



SHRINKING THE CONFLICT AND THE PALESTINIANS

Omar H. Rahman

KEY TAKEAWAYS

STC is based on the "separation-without-withdrawal" paradigm

The initial stage of the Oslo process reorganized Israel's occupation into zones of direct and indirect control, which allowed Israel to maintain its occupation indefinitely at low cost. Essentially, "Shrinking the Conflict" (STC) proposes extending this paradigm to its logical endpoint.

STC obscures the one-state reality

The consolidation of Israel's permanent rule over the occupied territories has created a "one-state reality." STC claims to offer a "two-state reality" in place of two actual states and is intended to free Israel of the implications of preventing the establishment of a sovereign Palestinian state.

Echoes of Apartheid

STC echoes the logic of Apartheid-era South Africa in its formation of territorial reservations called "Bantustans," which were intended to give the appearance of self-determination for Black South Africans and deflect the responsibility of the sovereign government toward all people under its effective control.

Palestinians are passive recipients of Israeli policy

While this reflects the prevailing dynamic between the two sides, the lack of Palestinian acquiescence will ultimately limit STC from realizing its goals and perpetuate the conflict indefinitely. Copyright © 2022 The Middle East Council on Global Affairs The Middle East Council on Global Affairs is an independent, non-profit policy research institution based in Doha, Qatar. The Council gratefully acknowledges the financial support of its donors, who value the independence of its scholarship. The analysis and policy recommendations presented in this and other Council publications are those of the author(s) and do not $necessarily\,reflect\,the\,views\,and\,opinions\,of\,the\,organization, its$ management, its donors, or its other scholars and affiliates.



INTRODUCTION

When Israel's "government of change" was sworn into office in June 2021, then-incoming Prime Minister Naftali Bennett pledged to the Knesset-Israel's parliament—that he would change course in the country's military occupation over the Palestinian territories through "the reduction of friction and the shrinking of the conflict."1 The choice of words was significant given its direct reference to a policy formula that has generated considerable debate in Israel over the past few years, as well as attention abroad. First introduced by the Israeli political philosopher Micah Goodman in a 2017 book, Catch-67, and later in a series of articles, "Shrinking the Conflict" (STC) is premised on the argument that Israel should minimize its control over Palestinian lives through a series of steps that chart a distinct path away from either trying to resolve the Israeli-Palestinian conflict entirely or manage it indefinitely. In doing so, Goodman argues that STC can transform the very nature of the conflict itself.

Although Bennett's government collapsed a year after taking power, the adoption of STC by the prime minister and key members of his cabinet² took Goodman's program out of the realm of ideas and gave it weight as a policy agenda. While Bennett's implementation of STC when in power was inconsistent, the endorsement of the concept at the highest echelons of government and its emerging resonance internationally have made it worthy of deeper examination. Moreover, as this issue brief demonstrates, the underlying ideas behind STC were already being put into practice by Israel for many years prior to Bennett's government, have been instrumental in shaping the current reality inside the occupied Palestinian territories, and will likely continue to influence policy in the years ahead.

This brief focuses on the constructs of STC and its implications on the Israeli-Palestinian conflict, rather than Goodman's reading of Israeli society and politics, examining the proposal's efficacy as a transformative vision, and the role of Palestinians—or lack thereof. The brief shows that behind STC's seemingly benevolent facade, which purports to "maximize

Palestinian freedom," the proposal is designed to create an illusion of separation between Israelis and Palestinians on territory that Israel is unwilling to exit in practice, with the purpose of shielding Israel from the implications of its permanent rule over Palestinians. STC does this by advancing the separation-withoutwithdrawal paradigm established during the interim phase of the Oslo Accords in order to obscure the "one-state reality" that has emerged as a result of Israel's settler enterprise in the West Bank and its prevention of a two-state solution.

Part I of this brief summarizes Goodman's STC proposal and its claims. Part II analyzes the proposal as a concept and in practice, identifying STC as an extension of the separation-without-withdrawal framework. Part III situates the Palestinians in relation to STC, particularly as passive recipients of Israeli policy, and questions whether STC can achieve its goals without Palestinian involvement or endorsement.

