

of our choosing'.⁴⁷ He was now, no doubt, and in spite of his pledge to President Bush, starting to prepare the ground for Arafat's possible assassination.

I 4 Unilateralism and Its Rewards, 2004-2007

Against the background of the continued bloody war between Israelis and Palestinians, a new thinking had gradually taken root in Israel. At its heart was a shift from negotiating the end of the conflict with the Palestinians to, instead, taking unilateral steps aimed at physically separating from them, and ending the occupation in specific locations. This thinking reached its climax during Sharon's tenure as prime minister, as he led a unilateral pull-out of troops and settlements from the Gaza Strip, and symbolically from four West Bank settlements. It was, without doubt, a daring move given that even the previous leftist governments had been reluctant to evacuate occupied lands and dismantle settlements before a final status agreement with the Palestinians had been reached. The slain prime minister, Yitzhak Rabin, once said that he would have liked to see Gaza sink in the sea, but even he – the architect of the Oslo agreements with the Palestinians – would not evacuate any of its settlements before the conclusion of negotiations.

A unilateral withdrawal from occupied Palestinian lands was not Sharon's brainchild, but that of Barak, who, following the collapse of the Camp David summit, declared that there was no Palestinian partner for peace and that Israel – even unilaterally – must create a situation whereby, as he often put it, 'we are here and they are there'. Sharon, who defeated Barak in the general election, was attracted by his predecessor's idea of unilateral disengagement, as he lacked any faith in the Palestinians to negotiate a deal. But unlike Barak, whose main focus of attention was on a separation from the Palestinians on the West Bank, Sharon first sought a separation from the Gaza Strip, which he regarded as an albatross around Israel's neck.

He calculated that by setting up a new agenda, at the heart of which was an Israeli withdrawal from the occupied Gaza Strip, which he would depict as ultimately serving the peace process, he could receive new support both internationally and domestically; in the meantime, the Palestinians would have to struggle to bring some order to the miserable enclave that Israel would leave behind. More importantly, a withdrawal would be so unexpected – nothing short of revolutionary coming from the hardline Sharon – that it would derail the Quartet, the joint diplomatic initiative of the US, EU, Russia and the UN, from pushing ahead with the aforementioned roadmap; Sharon loathed the roadmap, as it would require him to compromise on issues of great sensitivity, including ownership of East Jerusalem, control of the Jewish settlements in the West Bank and, most threatening of all, the claims of 4.8 million Palestinian refugees to return to Israel.

Preparing the ground

The driving force behind the emerging plan to disengage unilaterally from the Gaza Strip was Sharon's key political and foreign policy adviser, Dov Weisglass. He brought the idea before a small forum of advisers that would often meet in the kitchen of the prime minister's Sycamore Ranch on Friday mornings or Saturday nights. It is difficult to accurately reconstruct the discussions there as no transcripts ever emerged from this forum, and only a few of the meetings even appeared on the official schedule of the Prime Minister's Office, and when they did they came under the code name 'Private Meira', after Meira Katriel, the staffer who coordinated the meetings. What we do know, however, is that by September/October 2003, as the prime minister's popularity was in decline, following allegations of corruption against him and his sons and what seemed to be a never-ending bloody war with the Palestinians, Sharon decided to go ahead with the unilateral disengagement plan. First, however, he would try his idea on the Americans.

At a meeting in Rome, on 19 November 2003, Sharon told Elliot Abrams, the US official responsible for the Israeli-Palestinian portfolio within the White House National Security Council, that he was

considering an Israeli withdrawal from the Gaza Strip. Although knowing quite well that such a plan was sure to derail any other planned negotiated settlement for the occupied territories, Sharon went out of his way to emphasize that a pull-out from the Strip, of the sort he proposed, would not, in any way, contradict the roadmap, and he pledged that Israel was still committed to the Quartet's plan. The Rome meeting marked the first time Sharon revealed his thoughts about a unilateral pull-out from the Gaza Strip outside his intimate circle.

Sharon then set out to prepare the Israeli public for the unilateral withdrawal from the Gaza Strip, asking his speech writer to insert into his speeches the idea that while Israel continued to implement the roadmap, it was not excluding unilateral steps to end the occupation. Then, at a conference in Herzliya, northern Israel, on 18 December, Sharon openly presented his 'Disengagement Plan'; the original name, the 'Separation Plan' was dropped, as the word 'separation' evoked apartheid, and the word 'withdrawal' was still taboo in Israel, so it was assumed that 'disengagement' would work better with the public.

