distinct identities, the boundaries between them are by no means concrete. Qualities that are typical of one group may be appropriated by another where it becomes strategically beneficial to do so – for instance a settler who came to the West Bank for purely economic reasons may take on a nationalist religious rhetoric in order to justify his or her presence there.¹⁴

National-religious settlers

The principal motivation behind the national-religious endeavour to settle the Occupied Territories stems from a belief – divergent from traditional Halachic interpretations – that the establishment of a Jewish State over all the historic ‘Land of Israel’ is a biblically justified imperative and will hasten the arrival of the Messiah. Other considerations do certainly inform some national-religious settlers’ decisions to move to the West Bank. However a significant number of this group favour an annexation of the West Bank into Israel and it is an important indication of the strength of the link of these people to Judea and Samaria. Many are further attracted by an enhanced quality of life in communities that offer more space, better value housing and good access to public services. National-religious settlements are to be found throughout the West Bank (often on biblical sites such as Hebron or Kiryat Arba) and they form the vast majority, more than 80%, of the 80,000 settlers east of the separation barrier.

As a group, national-religious settlers are the most steadfast and vociferous opponents of withdrawal, given their ideological attachment to the land in question and their belief that it is the state’s duty and destiny to reclaim and maintain it. The 2005 evacuation of some 8,000 national-religious settlers from Gaza enraged the community and encouraged deep mistrust of the state. Religious Zionists’ responses to this internal crisis have varied. A mainstream statist element has advocated increased efforts to revive state and public support for the settlement enterprise and argues that rabbinical authorities remain subordinate to the government.

“Many people are wrong in assuming settlers prioritize land over nation. In fact, as in Gush Katif, the great majority of settlers will obey the decision of the majority.”

Settler from Samaria, Head of Likud Student Organization

This is the line taken by the Yesha Council – the largely national-religious body which succeeded Gush Emunim as the principal representative of settler interests.¹⁵ Others however have become increasingly radical in their approach to the state, arguing the pre-eminence of rabbinical authority over it and encouraging forceful resistance to disengagement.¹⁶

One group that has translated this thinking into action is the so-called ‘hill-top youth’ who establish themselves in armed outposts deep in the West-Bank. The increasingly fragmented nature of the national-religious settler community is reflected in developments in its political representation. Its members have traditionally voted for the National Religious Party (NRP), and for other further right wing religious parties such as the National Union, formed in 1999.

2006 saw these parties campaign on a joint ticket, in unified response to the Gaza disengagement. In 2009 however, the party split again. The National Union’s central focus is the West Bank and they are more militant. Jewish Home (the natural successor of the NRP) is focused on the broad national policies of Israel as a whole, including in the West Bank. Whilst these religious parties’ share of the vote has diminished¹⁷ these losses were compensated (and in part explained) by the gains made by Likud and Yisrael-Beitenu. Parties which though nominally secular have reached out to the national-religious community.

Ultra-orthodox settlers

Ultra-orthodox settlers represent a group with motivations, concerns and practices which are entirely distinct from those of the national-religious community. Their presence in the West Bank is mainly a result not of any political or ideological motivation – the ultra-orthodox are traditionally non-Zionist or anti-Zionist and reject association with the Israeli state in most if not all but

functional matters – but rather by demographic and economic concerns. The ultra-orthodox community is the fastest growing group in Israel - families typically have six or seven children. Faced with housing shortages in their enclosed communities within Jerusalem and Bnei Barak, they have been relocating to government-subsidised housing in segregated communities along the Green Line that were established by Likud in the late 1990s.¹⁸ The ultra-orthodox account for a large proportion of the settlement growth over the last decade – they represent 31% of the total settler population today, up from only 12% in 1996¹⁹ – and the ultra-orthodox cities of Modi'in Illit and Beitar Illit are two of the largest and most established settler communities in the West Bank. Although the ultra-orthodox prefer to live in these homogenous communities near the Green Line (90% of ultra-orthodox settlers live in these areas), there have been reports of increasing numbers moving to settlements deeper within the West Bank.

Based on previous rounds of negotiations, many see Modi'in Illit and Beitar Illitar as areas that could possibly be part of an agreed swap in a peace agreement. However, the largely ultra-orthodox settlement of Immanuel - located deeper within the West Bank – would require relocation. It is notable and worthy of fuller exploration that some ultra-orthodox communities are more receptive than many national-religious settlers to ideas about life under non-Zionist rule.

Given the almost incidental nature of the ultra-orthodox presence in the West Bank, many of their leaders have expressed a willingness to return to Israel proper, pending the offer of a financially viable alternative.²⁰ However, ORG's interviews indicate that under the pressure of a decade of friction with Palestinian neighbours, as well as continued calls to freeze all settlement growth, some (often younger) parts of the community have recently become increasingly attuned to the national-religious community's oppositional stance toward withdrawal²¹ – a development which the latter community's leaders have been keen to exploit. Indeed ultra-orthodox activists can now be seen at right-wing demonstrations, in the Shimeon Jewish district, or the Hatzadik Tomb in the Arab Sheikh Jarrah district, both in East Jerusalem.