1. STC: THE CONCEPT

First, it is important to recognize that Goodman is engaged in a domestic Israeli dialogue and STC, at least initially, was meant for an Israeli audience. Ostensibly, STC is framed as a proposal to mitigate the polarization in Israel between the political Right and Left, which Goodman argues has generated a debilitating level of paralysis. "Political confusion," Goodman wrote in a 2019 article in The Atlantic, "is the new political consensus in Israel."3

Goodman posits that at the heart of this confusion is the fact that the Israeli-Palestinian conflict cannot be resolved, largely because it would demand that Israelis reconcile a fundamental dilemma over their state's relationship to the occupied territories. In Goodman's words: "If Israel remains in the territories, it will endanger its future, but if it leaves the territories, it will also endanger its future."4 Or, put differently: "Withdrawing from the territories would jeopardize [Israelis'] national security, but annexing the territories would jeopardize their national majority,"5 by incorporating millions of non-Jewish citizens into the polity.

With the Israeli Left and Right divided between these two political programs Goodman attempts to articulate the "hidden consensus" in Israeli politics, a do-nothing or do-no-harm approach in which Israel neither withdraws nor formally annexes the West Bank. Instead, he argues Israel would be best served by "shrinking the conflict" through a series of unilateral measures (he proposes eight) intended to reduce Israel's totalitarian hold over the Palestinians, stimulate their economic development, and enhance their self-government.

These eight steps include building a network of roads for Palestinians in the West Bank; connecting the disparate enclaves under the Palestinian Authority (PA)'s semi-autonomous control; slightly expanding the territories the PA administers and offering additional land for industrial development; easing travel abroad for Palestinians through the border with Jordan and Israel's international airport; issuing more work permits inside Israel; facilitating greater ease in imports and exports; amending the agreement governing the economic relationship between Israel and the PA; and ending settlement building outside major settlement blocs.

Goodman argues, if implemented, these steps would have a transformative effect on the nature of the conflict because the Palestinian territories would no longer be weak and fragmented but an "independent and contiguous polity" that is "open to the world." As such, the conflict would be "reorganized as a clash between neighbors rather than between rulers and subjects."

Crucially, to ensure these steps do not compromise Israeli security, Goodman also says the Israeli military, security, and intelligence agencies must continue to operate inside the occupied territories indefinitely, which he outlines in five principles:

- 1. Israeli intelligence will continue to operate in all parts of the West Bank.
- 2. Israeli military will continue to conduct pursuits and arrests in all parts of the Palestinian autonomous area.

- 3. Israel will retain a permanent military force in the Jordan Valley.
- 4. Airspace will remain under full Israeli control.
- 5. Telecommunication networks will remain under full Israeli control.6

Taken together, these steps and principles comprise the "eight plus five" formula that is STC.

2. STC: THE REALITY

The most common critique leveled at STC is that it is simply a rebranding of other failed or unimplemented policies, namely "economic peace" proffered by former prime minister Benjamin Netanyahu, but also similar plans stretching back to the onset of Israel's military occupation in 1967.7 In general, such proposals aim to raise Palestinian living standards through economic development while avoiding progress on political issues or ending Israel's 54-year military occupation of the West Bank and Gaza Strip. Critics generally question the efficacy of this approach because it is based on two unconvincing assumptions: (1) Palestinians would be more amenable to overlooking their fundamental lack of political and human rights if provided better economic conditions; and (2) these improved conditions can be achieved without ending the occupation.