'Like all Israeli citizens, I yearn for peace,' Sharon announced; however, 'if the Palestinians do not make a similar effort toward a solution of the conflict – I do not intend to wait for them indefinitely'. He added – no doubt for the benefit of his international audience – that the roadmap was the 'best way to achieve true peace', but 'the terrorist organizations joined with Yasser Arafat and sabotaged the process with a series of the most brutal terror attacks we have ever known . . .' He warned that if the Palestinians continued to disregard their part in implementing the roadmap – should they fail to curb attacks on Israel – 'then Israel will initiate the unilateral security step of disengagement from the Palestinians . . . fully coordinated with the United States'.

Sharon then proceeded to explain how his plan would work: he would remove all twenty-one Jewish settlements from the Gaza Strip, relocating their 8,600 settlers into Israel, and redeploy the army on the Israeli side of the fence with the Gaza Strip. But he also emphasized, and here was the tricky bit, that at the same time Israel would strengthen its control 'over those same areas in the Land of Israel [namely, on the West Bank] which will constitute an inseparable part

of the State of Israel in any future agreement'. It was, in other words, a plan aimed at trading off the Gaza Strip – a 'nest of snakes' as the defence minister, Moshe Dayan, described it as far back as 1967 – for the West Bank, the cradle of Jewish history.

Leaving the Israeli public, and indeed the world, to digest his bold idea, Sharon proceeded, in the meantime, to decimate the Gaza Strip's militants. It was particularly important to produce a victory over Hamas and other militants opposing Israel in order to prevent a situation where they could claim that their pressure had brought about the Israeli withdrawal. Subsequently, collaborators in the streets of the Gaza Strip kept the Israelis informed of the whereabouts of various militants, whom the army then proceeded to eliminate one by one. The most senior Palestinian on Israel's assassination list was the elderly quadriplegic and spiritual leader of Hamas, Sheikh Yassin, who, as we have seen, had already survived an attempt on his life. Sharon nicknamed him the 'Squeaking Dog', on account of his thin, high voice, and wanted him dead. But since the last attempt on his life the Sheikh was more careful in his movements and the Israelis needed some patience before they could get him. 'There were several nights during which we followed him,' the defence minister, Shaul Mofaz, recalls in an interview with the author, 'and I would wait . . . until around one or two [in the morning] to know if there was a chance [to assassinate him].'²

On 21 March 2004, in spite of Israeli helicopters hovering over his house, the sheikh decided that he would pray in the mosque, where he went accompanied by his son, Abed el Amid Yassin, and some bodyguards. While at the mosque they identified more Israeli activities in the air and Abed el Amid said to his father: 'Dad, we must not leave here, let's stay in the mosque, they will not attack a mosque. Let's stay here and hide.'³ But at 4.45 in the morning, as Yassin's son recalls: 'We decided to go home after the morning prayers because the Sheikh was tired . . . he slept on a mattress in the mosque after taking his medication. We could not hear the helicopters and everyone was sure that the danger had gone . . .' They left the mosque running – two of Yassin's bodyguards pushing the wheelchair and shouting to each other '*Igri, igri* [run, run]' and '*Allah akbar* [God is great].' They were struck by

three missiles and the sheikh and his entourage were killed; his son survived.

Twenty-six days after Yassin's assassination, his replacement, Abdel Aziz Rantissi, was also killed after a missile attack on the car in which he was travelling, disguised as an old man. Following this assassination Hamas capitulated. They sent a message through the Egyptian intelligence minister, Omar Suleiman, to Sharon, stating that if Israel stopped the assassinations, Hamas would stop the suicide attacks. Sharon agreed and the truce stuck; for a long period there were no suicide attacks against Israel.⁴

Sharon's reward

The prime minister would not discuss his plan to disengage from Palestinian areas with the Palestinians, but he still thought that the US ought to reward him for his readiness to pull out from occupied lands, which, as he saw it, was a step in the right direction to realize George W. Bush's 24 June 2002 programme, in which he laid out his vision of two states living side by side.