“Since the moratorium was imposed by the US government it is stopping us getting on with our lives ... We have large families, often twelve children and it is the responsibility of each parent to buy a home for their children. We do not wish to provoke the Palestinians. We came here because the land is cheap and is subsidised by the government. The US says that Israel is not to construct new housing units. This is a death-blow to the Ultra-orthodox community when our children grow up and don't have anywhere to live. We are now fighting against a freeze and are identified as the radical right and are seen to be fighting against the Palestinians. This is not our intention; it is our need for housing.”

**Jerusalem City Councilor, United Torah Judaism
(Ultra Orthodox Ashkenazi party)**

Complaints based on the need for ‘natural growth’ are a ‘natural’ result of any settlement building freeze – arguably essential in bringing the two sides to the negotiating table. The area of contention therefore is not the lack of space for natural growth itself, but who should assume responsibility for dealing with that problem. The Israeli government must do more to provide alternative solutions to the issue.

Two parties, Shas and United Torah Judaism (UTJ), represent ultra-orthodox interests in the Knesset; the former is attached to the rabbinic council of Sephardic orthodoxy community, and the latter to that of Ashkenazi orthodoxy. It is worth noting that UTJ is not one party with one council. These rabbinic councils are the ultimate authority within the community:

“Ultra-orthodox communities are not permitted to give an individual view on the question of settlements as it is a question for our leading rabbis.”

**Jerusalem City Councilor, United Torah Judaism
(Ultra Orthodox Ashkenazi party)**

Despite growing numbers, the ultra-orthodox parties' share of the public vote decreased slightly in the latest elections – Shas holds 11 and UTJ 5 seats – again reflecting the gains made by the mainstream right-wing parties. Still, both are still members of the ruling coalition and Shas gained the key ministerial portfolios of the interior and housing ministries. In addition to control of the Israel Land Administration (all of which are crucial in respect to the status of settlements).²²

Secular settlers

Whilst national-religious and ultra-orthodox communities account for a majority of the growth in settlements in recent years, there remains a strong presence of secular settlers living in the West Bank – as many as 31% of all settlers in 2007 belonged to this group.²³ Secular settlements have existed in the West Bank since it was occupied in 1967. Some were established in the first decade after 1967, on the basis of a policy designed to provide control of areas that were critical to security, particularly along the border with Jordan. The majority, however, are what are often referred to as “quality-of-life settlers”, who moved there to benefit from the financial incentives that have been offered by successive Likud and Labour governments in the forms of subsidised housing and public services, tax-breaks for individuals and businesses and easy access to government grants. These economic settlers tend to live in areas west of the separation barrier that are within easy reach of Israel proper.²⁴

One group of largely secular settlers worthy of mention in their own right are those that arrived from the former Soviet Union from 1990 onwards. Moving to the West Bank, largely for economic reasons (and apparently occasionally unaware of the political significance of the location), these immigrants have tended to move into particular settlements that have maintained their community identity. The majority live in the larger settlements of Ma’ale Adumim and Ariel (which doubled in size between 1989 and 1995 and whose inhabitants are now approximately 50% Russian), though others are to be found in outposts and settlements deeper within the West Bank. Peace Now calculates that as many as 10% of all settlers are from this group.²⁵

Due to being largely economically motivated, many secular settlers have expressed a willingness to evacuate the West Bank in exchange for financial compensation. One effect of the Oslo Process, and the continuing negotiations, as well as the conflict with Palestinians has been to encourage a significant proportion of secular settlers to leave the West Bank. Secular settlers now living in more remote areas east of the separation barrier and in Jordan Valley have been particularly keen to seek compensation and return to the other side of the Green Line.²⁶

“In the Jordan Valley some people are yearning to move out of the West Bank as soon as financial compensation is offered.”

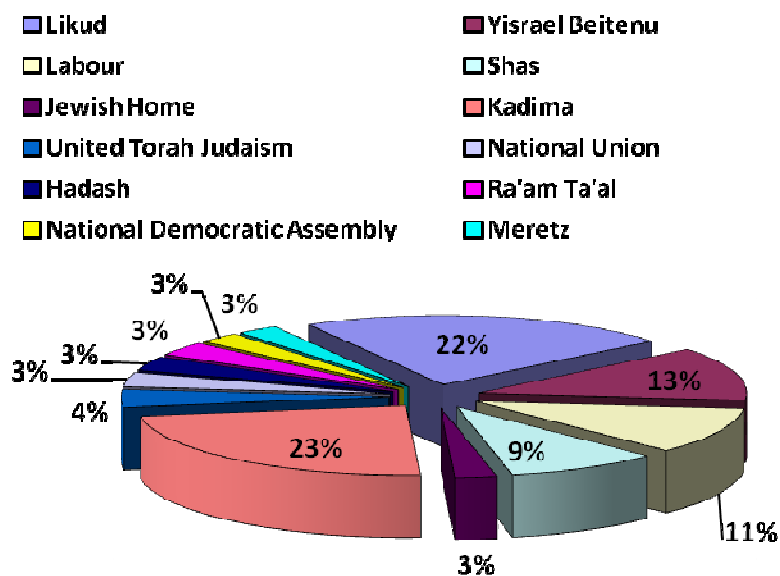
Benny Raz, settler from Karnei Shomron, Director of Bayt Ehad