In many ways, STC does resemble this approach given its framing as a substitute for decisive political action on Israel's part and its basis on expanding Palestinian freedom of movement and economic opportunity without ending the occupation or stopping settlement expansion. Yet history has demonstrated that Israel's occupation is incompatible with Palestinian economic development, and that creating a benign occupation is impossible because denying a people their right to self-determination requires near-constant—even escalating—repression.8

Indeed, Goodman ignores that the intelligence network he considers essential to Israeli security is derived from exploiting Palestinian insecurity through a system of mass incarceration, legalized torture,9



intrusive surveillance, 10 collective punishment, 11 and extortion of Palestinian dependency on the occupying power for basic necessities. With no additional rights or protections forthcoming under the proposal, the ongoing presence of Israel's military and security apparatus in Palestinian life ensures the oppression they face is unending and limits the possibility of reduced friction.¹² This alone invalidates Goodman's claims that STC is capable of transforming the relationship between Palestinians and Israelis into one of neighbors.

Yet STC is far more pernicious than a glib rebranding of tired or discredited ideas. Under the premise of overcoming Israel's left-right polarization, STC combines the demographic reasoning for separation from Palestinians that undergirds the two-state paradigm with the security argument that obliges Israel to retain control over the occupied territories indefinitely. Through this synthesis, Goodman provides both a rationale and a blueprint for a system of permanent domination of Israelis over Palestinians. More importantly, he does so while also claiming that two distinct polities can exist under a single sovereign government, thereby eliding the ruling government's responsibilities to all people under its effective control. As such, Palestinian individual and collective rights are disregarded entirely, while the focus on improving Palestinian livelihood is used as a palliative for the denial of their right to self-determination.

A. STC in Practice

In practical terms, STC equates to extending the current structures of Israeli rule in the occupied territories to their logical endpoint. Between 1993 and 1995, these structures were established as part of the Oslo Accords, intended to be temporary until a final resolution was negotiated within a five-year period.13 They include the creation of the semi-autonomous PA government; the Paris Protocols that govern the economic relationship between Israel and the PA; and the zones of jurisdiction (Areas A, B, and C) that allocate administrative and security control over the West Bank

and Gaza. When the peace process collapsed in 2000 (although never fully abandoned) these interim structures effectively became permanent, trapping Palestinians in administrative limbo.¹⁴ In effect, Israel preserved ultimate control over the entire occupied Palestinian territories but ceded its administrative obligations as an occupying power to the PA and the financial costs to the Palestinian taxpayer and the international donor community. Thus, Israel gained a cost-free occupation with little pressure to make concrete decisions about its future in the territories. 15 Moreover, Israel retrains total jurisdiction over 60 percent of the West Bank, exploiting unrestricted access to the land and resources for its illegal civilian settlement enterprise, which has grown six-to-seven-fold since the Oslo Accords were signed.16

The favorability of this status quo for Israel provides a major incentive to sustain it as long as possible. STC suggests that if Palestinians experience indirect occupation everywhere, as they do in Ramallah or in other major enclaves under PA administration, then they would be content with Israel's permanent presence in the backdrop.

In a closer examination of the STC formula this becomes apparent. For example, the first step Goodman proposes in his 2019 article in The Atlantic is the construction of a road network in the West Bank that connects major Palestinian cities.¹⁷ Under the tagline "Keep It Flowing," Goodman recycles a plan from the Israeli military initiated in 2003 called "Everything Flows," whereby Palestinian enclaves are connected by their own road network to achieve "transportational contiguity" in place of territorial contiguity.18

However, Goodman fails to mention that such a road network already exists. As the Jewish settler population has mushroomed, Palestinians have found their access to those roads restricted and their freedom of movement inhibited. In recent years, Israel has already begun building an alternate infrastructure of interchanges, bypass roads, and tunnels for

Palestinians under a scheme known as "Fabric of Life,"19 whose goal is to produce systematized separation between two populations living on the same piece of land.

Israel, then, is engineering a road network that is less in conflict with its colonial enterprise.²⁰ By superimposing one spatial-infrastructural grid on top of another, Israelis and Palestinians can occupy the same geography without ever meeting on the same topography. Israelis can continue to develop their colonies without compromising their own freedom of movement or security.²¹ This "separation [better enables] Israeli security forces to restrict Palestinian movement, when needed, without disrupting travel by settlers and other Israelis driving on West Bank roads."22

This logic extends throughout the STC formula, which also proposes that Palestinian transit out of the country through Jordan is made more seamless, and that Palestinians be offered separate, secure shuttles through Israel's Ben Gurion Airport.23 The combination of a separate infrastructure with no meaningful change in their access to the rest of Israel-Palestine means that Palestinians would essentially be fenced in and funnelled out.