Sharon sought to get a written guarantee from Washington on two critical issues in particular – Israeli West Bank settlements and Palestinian refugees. He wanted the US to officially agree that the final border between Israel and any future Palestinian state would diverge from the Green Line that separated Israel from the West Bank until the 1967 war and, instead, run *inside* the West Bank, so that Israel could annex its big blocs of Jewish settlements adjacent to the line. He also wanted written US recognition that, in any final settlement between Israel and the Palestinians, none of the millions of Palestinian refugees would be allowed to return to the homes of their forefathers in Israel – that the so-called 'right of return' (what Israel calls Palestinian '*claims* of return') would not apply. For Washington, however, publicly to throw its lot behind Israel and support the annexation of West Bank land and closing the door on the right of return of the Palestinian diaspora would be a red rag to the Arab world. American diplomats, therefore, set out to Amman, Jordan, to test the water on their close Arab ally. The vast majority of the population in Jordan are Palestinians and thus the king wanted to be

consulted on any programme; if the Palestinians were not happy with the result they may have directed their anger at him.

In Jordan, on 31 March, American officials presented to the Jordanian foreign minister, Marwan Muasher, Sharon's unilateral withdrawal idea and the reward he was expecting from the US. Muasher, however, was appalled: Jordan, he said, could only agree to 'minor changes to the 1967 borders' and, as for abolishing the Palestinian right of return, he told his guests: 'no Arab state is going to accept this'.⁵ The Jordanians were also concerned that Sharon only intended to disengage from the overpopulated Gaza Strip, but not from the West Bank. This latter point, in particular, had not been overlooked by the American diplomats, who then proceeded to press Sharon to demonstrate – even if only symbolically – that this was not his intention. Secretary of State Powell remembers what he said to the prime minister: 'You've got to do something in the West Bank as well. It's gotta be seen as part of a comprehensive approach to the problem and not just [a withdrawal from the Gaza Strip].'⁶

Finally, Sharon conceded, pledging that, in addition to the Gaza Strip, Israel would also evacuate four small West Bank settlements. This, for Jordan, was a step in the right direction, but, still concerned about the sort of concessions the US president might offer to Sharon, King Abdullah II sent Bush a letter on 8 April:

*I'm writing to share with you some of Jordan's thoughts . . . I fear the concessions asked for by Israel [as a reward for the Gaza disengagement] will undermine both our efforts. In particular we hope that no concessions on borders will be given that would suggest any major deviations from [the] 1967 [border]. The solution to the [Palestinian] refugee issue should also leave the door open for an agreed solution by both sides . . .*⁷

Despite the concerns raised by King Abdullah II, the Bush administration remained determined to go along with Sharon's plan. Sharon was due to visit Washington on 14 April, and he wanted to make absolutely sure he was going to receive the written guarantees he wanted, which he knew would enable him to sell his unilateral withdrawal more easily to the Israeli public, and would of course also help Israel

in future negotiations with the Palestinians. Therefore, ahead of his arrival, Sharon dispatched emissaries to thrash out with American officials the final details of the US guarantee.

The Israeli negotiators insisted that the American pledge should specify – in writing and by name – each and every West Bank settlement east of the 1967 line that Israel would be allowed to keep in any future agreement with the Palestinians. The Americans, however, balked at this – they knew accepting this demand would enrage the Arab world. Instead, they came up with a masterpiece of ambiguity: 'In light of new realities on the ground, including already existing major Israeli population centres, it is unrealistic to expect . . . a full and complete [Israeli] return to the [1967 border].'⁸ This could guarantee the Israelis got to keep the big blocs of settlements ('new realities on the ground') but did so in language sufficiently vague to allow the Americans to defend themselves from Arab criticism.

On the Palestinian demand to have a 'right of return' to Israel proper, the Israeli negotiators demanded that the Americans guarantee that Palestinian refugees would be settled in the future Palestinian state and 'not in Israel'. The Americans, however, would not accept this wording, preferring, instead, to adhere to a positive formula: that the refugees will be absorbed in the future Palestinian state, with no mention of Israel at all. When Sharon's negotiators insisted on the words 'not in Israel', the Americans came up with a new formula: the Palestinian refugees would be absorbed in the future Palestinian state 'rather than in Israel'. The Israelis were satisfied; they had achieved their aims on both borders and refugees as a reward for their willingness to get out of the Gaza Strip and, symbolically, from four small West Bank settlements.