It would be misleading to imply that no secular settlers have an ideological or political attachment to the settlement enterprise. Whilst strictly religious attachment to the territory in question is not an issue here, some of these settlers do feel an attachment to the pioneering Zionist ethos that encouraged. Others place great emphasis on the need to maintain Israeli control over them in light of security considerations. The secular settlements have long been a Likud stronghold, though in recent elections, Kadima and Yisrael Beitenu have made some gains here.

THE KNESSET*:

GOVERNMENT COALITION	Seats	OPPOSITION	Seats
LIKUD	27	KADIMA	28
YISRAEL BEITENU	15	NATIONAL UNION	4
LABOUR	13	HADASH	4
SHAS	11	RA'AM TA'AL	4
JEWISH HOME	3	NATIONAL DEMOCRATIC ASSEMBLY	3
UNITED TORAH JUDAISM	5	MERETZ	3

*Parties that support and enjoy support from the settlement enterprise are in bold



Source: Peace Now²⁷

“Religious-based political parties, of which Shas, United Torah Judaism, National Union and the Jewish Home are the largest, exert considerable parliamentary influence and the religious right also plays an important role within Likud. Although not a united bloc, ultra-orthodox and national-religious politicians currently hold over a fifth of Knesset seats, representing some forty per cent of the ruling coalition.”

“Israel’s Religious Right and the Question of Settlements,” International Crisis Group Middle East Report No.89, 20 July 2009, p.2.

PREVIOUS NEGOTIATIONS

The final status issues of borders and the fate of the settlements were left off the negotiating table at Oslo and were not formally discussed until Camp David in 2000. At this point Prime Minister Barak offered a Palestinian state over 73% of the West Bank, with provisions for this area to expand to 90-91% (94% excluding greater Jerusalem) of the territory in 10-25 years. This proposal would allow for Israel to hold on to 69 of the settlement blocs such as Maale Adumim, Ariel and Gush Etzion (comprising some 80% of West Bank settlers).

Following the failure of Camp David, President Bill Clinton put forward his own outline for a final status scenario that he thought should work. This outline – known as the Clinton Parameters – called for the immediate establishment of a state over 94-96% of the territory. Israel would retain the same major settlement blocs, but in turn Palestine would acquire some Palestinian-majority territory currently within Israel (equivalent to 1-3% of the West Bank), in addition to arrangements such as permanent passage. Attention was drawn by the American President to what he considered a promising possibility of creative thinking regarding land swaps of leased lands. These parameters were accepted as a basis for negotiations. However, at the following Taba Summit, in January 2001, Israel sought to hold on to 6% of the West Bank; the Palestinians offered 3.1% and the talks ended without a significant breakthrough.

The Road Map, put forward by the Quartet (UN, US, EU and Russia) in July 2003, represented a return to the formerly defunct but (given the trials of the Second Intifada), newly attractive Oslo model of progress towards a final solution through a series of independent measures to ensure security and confidence. On the Palestinian side this meant reform of the political system and the reigning in of violence. Israel meanwhile was to freeze all settlement growth and to begin to remove settlements built after March 2001, and to moderate its security presence in the West Bank. Though both sides did endorse the plan (both initially, and again at the Annapolis Conference in 2007) a series of setbacks, from a number of suicide bombings in autumn 2003 to the unabated expansion settlements) have continually stymied progress. At the time, Israel endorsed the Roadmap with no less than 14 significant reservations.

However, in 2003, albeit in an unofficial context, through the Geneva Initiative. This process ended in a comprehensive accord signed by a number of former Israeli and Palestinian politicians and dignitaries led by Yossi Beilin, a former Israeli minister, and Yasser Abed Rabbo, the PLO's General Secretary. This informal deal would leave Israel with 2.2% of the West Bank, renouncing the great majority of settlements and removing all but 140,000 settlers (and 120,000 in East Jerusalem). These areas would be offset by territorial exchanges on a 1:1 basis.

In Annapolis Prime Minister Olmert proposed basing the agreement on the 1967 lines with a land swap of roughly 6.4%. The PLO's position was a land swap of 1.9% if equal size and value. The negotiations ended unexpectedly due to unrelated problems Olmert had domestically in Israel, especially charges of corruption made against him.

LAND SWAPS

The simplest and most effective diplomatic modality dealing with the settlement question, ostensibly at least, is that of swapping land. It has two key strengths: first, it allows for a minimal removal of people from their houses and thus deals with realities that were created since 1967 in a purported and apparently pragmatic way, and second, it retains the territorial contiguity of both states – a characteristic seen as crucial for sovereign viability.