In Goodman's thinking, however, this constitutes a "two-state reality"—although not two actual states—and transfigures the Palestinians from subjects of Israeli rule into Israel's neighbors. Achieving this is fundamental to the logic underlying STC because Israel is denying Palestinian statehood but is also unwilling to provide civil and political rights to the millions of stateless Palestinians living within Israeli-controlled borders. From an international legal standpoint, including treaties the Israeli government has ratified, Israel is responsible for providing these rights.²⁴ By distinguishing a Palestinian polity on a distinct territory—or archipelago of territories—Goodman hopes Israel can avoid the consequences of permanent rule.

Such reasoning echoes the rationale for the Bantustans of Apartheid South Africa, by attempting to channel Palestinian demands for self-determination and self-governance into a series of non-sovereign territorial reservations. As in South Africa, however, the dependency of these territorial entities on the suzerain government renders them incompatible with notions of independence or even genuine autonomy. That is why the overwhelming majority of the international community never recognized the independence of the Bantustans²⁵ and has rejected Israeli claims that it no longer occupies the Gaza Strip, for instance.26

Although Goodman deliberately excludes Gaza from the STC proposal, in a real sense Israel would be attempting to turn each isolated enclave in the West Bank into a mini version of the beleaquered coastal strip, connected by a patchwork of transportation infrastructure. As with Gaza, Goodman believes Israel will have washed its hands of responsibility,27 even though this argument has been rejected by the United Nations²⁸ and the International Criminal Court.29

B. Why Change at All?

While the status quo is favorable for Israel it nonetheless remains inherently unstable. Under present conditions, the PA—an essential component of this paradigm—is weak, unpopular, financially insolvent, and increasingly cast as illegitimate by its own public. Moreover, while Palestinians do not experience direct military occupation in their major cities (although Israeli military incursions routinely pierce this bubble), the façade of autonomy is lifted as people interface directly with the Israeli military, settlements, and numerous obstacles to their freedom of movement. This reality is extremely frustrating and degrading for Palestinians, significantly undermines economic development, and causes a great deal of friction with Israel.

Furthermore, STC has a more nefarious objective at its core—one that offsets any gains to be had from reducing short-term frictions. The Oslo framework did not end the occupation inside the enclaves; it simply reorganized it.30 As such, the Israeli state remains the ultimate authority, with decision-making



in the Israeli Knesset and military still dictating the lives of Palestinians under PA administration. That is why the International Court of Justice and the international community more broadly still define Israel's presence in the Palestinian territories as a military occupation.31 However, this status should not be considered immutable. Not only is the occupation 54 years old, but it also exists in tandem with an illegal settler-colonial enterprise. Therefore, as the window on the two-state solution has closed, Israeli rule appears permanent and the one-state reality—in which one ethno-national group structurally dominates another—is increasingly being characterized as apartheid.32

These three weaknesses of the current system the potential collapse of the PA; friction with the military and settlement project; and the growing resonance of the claim that the regime in place is one of a partheid 33—are what STC appears designed to address. Its proponents clearly hope that the consensus over Israel's occupation will give way to one in which Israel bears no responsibility for the Palestinians under PA jurisdiction.