At the press conference following their summit, George W. Bush described what the prime minister had promised to do, namely to remove all settlements from the Gaza Strip, and certain military installations and settlements from the West Bank. As for the reward, as the president then put it: 'in an exchange of letters today and in a statement I will release later today, I'm repeating to the prime minister my commitment to Israel's security . . . the realities on the ground [a reference to the big blocs of settlements on the West Bank] have changed

greatly over the last several decades, and any final settlement must take into account those realities . . .’ And the Palestinian refugees will be absorbed in the future Palestinian state ‘rather than in Israel’.⁹

It was a remarkable victory for Sharon. President Bush, leader of the most powerful country in the world, had moved even closer to Israel’s position, declaring that two dearly held principles of the Palestinian people – Israeli withdrawal to the 1967 borders and the right of return of the Palestinian diaspora to their old Palestine – were null and void. It is not entirely clear whether the president had any real sense of the significance of what he was endorsing, but the rules of the peace process had been rewritten – at least for the time being.

POISONING ARAFAT?

In the meantime, Sharon continued to eliminate his foes in the occupied territories to ensure that when Israel evacuated the Gaza Strip they would not claim that the Israelis had left because of Palestinian pressure on them. Sharon focused, primarily, on Hamas and Islamic Jihad militants, but the Palestinian Authority chairman, Arafat, seemed also to be on his hitlist – despite the prime minister’s promise to George W. Bush, in March 2001, not to harm him.

The language Sharon used in reference to Arafat seemed to indicate that, indeed, the Palestinian leader was facing real danger, and the few visitors he still received at the *muqata*, his headquarters in Ramallah, warned him that he was likely to be taken out by the Israelis. Alastair Crooke, a former British MI6 officer and later a diplomat working for the EU, recalls his last conversation with Arafat: ‘You know,’ he said to Arafat, ‘if there is another big [Israeli] attack, I think they will kill you. There are no red lights.’ To which Arafat replied according to Crooke: ‘Alastair, there are *green* lights. This is more serious than [Sharon’s 1982 siege on me in] Beirut.’¹⁰

Critically, during Sharon’s aforementioned 14 April 2004 visit to Washington to receive the American written guarantees on refugees and borders, he also managed to extricate himself from his March 2001 pledge to the American president not to hurt Arafat. In their April talks at the White House, when Bush advised Sharon to leave

the destiny of Arafat in the hands of divine providence, the prime minister hastened to reply that ‘providence sometimes needs a helping hand’.¹¹ Indeed, a confirmation that Sharon no longer regarded himself as committed not to kill Arafat was given when a short time after returning from Washington he said in a television interview: ‘I am released from this commitment . . . I released myself from this commitment regarding Arafat.’¹² And it seems that, unlike in March 2001, now, in 2004, President Bush no longer insisted on a clear pledge from Sharon not to hurt Arafat, effectively giving the prime minister if not a green light to proceed with the killing, then at least an amber.

Throughout 2004 Arafat’s physical condition deteriorated. One of his aides, Bassam Abu Sharif, describes how Arafat ‘was losing weight, his skin was very pale, almost transparent, and his energy levels had dropped significantly. His breath smelled strange and it had nothing to do with onion or garlic.’¹³ Others also recognized a massive change in Arafat’s state of health. His associate Mohammed Rashid recalls a visit to Arafat’s and how ‘When Arafat saw me he smiled, and he waved me to come in, but he was frail, he was weak, I leaned to him, I kissed him, and he said, “Stay away, I don’t want to contaminate you.”’¹⁴

By the summer Arafat was gravely ill but still refusing to be evacuated to hospital lest Sharon would not allow him to return to Ramallah. Finally, when his health deteriorated dramatically, he had no other option but to agree to be evacuated. On 29 October, a Jordanian helicopter carried Arafat from Ramallah to Amman, where a French plane was waiting to fly him to France. Arafat’s associate Nabil Shaath saw Arafat just before he embarked on the plane to France and remembers:

I rushed over to greet him. We walked together about fifty metres to the French plane. I was on his right side supporting him a little, but he was walking and talking. He said: ‘[My Dr] Hissam says I’ll be fine, because Hissam himself had had similar symptoms as me and he’s fine and well . . . I’ll be fine. And Dr Chirac [as Arafat called the French president] will look after me. He cares for me . . .’¹⁵

But this was not to be. In the Percy Military Hospital in Clamart, near Paris, on 11 November 2004, Arafat died, aged seventy-five. The

cause of his death remained shrouded in mystery and speculation is rife that he was poisoned by the Israelis.