Indeed, diplomatic efforts to resolve the conflict always included this modality. At Camp David, a swap was proposed by Prime Minister Barak, albeit one of a 9 to 1 ratio – for every nine square meters the Palestinians concede they would receive one. By the time of Taba, and later again

during the Annapolis negotiations (and the informal Geneva Accords), the criteria for a swap shifted close to a 1 to 1 ratio, with the understanding that not only the quantity but also the quality of the swapped land had to be equal. In all of these attempts, and again in a more recent informal attempt²⁸, the limits of such a swap were clear – with the Israeli position repeatedly seeking to a higher ratio land swap, eventually reaching the conclusion that an agreed swap cannot prevent the removal of settlements deep within the West Bank like Ariel, Ofra and Beit El.

EVACUATION AND COMPENSATION BILL

A series of other unofficial policies and initiatives have sought ways around the current impasse on reaching any territorial compromise. One that is particularly worthy of mention here is the ‘early evacuation and compensation bill’ that has been promoted by the organisation Bayit Ehad, or One Home. This bill would make state funds available for settlers willing to voluntarily leave houses east of the separation barrier to buy equivalent properties within Israel. In September 2008 the initiative was brought to discussion in Olmert’s cabinet – who considered offering compensation to each such family. However a vote on the bill did not make it to the Knesset following strong opposition to the bill from Shas.²⁹

One of the founders of Bayit Ehad is Benny Raz a secular settler from Karnei Shomron, a settlement deep in the West Bank. He moved there in 1994, attracted by the lifestyle and the cheap property. Initially, he felt that there was a real possibility of living side by side with Palestinians in the West Bank. “Then Rabin was assassinated in 1995 and everything changed,” he said. The vast increase in settlements, growing friction with Palestinians and the eventual breakout of the second intifada all conspired to convince Raz that it was necessary to leave. This feeling was compounded by the building of the separation barrier, which left many settlers to its east feeling abandoned. It is these settlers that the evacuation and compensation bill is primarily targeted at, based on the notion that the Israeli government is responsible for their security and having left them without the security the separation barrier supposedly delivers the rest of Israel’s citizenry should present them with the option of relocating within its protected space.

“The government helped me come; the government needs to help me go back.”

Benny Raz, settler from Karnei Shomron, director of Bayit Ehad

Raz canvassed for support in the Knesset and found it from MK Avshalom Vilan. They conducted anonymous surveys throughout the West Bank, on the basis of which they say that over 70% of the total Israeli Jewish populations of those questioned expressed support for the bill. In their earlier polls 50% of settlers questioned expected to take the offer. These figures have to be treated with caution. A March 2010 survey has suggested that of the 80,000 settlers residing in isolated settlements east of the separation barrier some 16% would be willing to relocate immediately to within the 1967 borders if they were given appropriate compensation.

As always in opinion polling, timing matters. By contrast to the 2010 survey, polls by the Israeli government conducted in late 2007, under the supervision of then Vice-Prime Minister Haim Ramon, indicated that some 25,000-30,000 of these settlers would use the offer of financial compensation to relocation west of the Green Line. These figures have to be read in the context that previous negotiations that are still relevant, would involve 80,000-120,000 settlers returning to within Israel. It is suggested that 50% of these would be incentivised by economic compensation. The cost per family would be \$300,000 as compared with \$900,000 in Gaza because of the extra costs of the police and evacuation force

Those choosing to relocate to the Galilee or the Negev could receive a larger financial grant (additional 25% and 15% respectively). However, ORG interviews with Palestinian-Arab citizens of

Israel, who reside in these areas, ascertained that incentives to relocate to these specific areas may cause significant resentment. This would remove settlers from one area and encourage their settlement in another area, again at the expense of Arabs. Given the violent history of some of the settlers towards their Palestinian neighbours, these are legitimate fears that would need addressing.

Many national-religious settlers have unsurprisingly been strongly opposed to this initiative, which would in effect signal the failure of their enterprise. Raz points out however that universal support for the plan is not essential for it to have an impact:

“If the evacuation-compensation law passes then even a partial evacuation, say of 50% of the people of a certain settlement, will weaken significantly the economy and social fabric of the settlement and is likely to cause a domino effect. Imagine a settlement which 40% of children in its school and the employees in its main factory disappear. What will the remaining residents do? Can the factory still function? Is it economically viable to keep the school open?”

Benny Raz, settler from Karmel Shomron, Director of Bayt Ehad

Evacuation-Compensation Bill

The evacuation-compensation bill was presented to the Israeli government under the Olmert administration as part of a plan for unilateral withdrawal from the West Bank. The government at the time changed its plan for unilateral withdrawal after the war in Lebanon in 2006. The reason for this was the belief that a unilateral withdrawal would lead to the empowerment of Hamas in the West Bank.

The evacuation-compensation bill was not voted on for two additional reasons. Firstly, because of the lobbying power of the religious groups who wish to remain within the West Bank. Secondly, the concern of the Israeli government that this would weaken Israeli negotiating positions as the removal of settlements would withdraw a bargaining chip in the negotiations.