In sum, it would appear the real dilemma being solved for is not what Goodman claims, but rather how to avoid sovereign obligations while preventing a Palestinian state. As such, STC can best be described as a ploy to extricate Israel from a trap of its own making rather than a genuine attempt to produce satisfactory results for both parties. Goodman does not exactly hide this, either. In his 2019 article, he concludes that "these steps and principles... avert the threat to Israel's existence as a Jewish and democratic state without decreasing Israeli security. This is a plan for the confused Israelis who are not looking for a plan to solve the conflict, but a way to escape the trap, and to improve the lives of Palestinians as well."34

3. PALESTINIAN PARTICIPATION?

Despite being the central focus of the STC proposal, Palestinian engagement in the process of discussion and implementation is not only deemed to be unnecessary but is disregarded entirely. Instead, Palestinians are relegated to mere passive recipients of Israeli "goodwill" with no say in their proposed fate. Far from being an oversight by Goodman, this omission of Palestinian agency is in keeping with presentday political dynamics, in which Palestinians have lost much of their already-limited leverage and Israeli unilateralism is the determining force shaping reality on the ground.

It is difficult to believe STC will produce the type of placidity among Palestinians that Goodman's policy requires. While some steps proposed by Goodman would likely be welcomed by Palestinians as improvements to their daily living conditions, it is clear the underlying intention of STC is to solidify Israel's hold over Palestinians and their land, thereby denying them their rights and freedoms over the long term.

As such, Palestinian scholars and analysts have generally dismissed the proposal as a "repackaging" of older policies and not given STC significant attention.35 While the PA would likely be inclined to work with Israel to enhance economic and governing opportunities in the West Bank, the PLO Central Committee has explicitly rejected STC,36 and even senior officials engaging with Israel on a daily basis recognize that pursuing such an agenda divorced from progress on the political track is untenable.

In recent meetings with Israel's foreign minister, PA Minister of Civil Affairs Hussein Al-Sheikh—arquably the closest advisor to PA President Mahmoud Abbas—stressed the importance of having a "diplomatic horizon" between Israelis and Palestinians. "We talk about security, the economy and civilian matters but it's important that there be a political umbrella over everything we do," Al-Sheikh said. "Without that, the situation will be very tough."37

In disregarding Palestinian agency, however, Goodman also disregards the complexity of Palestinian politics, taking for granted the stability of the current political order. At present, the Palestinian polity is weak, fragmented, and dominated

by an unelected and repressive political elite with a vested interest in the PA's future, and therefore does not challenge Israel or the status quo in any meaningful capacity.38 STC assumes that giving the PA a greater degree of operational latitude will keep it afloat and in control of the Palestinian public indefinitely. Yet as the political horizon for a Palestinian state has receded, so has the PA's legitimacy among its public.

Today, the majority of Palestinians in the occupied territories view the PA as a burden, and only onethird still support the two-state solution as a framework for resolving the conflict.³⁹ Without even a democratic mandate, the current political elite's hold on to power is tenuous and increasingly being challenged by a restless population.

Furthermore, the donor community that has continued to finance the PA has grown increasingly wary of footing the bill as the window on two states has closed. Indeed, external financing for the PA has already dropped 83 percent over the past 13 years, from \$1.2 billion in 2008 to approximately \$184 million in 2021.40 The likelihood that outside countries will shoulder the financial cost of this project indefinitely is dubious at best. 41 Yet without a functioning PA led by an acquiescent leadership, there is little chance STC can deliver for Israel what Goodman promises.

CONCLUSION

STC purports to be a transformative policy agenda that not only articulates a hidden consensus in Israeli politics over the country's approach to the Palestinian issue but is capable of reorganizing the conflict from a belligerent one between masters and subjects to a benign one between neighbors. In reality, a reorganization of the conflict along the lines suggested by STC already occurred in the 1990s with the signing of the Oslo Accords, which created new structures and layers of direct and indirect occupation. Crucially, the suspension of the Oslo process during its interim phase produced a dynamic that satisfied concurrent—even

competing—Israeli desires to continue expanding the Zionist settler project into occupied territory, relinquish direct administration for the majority of Palestinians, and retain security control over the entirety of Israel-Palestine.