While we do not have the smoking gun to show that Israel killed Arafat, the weight of evidence is such that one should not exclude this possibility. The fact that, as far back as March 2001, President Bush felt it necessary to extract a pledge from Sharon not to harm Arafat shows that the Americans suspected that that was precisely what the Israelis might indeed do. In subsequent months, Sharon spoke openly about the need to 'remove' Arafat, though it would be fair to add that he never explained what he actually meant by the word 'remove' in this context – whether physically or merely politically.

A clear indication that the Israelis did intend to kill Arafat can be found in the following 'Top Secret' document; in a report dated 15 October 2000 – a few months before even Sharon came to power – the Shabak, Israel's General Security Service, wrote:

Following the violent events in the territories the question arises again as to whether Arafat is a factor helping to sort out the historical conflict between Israel and the Palestinian nation, or whether we are dealing with a leader who[se] . . . policies and actions lead to a serious threat to Israel's security.

After going through 'why Arafat is necessary', and then 'why Arafat is not necessary', the document says that 'the damage [Arafat] causes is bigger than his benefits . . .' And the subsequent conclusion is straightforward: '7. Arafat, the person, is a serious threat to the security of the state. *His disappearance outweighs the benefits of his continuing existence.*'¹⁶ And yet, even this Shabak 'Top Secret' report does not provide us with enough evidence of assassination and we will probably have to wait for more information to ascertain what really killed Arafat.

A missed opportunity

Arafat's death turned into another huge missed opportunity, as with a new moderate Palestinian leader – the former prime minister Abu Mazen – elected president, in January 2005, the US could have pushed hard to renew the Israeli-Palestinian peace process. But, as the Ameri-

can diplomat Aaron David Miller observes, 'instead of working hard to empower Abu Mazen and push a political process, the administration allowed the situation to drift'.¹⁷ Perhaps it was because of President Bush's reluctance to push Sharon, or his gut feeling that it would be better to stay out of the Israeli-Palestinian mess altogether. Or maybe, at this juncture, the US administration felt that rather than pushing for a full-fledged Israeli-Palestinian deal, it would be better to help Sharon get out of the Gaza Strip unilaterally and thus set an important precedent in the withdrawal of Israeli military forces and settlers from occupied Palestinian lands.

A UNILATERAL WITHDRAWAL – BUT NO END TO THE OCCUPATION

At midnight on 14 August 2005, a curfew was placed on the entire Gaza Strip and troops and policemen moved from house to house in the Jewish sectors, handing out eviction warnings to the settlers in the Strip which called on them to leave or face forcible removal; eviction warnings were also handed to the 680 settlers in the four West Bank settlements earmarked for demolition. Three days later, the evacuation began. The operation consisted of four phases: the physical removal of the settlers who stayed on despite earlier calls on them to leave; evacuation of their belongings; destruction of empty structures; and, finally, a withdrawal of the military.

In spite of some dramatic scenes in which the army had to drag settlers out of their houses, the withdrawal proceeded faster than expected and on 11 September, in the headquarters of the Gaza Division, the flag was lowered for the last time and the army departed, thus bringing to an end thirty-eight years of military occupation in the Gaza Strip. All in all, some 2,530 houses were demolished. At the same time, the disengagement from four West Bank settlements took place, which, as early as 23 August, had ended and the settlers' 270 houses were demolished.

Sharon's unilateral disengagement turned out to be a mixed bag for Israel, and, indeed, for the Palestinians too. The most immediate and

short-term outcome was an unparalleled round of applause from a usually sceptical international community, which seemed willing to accept Sharon's line that his withdrawal would ultimately promote a two-state solution. Sharon's bold move clearly relieved pressure on Israel and, as he expected, though never actually admitted in public, it undermined the Quartet's roadmap that had up till the evacuation been at the heart of the peace process, and which could have forced Israel to compromise on issues of great sensitivity. Sharon's right-hand man, Dov Weisglass, the brains behind the Disengagement Plan, alluded to the merit of unilateral disengagement as a way of pushing aside the less favoured roadmap when, in a frank interview, he said that disengagement would act as 'formaldehyde' on the roadmap. He explained:

The significance [of the unilateral withdrawal] is the freezing of the political process. And when you freeze that process you prevent the establishment of a Palestinian state and you prevent a discussion about the refugees, the borders, and Jerusalem [all of which are at the heart of the roadmap]. Effectively, this whole package that is called the Palestine state, with all that it entails, has been removed from our agenda . . . and all this with authority and permission. All with a [US] presidential blessing . . . and we taught the world . . . that there is no one to talk to [on the Palestinian side]. And we received a no-one-to-talk-to certificate. It a certificate that says: 1. There's no one to talk to . . . 2. As long as there's no one to talk to the geographic status quo remains intact. 3. The certificate will be revoked only when this-and-this happens - when Palestine becomes Finland. 4. See you then and Shalom.¹⁸

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On the ground, however, it soon became apparent that what, at first, had seemed to be the end of occupation was for the most part a mere illusion. On the West Bank, while the settlers were indeed removed from their four settlements and their houses demolished, the army continued to maintain control of the land, forbidding Palestinians access to it; it was therefore emptied but not handed over to the Palestinians. In the Gaza Strip, in the meantime, rather than an end of occupation, Sharon's disengagement exercise turned out to be more of a reorganization of the way the occupying forces operated, as Israel

continued to maintain effective and exclusive, albeit remote, control of the evacuated area. Perhaps most notable was the continued Israeli control of the Gaza Strip's airspace - just as it had exercised control since 1967. This enabled the military to monitor Palestinian actions on the ground, attack suspects from the air, and interfere with radio and TV broadcasts.

Israel's exclusive control of Gaza's airspace also prevented the Palestinians from operating an airport which could have allowed them freedom of movement to and from Gaza and to carry out foreign trade. The 1993 Oslo Accord, it is worth mentioning, gave Israel full control over the Strip's airspace, but also established that the Palestinians could build an airport there. Gaza Airport was duly built and opened in 1998, providing a limited number of weekly flights to various Arab countries. However, on 8 October 2000, soon after the outbreak of the second *intifada*, Israel closed down the airport, later bombed its runways, and then turned it into a military base. When, after the Israeli disengagement was completed, the Palestinians regained control of their airport they found that not only were the runways totally destroyed, but that Israeli troops had also vandalized and destroyed many of the airport's buildings. Israel, after its unilateral move, officially recognized the importance of the airport to Gaza but, at the time of writing, and nine years since the disengagement, it has still not allowed it to be reopened.

Israel's continued control of the Gaza Strip is also manifested through its control of Gaza's territorial waters. In the Oslo II agreement, signed between Israel and the PLO in September 1995, Israel agreed to allow fishing boats from the Gaza Strip to sail some twenty nautical miles (about thirty-seven kilometres) out from the coastline (except for a few specific areas, to which they were prohibited entry). In practice, however, Israel denied permits to many applicants, and only allowed fishing up to a distance of no more than twelve nautical miles (twenty-two kilometres); at times Israeli patrol boats even fired at Palestinian boats that exceeded that distance. Following the disengagement from the Gaza Strip, Israel reduced the fishing area yet further. As a result, the fishing sector in Gaza, which provides a livelihood to many families and is an important source of food for residents, suffered a severe blow.

Also in the Oslo agreements, Israel agreed to allow the Palestinians to build and operate a seaport in Gaza, which could have drastically improved the Gazan economy. In the summer of 2000, infrastructural work for the port began, but in October of that year, following the outbreak of the second *intifada*, Israel bombed the seaport construction site. As a result, the donor countries ceased funding the project, and no work has been done on the seaport since then. After the 2005 disengagement from the Strip, Israel pledged it would allow renewal of the construction work, and in order to assure that foreign donors and investors invest in the project Israel also promised that it would not strike the port again. At the time of writing, however, the Israelis continue to stall the project.

In addition to their full control of Gaza's airspace and territorial waters, the Israelis, even after their disengagement from the Gaza Strip, continue to determine the flow of trade in and out of the Strip thorough their control of all of the commercial crossing points into the area; travel between the Gaza Strip and West Bank remains dependent solely on Israel's discretion and changing moods.