One Home estimates that it would cost \$300,000 USD per settler household to be resettled. Communities could be expected to move at a rate of approximately 20,000 settlers per year. The organization also suggests that homes could be sealed in preparation of the homes being made available for Palestinian refugees as part of any peace deal.

ORG's conversations with Hamas have suggested that they might consider as part of any end of conflict a period of 10 years in which the settlers were moved. Careful discussions would need to be made in consultation with the Palestinians.

It has been suggested that once large groups of settlers are relocated it is possible that a domino effect is created in which many of the remaining settlers would no longer wish to stay as their communities would be depleted.

It would be important that any resettlement of the people involve their active role in the planning of new communities within the 1967 borders. Respect would need to be given to recreating communities that ensure social cohesion and respects existing relationships (e.g. with religious leaders, doctors, teachers, etc).

An evacuation-compensation bill, whether of Israeli or international initiative, should be closely and visibly coordinated with the PA if discrediting the image of the Ramallah leadership is to be avoided and to ensure that the vacuum left is not being filled by undesirable elements (Israeli or Palestinian).

LESSONS FROM GAZA

The eventual resolution of the settlement question will inevitably involve the relocation of Israeli communities from the West Bank to Israel proper. The one recent precedent for such measures – the unilateral disengagement from Gaza in August 2005 – provides important lessons. In the immediate aftermath of the withdrawal the most striking impression that many in the international community were left with was the relative ease with which the dismantling of the homes of some 8,000 largely national-religious settlers, was achieved. Whilst there were clashes, and 1,500 protesters were arrested, the general consensus was that these were not in excess of expectation and the process was heralded by many as “proving that Israeli society is willing and ready to accept the dismantling of settlements”³⁰ – a point which was corroborated by the March 2006 election victory of Kadima. It would be a mistake to infer from this that withdrawal from the West Bank could be similarly smooth.

“The expulsion from Gush Katif sparked a heated conversation among us at the Yesha leadership. We should not passively put our faith in God as we have done. We need to act. Some argue this means we have to turn to a more aggressive strategy while others point to the need to engage the Israeli government and perhaps even international leaders in a more constructive way – pointing to an actual solution and not only refusing any change.”

Member of the Renewing Yesha Council Plenary

The manner in which the disengagement was executed, and the treatment of those who were relocated, point to the huge importance of proper preparation for exercises of this scale. Although families that were relocated were provided with financial compensation and land on which to build new houses, the majority of them are still living in temporary housing within Israel. The real question is had the Gaza disengagement been coordinated with the PA would it have delivered very different results?

“The experience was deeply traumatic and communities were unable to engage in any type of preparation for their transfer but many of those evacuated from Gush Katif are now part of building the community of Nitzan, between Ashdod and Ashkelon. Whilst the media and some of the settlers mostly describe this as catastrophic, others – including some Gush Katif evacuees - describe the emerging pioneer spirit in which former settlers are now shaping their new community with pride and a sense of creating something that is new and their own.”

Senior Israeli Policy Analyst

Since 2005 the evacuees have been facing a strategic tension within their communities that can be summed up as follows: should we make the central focus of our strategy a return to Gush Katif or should we accept the current situation as an opportunity to be again pioneers and re-invent our community? Some evacuees went into existing Israeli cities and villages – including the West Bank – and many established new communities in various parts of Israel.

Passionate discussions between proponents of both views are still being held. This can be seen most clearly in Nitzan – the largest village built by Gush Katif evacuees, which is located in southern Israel. The exhibition at the Center for the Commemoration of the Heritage of Gush Katif and Northern Samaria, which was established in 2008 in Nitzan with governmental funding, forced the evacuees to engage with this dilemma unambiguously as they had to chart explicitly the community’s narrative. The formal line presented in the exposition – and elsewhere - focuses on how good life in Gush Katif was, how painful was the evacuation (termed expulsion by the evacuees) and on the hope of returning to Gush Katif. However, a significant group of the evacuees have actually taken a different path and seem to be engaging authentically with the challenge of recreating their communities, seeing themselves as pioneers who settle inhabited land and contribute to Israel’s development. This is in stark contrast to those seeing Nitzan – and similar communities – as a temporary phase on the way to a return to the Gaza Strip.

Whereas Gush Katif was Israel’s periphery, both in terms of its proximity to the Egyptian border and its distance from Tel Aviv and Jerusalem, visitors coming from these major cities to Nitzan to meet the evacuees almost always start their conversation by saying ‘I can’t believe you are just 45 minutes from Tel Aviv!’ This proximity is more than an economic opportunity. It is an opportunity to transform such communities from ones based on a mentality of isolated periphery and integrate them into Israel’s core and allow them to take a significant role in Israel’s development.

Beyond the main tension described above, the evacuees share the desire to bring into the national conversation the uniqueness of the Gush Katif experience. Can they commemorate their past communities while building a new future?