Conceptually, STC stems from this separationwithout-withdrawal model. Yet it goes further by rationalizing the extension of this model in time and space, so that it becomes a comprehensive and permanent paradigm. The objective is to rescue Israel from the trap of permanent rule over a disenfranchised population by producing a "two-state reality" in place of two actual states and obscuring the onestate reality that has taken shape on the ground. Far from being a stable outcome, however, the rejection of the Palestinian right to self-determination ensures perpetual conflict and the entrenchment of a sui generis system of apartheid. Moreover, by failing to consider internal Palestinian politics or the appetite of key external actors to continue financing the Oslo project, STC is likely to fail in delivering what it claims, even for Israel.



ENDNOTES

- 1. Patrick Kingsley, "'Shrinking the Conflict: What Does Israel's New Mantra Really Mean?" The New York Times, September 30, 2021 (Updated November 2, 2021), https://www.nytimes.com/2021/09/30/world/middleeast/israel-bennett-palestinians-shrinking.html.
- 2. Meron Rapaport, "The Israeli right tried to manage the conflict. Bennett wans to 'shrink' it," +972 Magazine, August 12, 2021, https://www.972mag.com/bennettsaar-goodman-shrinking-conflict/.
- 3. Micah Goodman, "Eight Steps to Shrink the Israeli-Palestinian Conflict," The Atlantic, April 1, 2019, https://www.theatlantic.com/ideas/archive/2019/04/ eight-steps-shrink-israeli-palestinian-conflict/585964/.
- 4. Goodman, "Eight Steps to Shrink the Israeli-Palestinian Conflict."
- 5. Micah Goodman, "How an Israeli Unity Government Could Shrink the Conflict: Shaking the Rigid Ideologies that Have Defined Israel's Politics," The New York Times, September 29, 2019, https://www.nytimes. com/2019/09/29/opinion/israel-election.html.
- 6. Goodman, "Eight Steps to Shrink the Israeli-Palestinian Conflict."
- 7. Ben White, "Israel-Palestine: Normalizing Apartheid under the guise of 'shrinking the conflict,'" Middle East Eye, September 24, 2021, https://www.middleeasteye.net/ opinion/israel-palestine-normalising-apartheid-underguise-shrinking-conflict; Amjad Iraqi, "The real terror of Palestinian civil society," +972 Magazine, October 28, 2021, https://www.972mag.com/shrinking-conflictpalestinian-ngos/.
- 8. Peter Beinart, "It Is Impossible to 'Shrink the Conflict," Jewish Currents, November 11, 2021, https://jewishcurrents.org/it-is-impossibleto-shrink-the-conflict.
- "Torture and Abuse in Interrogation," B'Tselem, November 11, 2017, https://www.btselem.org/torture.
- 10. Nadim Nashif and Marwa Fatafta, "Surveillance of Palestinians and the Fight for Digital Rights," Al-Shabaka, October 23, 2017, https://al-shabaka.org/ briefs/surveillance-palestinians-fight-digital-rights/; Elizabeth Dwoskin. "Israel escalates surveillance of Palestinians with facial recognition program in West Bank," The Washington Post, November 8, 2021, https://www.washingtonpost.com/world/ middle_east/israel-palestinians-surveillance-facialrecognition/2021/11/05/3787bf42-26b2-11ec-8739-5cb6aba30a30_story.html.