In other words, even after the Israeli departure from the Gaza Strip in 2005, Israel continues to control the area from air, sea and land, in addition to providing Gaza – and thus indirectly controlling it – with water for drinking and agriculture, communications, fuel, electricity and sewage networks. No wonder, then, that the Israeli insistence that their occupation of the Gaza Strip is over following their disengagement, and that, therefore, they are no longer legally responsible for the area, comes under severe criticism internationally as a reductionist interpretation of international law. Linking, as the Israelis do, occupation to *physical presence* is to ignore an important tenet of international law, which regards any form of *effective control* over an area – as the Israelis clearly continue to maintain in the Gaza Strip – as a feature of military occupation. Put differently, the general view – and that of international law – is that even after the 2005 disengagement the Gaza Strip remains a land occupied by Israel.

What, however, their physical absence from the Strip did prevent the Israelis from doing was to keep an eye on the militants there, who, after the Israeli evacuation, were freer than before to take control of the area.

We should recall that before the withdrawal the military attempted to weaken the militants by assassinating their leaders; but they underestimated the militants' remarkable resilience and ability to continue functioning even once the top brass was dead. In fact, a close look shows that the Gazan militants' performance before, during and after the Israeli disengagement was exemplary. They fired seventeen rockets from the Strip into Israel in June 2005, and twenty-eight in July, but in August, the month of the Israeli planned disengagement, they limited their firing – six missiles only – in order not to provoke an Israeli backlash that might prompt a change of heart. But in September, just after the Israelis completed their withdrawal, the militants launched twenty-nine rockets into Israel and went on to declare that the Israeli withdrawal was due to their resistance, a claim which was accepted by many Palestinians.¹⁹

In the absence of the Israelis, the Gazan militants also armed themselves as never before and managed to bring many Gazans on to their side. Indeed, with Arafat dead and the Israelis failing to strengthen his successors, the Palestinian Authority was in no position to establish order in the Gaza Strip in the wake of the Israeli withdrawal and this vacuum was soon filled by the militants. The deteriorating economic situation in Gaza, where the number of people classified as impoverished rose from 30 per cent in 2000 to 65-70 per cent by 2005, also contributed to the flocking of ordinary Palestinians to Hamas's side, Hamas being widely regarded as less corrupt than Fatah.

It should not have been surprising, in these circumstances, that when President George W. Bush, in pursuit of his vision of a democratic Palestine, insisted that the Palestinians undertake an election in January 2006, Hamas won control of the parliament, enabling it to set up a government in the Gaza Strip. On 15 June 2007, in Gaza, its gunmen defeated the pro-Fatah police and, for the first time, took full control of the Strip.

Thus Israel's unilateral withdrawal from the Gaza Strip opened a new phase in the Israeli-Palestinian relationship that saw the gradual weakening of the secular Palestinian leadership and the strengthening of more radical elements, especially in Gaza, which militants used as

a launchpad to fire rockets and missiles into Israel. This, in turn, led to a heated debate in Israel regarding the merits of unilateral disengagements and whether, after all, it was in Israel's interests to evacuate occupied lands without leaving the keys to someone else.

Into a Fifth Decade of Occupation

The chronicle, thus far, of Israel's occupation of the lands it gained in its stunning victory in the Six Day War of 1967 is as follows: in the first decade after 1967, Israel found it difficult to decide what to do with the vast tracts of land it had unexpectedly captured from Egypt, Jordan and Syria. It had no organized plan and could not make up its mind as to which parts of the occupied territories to keep and which to return, but its instinct was to sit and wait, generally preferring to keep the land and forgo peace with her neighbours. Any consideration there was of returning some of the occupied lands – mainly the Sinai to Egypt and the Golan to Syria – emerged only as a tactical device to enable Israel to cling to the West Bank, the cradle of Jewish history, and to the Gaza Strip, which, for strategic reasons, Israel sought to keep. But, in the absence of any serious international pressure, even these peripheral thoughts disappeared. Ministers did not heed warnings that time was short and the opportunity to strike a deal, particularly with the Palestinians, could be lost for a generation or more if they did not act swiftly: in hindsight, it seems safe to argue that Israel missed a unique opportunity to strike peace deals with its neighbours during this first decade of occupation.

In the second decade, from 1977 to 1987, Israel, at last, decided what it wanted to do: after the 1977 electoral upheaval which saw the right-wing Likud Party come to power for the first time in Israel's history, the new prime minister, Menachem Begin, embarked on a grand plan to make the occupation irreversible, at the heart of which was the construction of Jewish settlements in the occupied territories, particularly on the West Bank and in the Gaza Strip. The Begin-led government did, after some international pressure, sparked by President Sadat's