Gush Katif's evacuees are particularly interesting because they have realized first-hand that divine intervention will not necessarily prevent the evacuation of settlements and are thus more receptive to exploring alternatives to the status quo. In addition, they retain their affiliation to and membership in the Yesha Council, significantly for those who limit their work with former settlers because of a concern of granting them legitimacy now they no longer are settlers. They are also substantively interested in questions going beyond the potential return of the entire community to Gaza Strip. Indeed, some interviewees among them expressed cautious interest in confederative-like scenarios which enable a return or visitation rights for individual Israeli-Jews to territories under Palestinian rule.

ALTERNATIVE MODELS WITHIN A TWO-STATE SOLUTION

The risks of failure of to establish a two state solution in the current climate are high because the differences between the parties are too great. Alternative models such as a one-state solution are now part of the Palestinian discourse but a single state is not acceptable to Israelis. It is therefore worth exploring whether new and fresh thinking is now available to explore creatively the modalities that accept the current geographical realities on the ground.

What scope is there to explore alternative models? Whilst this needs to be the subject of a more in-depth report, there are a number of ideas worth identifying at this point. Prime Minister Salam Fayyad and Former Chief Negotiator Abu Alaa both claimed in July 2009 that when a state of Palestine is established, some of the settlers – should they wish to do so – could remain within a Palestinian state.

"In fact the kind of state that we want to have, that we aspire to have, is one that would definitely espouse high values of tolerance, co-existence, mutual respect and deference to all cultures, religions. No discrimination whatsoever, on any basis whatsoever. Jews to the extent they choose to stay and live in the state of Palestine will enjoy those rights and certainly will not enjoy any less rights than Israeli Arabs enjoy now in the state of Israel."

Salam Fayyad, Prime Minister of the Palestinian Authority, 4 July 2009

This language is welcoming and inclusive in emphasizing tolerance – a spirit to be encouraged in a post-conflict reality. However, in conversation with Israeli and Palestinian Middle East analysts with deep knowledge of the conflict, there resides a deep concern that this is potentially a combustible dynamic. Examples are cited such as, should there be settlers who remain within a state of Palestine, there may be violent incidents in which the Israeli government would be unable to protect Jewish citizens of Israel living on the West Bank. This would prove to be an unacceptable scenario to the people of Israel.

Should such ideas be seriously contemplated, careful thinking would need to be done on how to address some of these potential areas of conflict. The settler movement will be faced with a choice, those who choose to stay will have given up the protection of the state of Israel and if this protection is necessary, this would involve returning within the borders of the Israeli state. Other alternatives depend on the extent to which the state of Palestine would allow an international force to operate in its territory during the first years after an agreement. Truth and reconciliation may be another essential component.

If such arrangements are explored, it will be of prime importance that settlers do not disturb the contiguity of a Palestinian state and are integrated into the fabric of the new state. In any fresh thinking, it will be necessary to juxtapose this with the absorption of Palestinian refugees, which will be a Palestinian priority. Careful analysis is needed as to what this might mean and whether there is any traction in such an idea for both Israelis and Palestinians. If so, what are the prospects and conditions in which they could live harmoniously together?

Solutions like one-state or a bi-national state are a non-starter as they do not answer our national needs. The same is true for a confederation sharing the entire land. I think it is worth exploring a modality in which Israel is composed of cantons and Palestine is composed of cantons and the two states were a confederation that did not require contiguity of the cantons of each state. For example, a Jewish canton of Ofra, Beit El and Eli.

Likud Student Leader living in the West Bank

The interviewee was critical of the Yesha Council as it opposed a two-state solution but was not looking for new ways through. He saw himself as progressive in his thinking and he talked about the need to live together with the Palestinians in an atmosphere of respect. However the key question here is the question of sovereignty and how a system is devised that respects the needs of all the different communities and gives them their access to both control over their lives and access to resources.

"I do not see another way out of this. Separating both sides of the Jordan river is a fundamental mistake at least since 1947. We are a part of a large space, dating to some extent to biblical times. I can present a multitude of arguments to demonstrate this point – geographical, societal, cultural and many more. We need to move towards a confederation which includes Jordan, Palestine and Israel. Each unit of the confederation will maintain the communal identity of one of the societies. There could be self-management for each of the three communities, each having its own parliament. There could then be a common parliament to manage the entire area of the confederation."

Member of the Renewing Yesha Council Plenary

An increasingly large group within the leadership of the settlement movement are exploring new models. For the most part, these explorations are done quietly, discreetly and behind closed doors. The reason for this prudence is again the concern that an explicit public discussion will be taken as an admission of the failure of 'Plan A' – retaining Israeli control over Judea and Samaria. Nevertheless, discussions of the settler leadership with other Israelis and with representatives of the settler leadership do feed into Yesha's internal discussions – most significantly affecting their perception of the constraints within which they have to operate. Though the shift may not be visible immediately, ORG's interviews suggest that careful international engagement with the settler leadership is desirable.