- 11. Michael Lynk, Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied Since 1967, UN Human Rights Council, Forty-Fourth Session, (New York: United Nations Office of the High Commissioner for Human Rights, 2015), 7-19, https://www.ohchr.org/EN/HRBodies/ HRC/RegularSessions/Session44/Documents/A_ HRC_44_60.pdf.
- 12. Beinart, "It is Impossible to 'Shrink the Conflict."
- 13. "Declaration of Principles on Interim Self-Government Arrangements," United Nations General Assembly Security Council, October 11, 1993, accessed November 29, 2021, https://peacemaker. un.org/sites/peacemaker.un.org/files/IL%20 $PS_930913_Declaration Principles nterim Self-$ Government%28Oslo%20Accords%29.pdf.
- 14. Omar Rahman, From Confusion to Clarity: Three Pillars for Revitalizing the Palestinian National Movement, Brookings Doha Center Report, (Doha, Qatar: Brookings Doha Center, 2019), https://www.brookings. edu/research/from-confusion-to-clarity/.
- 15. Kourosh Ziabari, "ODVV interview: Israel maintains a cost-free occupation over the Palestinian territories." Organization for Defending Victims of Violence, October 23, 2019, https://www.odvv.org/blog-2848-ODVVinterview-Israel-maintains-a-cost-free-occupationover-the-Palestinian-territories.
- 16. Jonathan Kuttab, Israel is Almost Done Absorbing Area C of the West Bank, Arab Center Washington Policy Analysis. (Washington, DC: Arab Center Washington DC, 2021), https://arabcenterdc.org/resource/israel-is-almostdone-absorbing-area-c-of-the-occupied-west-bank/.
- 17. Goodman, "Eight Steps to Shrink the Israeli-Palestinian Conflict."
- 18. B'Tselem, Ground to a Halt: Denial of Palestinians Freedom of Movement in the West Bank, (Israel: B'Tselem, 2007, 27, https://www.btselem.org/download/200708_ ground_to_a_halt_eng.pdf; Ariel Handel, "Where, Where to, and When in the Occupied Territories: An Introduction to Geography of Disaster," in The Power of Inclusive Exclusion: Anatomy of Israeli Rule in the Occupied Palestinian Territories, eds. Adi Ophir, Michal Givoni, Sari Hanafi (New York: Zone Books, 2009).
- 19. Omar Jabary Salamanca, "Assembling the Fabric of Life: When Settler Colonialism Becomes Development," Journal of Palestine Studies 45, no. 4 (Summer 2016) 64-80, https://online.ucpress.edu/jps/articleabstract/45/4/64/54952/Assembling-the-Fabric-of-Life-When-Settler?redirectedFrom=fulltext.

- 20. Joseph Krauss, "New roads pave way for massive growth of Israeli settlements," Associated Press, December 7, 2020, https://apnews.com/article/israel-jerusalem-telaviv-west-bank-e4fa1e5e989e678b2e26c6b169c9a3e9.
- 21. Rahman, From Confusion to Clarity.
- 22. B'Tselem, Ground to a Halt.
- 23. Goodman, "Eight Steps to Shrink the Israeli-Palestinian Conflict."
- 24. "International Covenant on Civil and Political Rights," UN Office of the High Commissioner for Human Rights, accessed November 29, 2021, https://www.ohchr.org/en/ professionalinterest/pages/ccpr.aspx.
- 25. John Aerni-Flessner and Chitia Twala. "Bargaining with Land: Borders, Bantustans, and Sovereignty in 1970s and 1980s Southern Africa." Journal of Southern African Studies 47, no. 6 (October 2021), 993-1009, https://doi.or q/10.1080/03057070.2021.1982264.
- 26. "Statement of the Special Rapporteur on the Human Rights Situation in the Palestinian Territory Occupied Since 1967 on the Role of the EU with regards to the Looming Israeli Annexation of Parts of the Palestinian West Bank," Office of the High Commissioner for Human Rights, accessed December 13, 2021, https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25991&LangID=e; lain Scobbie. "Is Gaza still occupied territory?" Forced Migration Review, no. 26 (August 2006), https://www.fmreview. org/palestine/scobbie.
- 27. "The Disengagement Plan-General Outline." Israel Ministry of Foreign Affairs, April 18, 2004, https://www. mfa.gov.il/mfa/foreignpolicy/peace/mfadocuments/ pages/disengagement%20plan%20-%20general%20 outline.aspx.
- 28. United Nations Watch, "UN: We Still Consider Gaza 'Occupied,'" YouTube, January 19, 2012, https://www. youtube.com/watch?v=KYEjDR6Xpqo.
- 29. "ICC ruling on jurisdiction in occupied Palestinian territory welcome step towards justice: UN expert," Office of the High Commissioner for Human Rights, February 9, 2021, https://www.ohchr.org/en/NewsEvents/Pages/ DisplayNews.aspx?NewsID=26732&LangID=E: "Questions and Answers on the Decision on the International Criminal Court's Territorial Jurisdiction in the Situation in Palestine," International Criminal Court, February 15, 2021, https://www.icc-cpi.int/itemsDocuments/ palestine/210215-palestine-q-a-eng.pdf.
- 30. Ariella Azoulay and Adi Orphir, The One State Condition: Occupation and Democracy in Israel/Palestine, (Stanford, CA: Stanford University Press, 2012).

