Daniela Mansbach
New School for Social Research
MansD318@newschool.edu

From Checkpoints to 'Terminals' in the Occupied Territories:

The Dangers of Normalization

1. <u>The checkpoint: A space managed as 'State of Exception'</u>:

Since their establishment in 2001, the Checkpoints within the Palestinian Territories occupied by Israel have been managed as "no-man's-land between public law and political fact, and between the juridical order and life" (Agamben, 2005; 1-2).[1]

    A. <u>Legality</u>: Just like the modern 'state of emergency', the checkpoints are spaces established by the state where the military strategies and tactics are the law. The military order is characterized by its randomness; the regulations that permit passage through the checkpoints change randomly – even several times a day - with no explanation or warning.

    B. <u>Political justification</u>: The justification for the declaration of a modern 'state of emergency' is the actual or potential case of civil disorder or terrorism, which are defined as threatening the existence of the state. The necessity to protect the existence of the state is what justifies the suspension of civil liberties. The same justification – the need to pre-empt terrorist threats against the state - is used to explain the emergence of the checkpoints. The claim of temporariness - today's security situation, the explosive device discovered yesterday, the attack that took place last week – is what justifies the continuous and extended use of this policy.

    C. <u>The pre-panoptic space</u>: Two characteristics reveal that the state of exception has been maintained at the checkpoints through the architectural structure of the pre-panopticon: **1. The nature of the power deployed**: the control at the checkpoint is attained and maintained by the use of violent physical force: weapons, barriers, and the confiscation of property, and; **2. The absence of a gaze from outside**: in the military space of the checkpoints there is no place for civil values or activities and any civilian gaze is restricted.

---

[1] Since the early 1990s, Israel has been restricting the movement of the Palestinians in the Occupied Territories. However, the outbreak of the second Intifada in September 2000 marks a new stage in these restrictions, regarding both their scope and duration. As of April, 2008, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) listed 608 physical obstacles on roads in the West Bank, including concrete blocks, metal gates, earth mounds, observation towers and ditches.

2. Resistance at the checkpoints: the case of 'Checkpoint Watch'.

This pre-modern form of power, although not easily accessible to civilians, still enables some forms of resistance to take place. '**Checkpoint Watch**' is an example of a movement that has been operating in this space for more than seven years. Checkpoint Watch — Women for Human Rights at IDF [Israel Defense Forces] Checkpoints — was formed in Jerusalem in January 2001 in response to Israel's continued policy of enforced closures and encirclements in the Occupied Territories.

The movement organizes daily shifts of volunteers at more than 20 checkpoints, most of them inside the West Bank and surrounding Jerusalem. At present, the movement includes about 400 Israeli women activists. The women maintain two daily shifts, each includes 2-5 members and lasts from two to four hours, during which the women watch what happens at the checkpoint, record it and, if possible, intervene to improve conditions for the Palestinians waiting in line. Their two main practices – watching and intervention – address the pre-panoptic characteristics of the Checkpoints and try to change them:

A.   Intervention Practice as 'humanizing' the Palestinians: Most of the shift is dedicated to attempts, some more successful than others, to help the Palestinians in general, and the humanitarian cases in particular, to cross the checkpoint. This intervention practice challenges the continuation of the use of pre-modern forms of power and violence. The introduction of the discourse of human rights into the space of the Checkpoints undermines its ability to remain an isolated space in which there is no need to consider the Palestinians' human rights.

B.   Revealing the unseen: The watching practice applies a double gaze - on what is happening to the Palestinians and on the soldiers– that introduces into the military-masculine space an alternative gaze that challenges the political order. The gaze on the Palestinians challenges the conception that what happens to the Palestinians belongs exclusively in the domain of security and should remain solely a military issue. The second gaze — directed at the soldiers manning the checkpoints — undermines the conception that the military space is exclusively a masculine one. The

dual gaze maintained by the Checkpoint Watch women raises the alternative of a civilian-feminine gaze.

3. 'Terminals': modernizing and 'normalizing' power:

In the last two years some of the checkpoints have been going through architectural and administrative changes that culminated with re-naming them as 'terminals'. The main change in these 'terminals' is the introduction of new panoptical forms of surveillance and power. The new architecture of the 'terminals' seems to follow the panoptic structure; from the outside, these new 'terminals' look as if they are being activated without the use of extreme force or surveillance but only through the exercise of rules and law-abiding. This impression is achieved by hiding from the outside gaze – not from the Palestinians who are being checked at the 'terminal - the guns that were previously exposed to view in this space.

As a result of these changes, the 'terminals' appear to apply modern forms of power. Since these forms of power are usually considered to be more legitimate, the 'terminals' are now being presented by the Israeli authorities as legitimate border points, equivalent to the ones that are being used by any citizen crossing the border between his country and another. The difference between these 'terminals' and border crossings – such as the fact that they are not located at the border between two independent countries; that people need to cross them in order to receive basic services such as health and education; as well as the fact that obedience is not really achieved by means of self-discipline – are being ignored in favor of the argument that 'people cannot enter another country without a passport and visa, so what is the difference?'.

Qalandia Checkpoint, three kilometers south of Ramallah, is an example of such a space. Since early 2006, the 'terminal' is managed as if it was a regular international point for border-crossing. Beside the particular Palestinian who is being checked at a given moment, no one can see the power and surveillance that is being used; new buildings allow the examination of only one Palestinian at a time and, thus, prevent an outside gaze by other Palestinians waiting in line or by human rights activists. The difficulty to talk to, or even see the soldiers is emphasized by random orders shouted through the loudspeakers that direct and re-direct the Palestinians waiting in line, every

few minutes, to different empty check-stations with the excuse that security concerns demand that the Palestinians be ignorant regarding the exact location of the soldiers.

4. 'Terminals: the dangers of normalization:

The change from checkpoints to 'terminals' aims to achieve varied goals, including an international acceptance of the Israeli control over the Palestinian population in the Occupied Territories, and carries both theoretical and practical implications regarding the possibility of resistance in this space.

In practice, the new architecture undermines both the legitimacy of the resistance to the checkpoints and the ability to engage in any form of resistance:

i.   **Its legitimacy**: Since the 'terminals' are claimed to be 'just like any other airport or border point in the world', the previously military rules are now claimed to be replaced by a legitimate legal order. As such, this order is considered to be legitimate, both by the Israeli public and by some members of the international community. In this context, the critique against the 'terminal' is not understood to be part of the critique against the Occupation but, rather, it is defined as a critique against the Israeli legal order, which is considered to apply in the new 'terminals'.

ii. **The ability**: The architectural changes dismiss the possibility of tracing the use of power or violence against the Palestinians. In addition, the activists can no longer approach or address the soldiers and, therefore, their ability to gather information and influence the situation is undermined. Thus, the gap between what happens inside the 'terminals' and what can be seen from outside limits the ability for any resistance.

The difficulty to resist the checkpoints not only facilitates the continuing oppression of the Palestinians by Israel, but also conceals it and, thus, enables its radicalization. The theoretical implication of this change is related to the discourse regarding the 'state of exception'. While thinkers have been emphasizing the danger in the shift that this concept has been experiencing - from an extraordinary or exceptional moment, this concept is becoming an everyday tool in the hands of authorities – the phenomenon of the 'terminals' presents a new stage of oppression. In the attempt to provide an answer to

these critiques, this new order succeeds in maintaining the 'bare lives' of the individuals by abandoning –at least apparently – the 'state of exception'. This time, the new control and oppression is hidden under the image of legitimacy and order.