Relevant ideas on two state solution are emerging from the Parallel States Project, which is currently being developed by the Centre for Middle Eastern Studies at Lund University, with funding from the Swedish Ministry for Foreign Affairs. The Parallel States Project brings together a group of Israeli and Palestinian thinkers, academics and policy makers to study the questions and issues that would arise in a structure of two parallel states, "superimposed" upon each other. The following questions are being addressed:

- Is there a way to create a new kind of two-state structure that could meet some of the basic demands and desires from both sides?
- Could a concept with two parallel state structures, both covering the whole territory be a way to open up the discussion?

The history of Israel and Palestine has been stained by forced displacement in the past. It now poses the question whether there are new ways of thinking which recognize the geographical realities on the ground and the current population centres, but address the needs of the communities as they currently exist? Within any such frame the need for a Palestinian state that is contiguous, economically viable and sovereign would need to be central to any developing new models.

What scope is there for some of the settlers to remain in a new state of Palestine?

Some settler leaders called upon the settler community to prepare for the eventuality that if Israel decides to evacuate the West Bank they will remain in place, even if this means living under another government. Instructively, some of the founders of the Ofra settlement, well known for their hawkish views, has recently (May 2010) gone public with this view.

“When the alternative will be between two evils – either being dragged forcefully from our homes by the soldiers of Israel or us waving them goodbye and telling them ‘go, leave us in our homes’, we shall prefer the Land of Israel over the state of Israel.”

Voices from the leadership of the Ofra Settlement

A number of options could be explored about possible status and further detailed work would need to be done on this, including setting up a legal framework. The following ideas could be considered:

1. Residency under Palestinian sovereignty while maintaining Israeli citizenship. For many settlers such a prospect would be inconceivable and would incentivize their return to Israel. Nevertheless, ORG’s interviews indicate that if even a small group of settlers opt for this then the symbolic value for broader conflict issues would be momentous.
2. Should Jewish Israelis wish to remain in the State of Palestine there could be some reciprocal gesture in which some Palestinian refugees return to their homes, which they’ve left in 1948³¹.
3. A reciprocal arrangement could be explored with Palestinian-Israelis where they would have Israeli residency and Palestinian citizenship. Such an arrangement could involve paying local taxes to the country in which they are living, and central taxes to the country of which they are citizens.
4. Voting arrangements could include participating in local elections in the area of residency, and voting in national elections in the country of citizenship.
5. As residents of a Palestinian state, settlers would need to abide by the laws and only remain if they respected the principles of living as part of Palestinian society and making a contribution to the development of the state.

CONCLUSION

The purpose of this report is to stimulate fresh and new thinking in respect to the settler question. They are currently seen as an obstacle to the peace process and with 'pariah status' both within the international community and amongst some within the state of Israel. For any new options to be explored, it will be necessary to take into account the needs of the settler movement, but simultaneously address the current injustices of the Palestinians and their needs for statehood. Indeed, while the report is a firm invitation to wisely engage the settler community, it cautions against doing so in a way that compromises international law or justice.

Both Israeli government policy and the international community could act in ways to incentivize these communities and encourage settlers to return to within the 1967 borders of the state of Israel. They could take on a new mantle of pioneers and actively participate in rebuilding their communities. Financial compensation would be an essential ingredient here. In addition, beyond this, a deep consultation process is needed that addresses the needs of these communities and determines the conditions that will allow them to have a sense of social, spiritual and community cohesion. This can be addressed by them participating in re-building their community in such a way that these community ties are not fragmented but are respected.

Embedded in this report is the belief that whilst these settler groups currently do present a major problem, their human needs for security, to live as a community, and to be able to protect the needs of their families, are universal needs. But, as so often in areas of conflict, such communities take up the mantle of being seen to be intentionally obstructive, and in some cases live up to this reputation. Creative thinking is now needed to address the needs of both the Palestinians and Israeli settlers and also to explore alternative models within a two-state solution.