- 31. Isabel Kershner. "Are West Bank Settlements Illegal? Who Decides?" The New York Times, November 18, 2019, https://www.nytimes.com/2019/11/18/world/ middleeast/israel-west-bank-settlements.html; "Advisory Opinion of the International Court of Justice Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory," United Nations, July 9, 2004, https://www.un.org/unispal/document/ auto-insert-178825/.
- 32. International Criminal Court, Rome Statute of the International Criminal Court, (The Hague, The Netherlands: International Criminal Court, 1998), 4, https://www.icc-cpi.int/resource-library/documents/ rs-eng.pdf.
- 33. In 2021, the human rights organizations Human Rights Watch, B'Tselem, and Yesh Din all published reports categorizing Israel as an apartheid state or committing the crime of apartheid. In January 2022, Amnesty International released a major report also accusing Israel of committing the crime of apartheid.
- 34. Goodman, "Eight Steps to Shrink the Israeli-Palestinian Conflict."
- 35. Iraqi, "The Real Terror of Palestinian Civil Society."
- 36. Wafa News Agency, "Palestinian central council suspends recognition of Israel until it recognizes State of Palestine, February 9, 2022, https://english.wafa.ps/Pages/ Details/127987.
- 37. Times of Israel, "Top PA official says meeting with Lapid was positive, 'opened doors' for more talks," January 25, 2022, https://www.timesofisrael.com/top-pa-officialsays-meeting-with-lapid-was-positive-opened-doorsfor-more-talks/.
- 38. Rahman. From Confusion to Clarity.
- 39. Khaled Abu Toameh, "Palestinian Support for Two-State Solution Losing Ground, Poll Finds," The Jerusalem Post, November 25, 2021, https://www.jpost.com/arab-israeliconflict/palestinian-support-for-two-state-solutionlosing-ground-poll-finds-686952; Palestinian Center for Policy and Survey Research, Public Opinion Poll No (79), (Ramallah, Palestine: Palestinian Center for Policy and Survey Research, 2021), http://pcpsr.org/en/node/839.
- 40. Lazaroff, "Israel to ask donor countries to restore payments to Palestinians."
- 41. Nathan Brown, Time to Rethink, But Not Abandon, International Aid to Palestinians, Research, (Washington, DC: Carnegie Endowment for International Peace. 2018), https://carnegieendowment.org/2018/12/17/ time-to-rethink-but-not-abandon-international-aid-topalestinians-pub-77985.



ABOUT THE AUTHOR

Omar H. Rahman is a fellow at the Middle East Council on Global Affairs. He is a writer and political analyst specializing in regional geopolitics and peace and conflict issues, with a particular focus on Palestine and Israel. Rahman would like to thank Nader Kabbani, Noha Aboueldahab, and Nejla Ben Mimoune for their valuable comments, and Sari Hanafi for his external peer-review.



ABOUT THE MIDDLE EAST COUNCIL ON GLOBAL AFFAIRS

The Middle East Council on Global Affairs is an independent, non-profit policy research institution based in Doha, Qatar. The Council produces policy-relevant research, convenes meetings and dialogues, and engages policy actors on geopolitical and socioeconomic issues facing the Middle East and North Africa (MENA) region. The Council serves as a bridge between the MENA region and the rest of the world, providing a regional perspective on global policy issues and establishing partnerships with other leading research centers and development organizations across the MENA region and the world.



MIDDLE EAST COUNCIL ON GLOBAL AFFAIRS

Saha 43, Building 63, West Bay, Doha, Qatar www.mecouncil.org