ENDNOTES

- ¹ Daniel Kurtzer, "Behind the Settlements," *The American Interest Online*, March-April 2010, <<http://www.the-american-interest.com/article.cfm?piece=781>>
- ² One such initiative was the Allon Plan of 1967, which proposed the partition of the West Bank.
- ³ "Foreign and Defense Policy and the Effort to Assure True Peace," *Likud Platform for the Ninth Knesset* (1977), Jabotinsky Archives, Tel-Aviv.
- ⁴ Akiva Eldar and Idith Zertal, *Lords of the Land: the War Over Israel's Settlements in the Occupied Territories*, New York: Nation Books 2007, p.xvii.
- ⁵ International Crisis Group (ICG), "Israel's Religious Right and the Question of Settlements", International Crisis Group Middle East Report No.89, 20 July 2009, <http://www.crisisgroup.org/home/index.cfm?id=6228&l=1> [10/05/10]. p.3.
- ⁶ Though it did push some hardliners to establish the Gush Emunim Underground.
- ⁷ Yehezkel Lein, "Land Grab: Israel's settlement policy in the West Bank", *B'Tselem*, May 2002, http://www.btselem.org/English/Publications/Summaries/200205_Land_Grab.asp [10/05/10].
- ⁸ As Daniel Kurtzer has pointed out, "The pattern of population growth in the territories actually undercuts the natural-growth argument," given that the rate of expansion cannot be accounted for by the settler birth rate. See Daniel Kurtzer, 'The Settlement Facts', *Washington Post*, 14 June 2009. One may also arguably read Labour's continued settlement construction during Oslo as putting in place a control-based alternative for the eventuality of a failure of the Oslo-process thus supposedly telling the PLO "if a peace agreement will not be reached we have an alternative – we will secure full control over Judea and Samaria".
- ⁹ "Outpost" is the term used to refer to settlements that have not been authorised by the Israeli government. Peace Now estimates there to be 4,000 settlers living in such settlements in May 2009 – a 25% increase on the estimate for 2007. Peace Now, Settlement Watch Department <http://peacenow.org.il/site/en/peace.asp?pi=51> [09/05/10].
- ¹⁰ Eldar and Zertal, *Lords of the Land*, p.xiv.
- ¹¹ James A. Baker III Institute for Public Policy, Rice University, "Getting to the Territorial Endgame of an Israeli-Palestinian Peace Settlement", 2010, <http://www.bakerinstitute.org/publications/BI-pub-IPTerritorialEndgame-020210.pdf> [11/05/10].
- ¹² Peace Now, "West Bank Settlements – Facts and Figures, June 2009", <http://www.peacenow.org.il/site/en/peace.asp?pi=61&docid=4372> [11/05/10].
- ¹³ ICG Middle East Report No.89, p.2.
- ¹⁴ Akiva Eldar, 'Settling for less', *Ha'aretz*, 3 April 2008.
- ¹⁵ ICG Middle East Report No.89, p.6.
- ¹⁶ Recent years have seen increasingly violent clashes between national-religious and state security forces such as those at Amona in February 2006 and Hebron in December 2008.
- ¹⁷ Jewish Home National Union together took 9 seats 2006 and only 7 in 2009.
- ¹⁸ Regardless of ultra-orthodox ambivalence toward the Occupied Territories, Netanyahu's ostensible aim in this project was to strengthen an Israeli presence there.
- ¹⁹ 80% of ultra-orthodox settlers live west of the separation barrier. See ICG Middle East Report No.89, p.2.
- ²⁰ ICG Middle East Report No.89, p.13.
- ²¹ *Ibid.*, p.14-15.
- ²² *Ibid.*, p.14-15.
- ²³ Peace Now, "West Bank Settlements – Facts and Figures, June 2009".
- ²⁴ Dror Etkes and Lara Friedman, "Quality of Life Settlers," *Settlements in Focus*, Vol. 3, Issue 1. Available at <http://www.peacenow.org.il/site/en/peace.asp?pi=62&docid=2175> [10/05/10].
- ²⁵ Dror Etkes and Lara Friedman, "New immigrants from the former Soviet Union," *Settlements in Focus*, Vol. 1, Issue 16. Available at <http://www.peacenow.org.il/site/en/peace.asp?pi=62&docid=1624> [10/05/10].
- ²⁶ Etkes and Friedman, "Quality of Life Settlers".
- ²⁷ Peace Now, "West Bank Settlements – Facts and Figures, June 2009", <http://www.peacenow.org.il/site/en/peace.asp?pi=61&docid=4372> [11/05/10].
- ²⁸ James A. Baker III Institute for Public Policy, Rice University, "Getting to the Territorial Endgame of an Israeli-Palestinian Peace Settlement", 2010, <http://www.bakerinstitute.org/publications/BI-pub-IPTerritorialEndgame-020210.pdf> [11/05/10].
- ²⁹ ICG Middle East Report No.89, p.4.
- ³⁰ Peace Now, "The Peace Now Plan: After the Disengagement", <http://www.peacenow.org.il/site/en/peace.asp?pi=69&docid=1508> [11/05/10].
- ³¹ This recommendation would need to be seen as part of a bigger picture in which the question of the Palestinian refugees would be addressed with generous compensation, full rehabilitation and training.

“This Oxford Research Group study examines the possibility – counterintuitive at first glance – that the settlers now seen as “pariahs” by some can become the next generation of “pioneers” who forge the infrastructure of Israel’s future... By examining these issues dispassionately, ORG has launched what could become one of the most important processes necessary to achieve peace, namely, an internal dialogue and reckoning among settlers about their own future and the future of the State of Israel. This dialogue will be well-served by the research and analysis in the present report.”

Ambassador Daniel C. Kurtzer

“... these issues remain incredibly complex and optimism is a rare commodity at the present time. But the Oxford Research Group is to be complimented on ensuring a far better understanding not only of the problems relating to the Israeli settlers in the West Bank but of ways in which these issues could be resolved in a humane, sensitive and rational way as part of a successful peace negotiation.”

Sir Malcolm Rifkind

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